

Repealing section.

ent with or in any manner contravening the provisions of this act, are repealed.

SECTION 6. This act shall be in force from and after its passage and publication.

Approved April 1, 1885.

[No. 585, A.]

[Published April 11, 1885.]

## CHAPTER 220.

AN ACT to amend the charter of the city of Plymouth.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

May order construction of sidewalks.

SECTION 1. The common council, upon petition of a majority of the resident owners of any lots or lands, said petitioners owning at least one-half of the lots or lands abutting such side of the street, shall order the construction of such sidewalk upon the established grade to be built of such width and in such time as the common council by ordinance, resolution or order may direct. Such sidewalk shall be constructed of wood, brick, stone or gravel, in a manner to make it secure and safe, and to prevent any caving or falling in; provided, that the street upon which such improvement is contemplated has been properly graded.

Shall construct the same by contract if necessary.

SECTION 2. If such sidewalk shall not be constructed in the manner above mentioned or within the time prescribed by the common council, then the common council shall cause the same to be done by contract. The contract for the construction of any such sidewalk shall be let to the lowest bidder, and notice shall be given by publication in the official paper of the city, for at least two weeks, of the time, place and manner of receiving such bids; provided, that no such contract shall be let until thirty days after notice shall have been given to such owner or owners, if known, or the ordinance, resolution or order, requiring the construction of such sidewalk, and publication of the same, as least two weeks in the official paper of the city.

SECTION 3. Whenever any work has been done under contract, as provided in this act, and the work shall have been approved in writing by the mayor and street commissioner, and accepted by the common council, such contractor shall be entitled to a certificate therefor, which shall be signed by the mayor and street commissioner, and countersigned by the city clerk, and shall state the amount of work done by such contractor, the nature thereof, and the description of the lot or parcel of land upon which the same is chargeable. Such certificate may be transferred by endorsement thereon; and if the amount thereof is not paid before the time of making out the annual assessment roll such certificate may be filed with the city clerk, and the common council shall order the amount thereof to be assessed upon the said lots or land respectively, as a special tax, and to be collected therefor for the benefit of the holder of said certificate, as other taxes on real estate are collected under the act of incorporation of said city. If notice to do the work required shall have been given as herein prescribed, no informality or error in the proceedings shall invalidate or vitiate such assessment; provided, that in no event, whenever such work is ordered to be done at the expense of any lot or parcel of land, shall the city be held responsible for, or on account thereof, or for any proceedings for the collection or the pay therefor.

Contractor shall be entitled to certificate.

SECTION 4. Whenever a sidewalk shall be out of repair, and so remain for one week, which in the opinion of the street commissioner, will not cost exceeding five dollars in front of any one lot or piece of ground, and shall be dangerous to public safety or travel, it shall be the duty of the street commissioner to repair the same immediately, and certify the cost of the same against the owner of the lot or land to the city clerk, who shall enter the same in the next tax roll against the proper lot as a tax, which shall be a lien thereon, the same as any other tax, and paid over and held by the city treasurer in the general fund of said city, and paid out as such.

Repair of sidewalks.

SECTION 5. The common council shall also, on complaint being made by any person or to any member thereof, or on its own knowledge, or that of any member thereof, that any sidewalk al-

Owners of sidewalks to be compelled to repair the same

ready constructed in the city is out of repair; that the same is dangerous and unsafe for public travel, and the cost of such repair will exceed the sum of five dollars, shall by resolution, to be published not less than two weeks, authorize and compel the owner or owners thereof to rebuild and repair the same without delay; and in case any such owner neglects or refuses to so rebuild or repair such sidewalk within two weeks after such publication of such resolution shall have been made, the common council shall cause the street commissioner, or some other person designated by it, to rebuild or repair the same forthwith, and to certify the cost in full for the same against each lot so being in default, in the same manner as provided in section 3; and the city clerk shall place the same in the next tax roll of the city in the same manner as therein provided; provided, that all kinds of real estate in the city exempt by the laws of the state from taxation for general purposes, shall not be exempt from paying the taxes mentioned in this chapter, but shall be subject to and pay such taxes for such improvements, sidewalks and pavements or repair the same as other real estate in the city, or the owners thereof, shall cause the same to be done.

Question of adoption of amendments to be submitted.

SECTION 6. The question of the adoption of the amendments herein proposed in the city charter of the city of Plymouth, shall be submitted to the electors of such city before the same shall become operative. For the purpose of determining the question, the qualified electors residing in said city, shall at the time of holding their next annual charter election, vote upon the question by ballot. Such election shall be held at the same place or places, and under the same rules and regulations as govern said city at its annual charter election, except as otherwise provided in this act. The vote shall be taken upon all the amendments herein provided together. Every elector residing in said city, and qualified to vote at the charter election, may vote upon such question. The ballots shall be, "For charter amendment, relating to the establishment and maintenance of sidewalks," and "Against charter amendment relating to the establishment and maintenance of sidewalks," and shall be taken and kept in a separate ballot-box from the ballots for city officers.

If the majority of such ballots shall have thereon, "For the charter amendment," this act shall be in full force from and after the first day of May, 1885; and if a majority of the ballots shall have thereon, "Against charter amendment," this act shall be inoperative and of no force. Returns shall be made, canvassed, and result determined under the same rules and regulations as govern in the charter election of said city.

SECTION 7. Section 4, of chapter 193, of the laws of 1877, entitled, "an act to incorporate the city of Plymouth," is hereby amended as follows: to wit: Whenever the words, "a marshal" or "marshal" occur in said section, the same shall be stricken out. Section 4 amended.

SECTION 8. Section 5, of said act is hereby amended, as follows, to wit: Whenever the words, "one marshal" occurs in said section, the same shall be stricken out. Section 5 amended.

SECTION 9. Section 15, of said act is hereby amended, by adding to said section the following words: The treasurer shall be a collector of taxes, and for his service receive the same compensation except as herein provided, and be governed by the same laws and be subject to the same liabilities as treasurers of towns. Section 15 amended.

SECTION 10. Section 16, of said act, is hereby amended so as to read as follows: At the first meeting of the common council each year, or as soon thereafter as may be, they shall proceed to elect a marshal, whose term of office shall commence and continue the same as the elective officers of said city, unless revoked by a two-thirds vote of the common council. The marshal shall perform such duties as shall be prescribed by the council for the preservation of public peace, and for the collection of license money and fines, which money so received he shall immediately pay to the city treasurer. He shall possess all the powers of constables of towns, and be subject to the same liabilities. It shall be his duty to execute and return all writs and processes to him directed, and when necessary, in criminal cases, or for the violation of any ordinance of said city or law of this state, may pursue and serve the same in any part of the state of Wisconsin. It shall be his duty to suppress all riots, disturbances and breaches of the peace, to apprehend any person Section 16 amended.

in the act of committing any offense against any ordinance of said city or any law of the state, and forthwith to bring such person before competent authorities for examination, and for such services he shall receive such fees as are allowed to constables for such service. He shall appoint two or more deputies, whose appointment shall be approved by the common council, but for whose official acts he shall be responsible, and of whom he may require a bond for the faithful discharge of his duties. And said marshal shall receive such compensation as the common council may deem proper.

Sections 60, 61  
and 62  
amended.

SECTION 11. Sections 60, 61 and 62, of said act are hereby amended by striking out the words, "city marshal" or "marshal," where they occur, and by inserting in lieu thereof the words, "city treasurer."

Amended.

SECTION 12. Section 62, of said act, is hereby further amended by striking out the words, "and shall also at the same time pay over to the city treasurer all other moneys in his possession belonging to the city of Plymouth," where they occur in the eighth, ninth and tenth lines of said act, as published, so that the said section, when amended, shall read as follows, to wit: On or before the fifteenth day of February of each year, the said city treasurer shall make out and return to the treasurer of Sheboygan county, a list of all lands and lots upon which the taxes have not been paid, and shall also settle with and pay over all moneys properly payable to said county treasurer, in like manner as now is or may hereafter be required of town treasurers. The said city treasurer shall also by the same time make out and deliver to the city clerk, a list of all delinquent personal property tax for the same year. The county treasurer shall add the same interest, penalties or fees to such delinquent returns as are allowed or required by law upon delinquent returns for the several towns.

Question of  
adoption of  
amendments to  
submitted.

SECTION 13. The question of the adoption of the amendments herein proposed to the city charter of the city of Plymouth, shall be submitted to the electors of such city before the same shall become operative. For the purpose of determining the question, the qualified electors residing in said city shall, at the time of holding their

next annual charter election, vote upon the question by ballot. Such election shall be held at the same place or places, and under the same rules and regulations, as govern said city at its annual charter election, except as otherwise provided in this act. The vote shall be taken upon all the amendments herein provided together. Every elector residing in said city and qualified to vote at the charter election, may vote upon such question. The ballots shall be: "For charter amendment relating to the offices of city treasurer and marshal," and "Against charter amendment relating to the offices of city treasurer and marshal," and shall be taken and kept in a separate ballot-box from the ballots for city officers. If the majority of such ballots shall have thereon, "For the charter amendment," this act shall be in full force from and after the first day of May, 1885, and if a majority of the ballots shall have thereon, "Against charter amendment," this act shall be inoperative and of no force. Returns shall be made, canvassed, and result determined under the same rules and regulations as govern in the charter election of said city.

SECTION 14. This act shall take effect and be in force from and after its passage and publication.

Approved April 2, 1885.

[No. 255, A.]

[Published April 6, 1885.]

## CHAPTER 221.

AN ACT to amend chapter 162, of the laws of 1877, incorporating the city of New London.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. Section 1, of sub-chapter 3, of chapter 162, of the laws of 1877, is hereby amended so as to read as follows: "Section 1. The elective officers of said city shall be a mayor, treasurer, city clerk, city attorney, justice of the peace, assessor, school commissioner, street commissioner, chief of police, and city surveyor, to be elected by

Section one amended.