

[No. 340, A.]

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CHAPTER 244.

AN ACT to amend chapter 36, of the laws of 1882, as amended by chapter 269, of the laws of 1887, entitled, "an act to amend chapter 36, of the laws of 1882, relating to the charter of the city of Madison."

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

SECTION 1. Subdivision 1, section 3, of chapter 4, of chapter 36, of the laws of 1882, is hereby amended so as to read as follows:

LICENSE SHOWMEN, ETC.

1. To license and regulate the exhibitions of common showmen or shows of any kind, or the exhibitions of caravans, circuses, theatrical performances, billiard tables and bowling saloons, and to provide for the abatement and removal of nuisances under the ordinances, or at common law, and to grant licenses for selling spirituous liquors, and to regulate and license groceries, taverns and victualing houses, and all persons vending or dealing in spirituous, vinous or fermented liquors, and to revoke the same for a violation thereof; and provide for licensing annually all persons engaged in the retail of any manufactured articles on the public streets of said city; and provide for licensing all persons engaged in buying any merchandise, goods, wares and meats, and exposing and offering the same for sale on the public streets in the city; provided, that nothing contained in this section shall be construed to empower the common council to require a license of any farmer or gardener for the sale of any meats or produce of his own raising or manufacture. The license herein provided for shall not be for a shorter period than one year, and shall be not less than the minimum sum now charged by the laws of this state for the same.

Amend chapter
4, chapter 36,
laws of 1882.
License
showmen, etc.

SECTION 2. Section 14, of chapter 6, of chapter 36, of the laws of 1882, is hereby amended so

Amend chapter 8, chapter 36, laws of 1882.

Owners of frontage may petition for sidewalks.

as to read as follows: Section 14. Whenever the owners of more than one-half of the frontage of the lots upon that part of any street proposed to be improved shall petition the common council to improve such street or part of street, by stone paving, macadam or otherwise as set forth in such petition, the common council shall order such improvement to be made as shall be fully specified by the city surveyor and approved by the mayor, and upon advertisement, which shall set forth clearly such specifications, may contract for such work to be done by the lowest responsible bidder, if deemed reasonable in cost. Provided, that such improvement, unless made to connect with street somewhat similarly improved, shall be made to extend upon such street, not less than the length or width of three blocks of lots, and the street crossings between. The cost of such improvement when made, shall be assessed to the respective owners of the lots fronting on such street, in the ratio of each owner's number of feet front, to the entire length of such improvement, exclusive of street crossings, which shall be chargeable to the city as its proportion of expense, and such crossings shall be made to conform with the street so improved. In order to provide for the payment of any such street improvement the common council may issue bonds of the city in sums of one hundred dollars each, with six per cent. interest annually, payable in ten equal annual installments, which installments shall be in the form of yearly coupons attached, each coupon to be of an amount which shall be one-tenth of the unpaid principal and six per cent. upon the unpaid part of the said bond, to the first day of May when payable each year, or such bonds with or without coupons payable at such times as it may prescribe. Such bonds to be designated as "special street improvement bonds," and shall be received by the city if presented in payment for any special tax for which such bond was issued. Upon the assessment being once made as herein provided, there shall be levied annually for ten years a special tax upon the property so assessed, of such an amount as will be required to pay one-tenth of the proportionate cost of such improvement, and the six per cent. interest thereon, upon any unpaid por-

tion to the first day of May following the date of the warrant for collecting the same; provided, that any lot owner or owners may, at any time, pay the entire principal sum due, with the interest up to the first day of May following such payment, whereupon the lot so paid for shall cease to be specially taxed therefor. All special taxes levied in accordance with the provisions of this section shall be paid or collected in the same manner as other city taxes. The common council of the city of Madison is hereby empowered to pass any ordinance which it may deem advisable or necessary to carry the provisions of this section into force and effect.

SECTION 3. Section 11, of chapter 289, of the laws of 1887, is hereby amended so as to read as follows: Payment for street improvements.

INDEBTEDNESS—HOW CONTRACTED—BONDS.

SECTION 2. The common council shall have no power or authority, and it is hereby prohibited from borrowing any money or from authorizing any city officer to borrow money for the use of the city, nor shall it have power or authority to issue any bonds, or to contract or create any debt for any purpose whatever, unless there is money in the city treasury for the payment of the same, except for such work on the streets as shall be paid by special tax or assessment on the property benefited thereby, and except as hereinafter expressly provided. The common council shall have power to refund existing indebtedness, and to issue bonds therefor, payable within twenty years at a rate of interest not exceeding ten per cent. per annum; it shall have power to borrow money for the construction of water works, to issue bonds therefor, payable within twenty years, and at a rate of interest five per cent. per annum, payable in advance, and no bond shall be issued, unless the same shall be authorized by a vote, not less than their par value. No certificate of indebtedness shall be drawn upon the city treasury, unless the same shall be authorized by a majority of all the members of the common council, and the vote authorizing the same shall be entered by the ayes and noes upon the journal for the council, and no money shall be ap- Council shall not borrow money.

propriated for any expenses whatsoever, except such as is expressly authorized by this act; provided, that the sum of five thousand dollars, now in the water fund of said city, shall, by a vote of the common council, be transferred from the city water fund arising from the three mills levied and collected upon the assessed value of the real and personal property of said city, to be used for the payment of the principal and interest of the bonded debt of the city; and provided, further, that an additional sum of seven thousand dollars, now in the water fund of said city, be transferred to the general fund of said city, and the treasurer of said city is hereby directed to make transfer of the said sums above named in the manner and for the purposes above specified, and determine immediately upon such a vote having been taken by the common council.

Amend ch. 269,
laws of 1887.

SECTION 4. Section 12, of chapter 269, of the laws of 1887, is hereby amended so as to read as follows:

FISCAL YEAR, TAXATION FOR GENERAL PURPOSES.

Taxation for
general
purposes.

SECTION 6. The fiscal year of the city of Madison shall commence on the first day of September, on which day, or as soon thereafter as the certificate of the county clerk, stating the amount of state and county taxes apportioned to the city of Madison, shall be received, the clerk shall notify the mayor, who shall call a special meeting of the council as soon as practicable, at which meeting, or within five days thereafter, the council shall, by resolution, determine what amount of money, including the estimated revenues of the city not derived from direct taxation for the current fiscal year, will be required for all city purposes during that year; and the council shall thereupon, by resolution, levy a tax which, together with the tax required to be levied for the state, county and school purposes, and for delinquent taxes of the preceding year, shall not exceed in amount two per cent. of the assessed value of real and personal property of the city for that year. Of the amounts so levied, a sum equal to two-tenths of one per cent. of the assessed valuation of the real and personal property of the city shall be set apart and used for the payments

of the interest and principal of the bonded debt of the city so long as any portion of such debt shall remain unpaid; the sum of one-tenth of one per cent. of the assessed valuation of the real and personal property of this city shall be set apart to be paid to the treasurer of the board of education, and it shall be applied to the payment of the principal and interest on a loan of forty-five thousand dollars or less that may be made by the board of education of said city, for building purposes, so long as any part of such loan remains unpaid, and when said loan and interest is wholly paid, said money so collected shall be set apart and used for the payment of the principal and interest of the bonded debt of the city, so long as any portion of the debt remains unpaid, and a further sum equal to four-tenths of one per cent. of the assessed valuation of the real and personal property of the city, or such less sum as the board of education may by resolution determine to be sufficient, shall be set apart and used for the payment of the current and contingent expenses of the city schools and for no other purpose whatever; and the sum of three tenths of one per cent. of the assessed valuation of the real and personal property of the city, or such less sum as the board of water commissioners may, by resolution determine to be sufficient at a meeting of said board prior to the time of the levy of the tax by the common council of the city as specified, shall be set apart to the water-works fund hereinafter provided for; and such sums as shall be included in the estimates made in pursuance of this section for the Forest Hill cemetery and free public library, shall be set apart and used for the expenses of the maintenance of said cemetery and free public library and for no other purpose; and the remainder of the tax levied under the provisions of this section shall constitute a general fund of the city. All resolutions for the purpose of levying taxes shall require for their passage an affirmative vote of two-thirds of the members of the common council.

Sum set apart
for payment of
interest.

SECTION 7. All acts and parts of actes in conflict with this act are hereby repealed. Repealed.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved April 1, 1889.