

No. 397, A.]

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CHAPTER 290.

AN ACT to provide for the assessment and collection of the cost of constructing sewers in certain cases.

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

Acts of cities under former statutes in relation to construction of sewers, legalized.

SECTION 1. In any case in which any city in this state having power under its charter, as it existed prior to the passage of chapter 326, of the laws of 1889, to construct sewers and provide for the payment therefor, shall have attempted to amend its charter by adopting the provisions of sub-chapter 20, of said chapter 326, of the laws of 1889, as provided in said act and acts amendatory thereof, for the construction of sewers, and the proceedings for the adoption of said sub-chapter shall be, or be claimed to be invalid by reason of, or on account of irregularities or defects in the proceedings for such adoption, and such sewer or sewers shall, nevertheless, have been actually constructed under such proceedings, the common council of any such city is hereby authorized to charge the cost of the construction thereof to the various lots, pieces, or parcels of land abutting upon the street or streets in which said sewer shall have been constructed, to the same extent as though such sub-chapter had been legally adopted.

In relation to the necessity of changing the cost of sewer, etc.

SECTION 2. In case the common council of any such city shall desire to charge the cost of any such sewer to the abutting property, as provided in section 1, of this act, it may, by an ordinance or resolution to be passed at any regular meeting of said common council, declare that the cost of any such sewer which has so been constructed shall be chargeable to the several lots, pieces or parcels of land abutting upon the

street or streets in which said sewer or sewers shall have been constructed, and it shall then be the duty of the board of public works of such city, or the common council of such city, in case it has no board of public works, to make an assessment against all lots, parts of lots and parcels of lands fronting or abutting on the street or streets in which any such sewer shall have been so constructed, in the manner provided by sub-chapter 20, of chapter 326, of the laws of 1889, and the acts amendatory thereof; which assessment, when so made, shall be a valid lien on each lot, piece or parcel of land abutting on the street or streets in which any such sewer shall have been constructed, in the same manner and with like effect as though such sewer had been constructed under the provisions of said sub-chapter 20, of chapter 326, of the laws of 1889, and the several acts amendatory thereof, and shall be carried into the general tax roll assessed against each such lot, piece or parcel of land, and collected in the same manner as general taxes are collected in such city.

SECTION 3. The cost of such sewer which may be charged against the abutting lands, as aforesaid, shall not include the cost of construction across street intersections, nor the cost of catch basins made in connection with such sewer.

Cost not to include across street intersections.

SECTION 4. All acts or parts of acts in any manner conflicting with the provisions of this act, are hereby repealed.

Repealing section.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved April 21, 1897.