

to pay a fine of not less than fifty nor more than five hundred dollars.”

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 2, 1901.

No. 170, S.]

[Published May 4, 1901.

CHAPTER 257.

AN ACT providing for the furnishing and use of safe scaffolding, hoists, stays, ladders, or other mechanical device used in the construction of a building and providing a penalty for a violation thereof.

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

Safety appliances to be provided. SECTION 1. A person employing or directing another to perform labor of any kind in the erection, repairing, altering or painting of a house, building or structure shall not furnish or erect, or cause to be furnished or erected for the performance of such labor, scaffolding, hoists, stays, ladders or other mechanical contrivances, which are unsafe, unsuitable or improper, and which are not so constructed, placed and operated as to give proper protection, to the life and limb of a person so employed or engaged. Scaffolding or staging swung or suspended from an overhead support, more than twenty feet from the ground or floor, shall have a safety rail of wood, properly bolted, secured and braced, rising at least thirty-four inches above the floor or main portions of such scaffolding or staging and extending along the entire length of the outside and the ends thereof, and properly attached thereto, and such scaffolding or staging shall be so fastened as to prevent the same from swaying from the building or structure.

Complaints; power and duty of factory inspectors. SECTION 2. Whenever complaint is made to the factory inspector that the scaffolding, or the part thereof declared to be unsafe. After ladders, irons, or ropes of any swinging or stationary scaffolding used in the construction, alteration, repairing, painting, clean-

ing or painting of buildings within the limits of a city are unsafe or liable to prove dangerous to the life or limb of any person, such factory inspector shall immediately cause an inspection to be made of such scaffolding, or the slings, hangers, blocks, pulleys, stays, braces, ladders, irons or other parts connected therewith. If, after examination, such scaffolding or any of such parts is found to be dangerous to life or limb, the factory inspector shall prohibit the use thereof, and require the same to be altered and reconstructed so as to avoid such danger. The factory inspector or deputy factory inspector making the examination shall attach a certificate to the scaffolding, or the slings, hangers, irons, ropes, or other parts thereof, examined by him stating that he has made such examination, and that he has found it safe or unsafe, as the case may be. If he declares it unsafe, he shall at once, in writing, notify the person responsible for its erection of the fact, and warn him against the use thereof. Such notice may be served personally upon the person responsible for its erection, or by conspicuously affixing it to the scaffolding, or the part thereof declared to be unsafe. After such notice has been so served or affixed, the person responsible therefor shall immediately remove such scaffolding or part thereof and alter or strengthen it in such manner as to render it safe, in the discretion of the officer who has examined it, or of his superiors. The factory inspector and any of his deputies whose duty it is to examine or test any scaffolding or part thereof, required by this section, shall have free access, at all reasonable hours, to any building or premises containing them or where they may be in use. All swinging and stationary scaffolding shall be so constructed as to bear four times the maximum weight required to be dependent therefrom or placed thereon, when in use, and not more than four men shall be allowed on any swinging scaffolding at one time.

Provisions required in erection of buildings in cities. SECTION 3. All contractors and owners, when constructing buildings in cities, where the plans and specifications require the floors to be arched between the beams thereof, or where the floors or filling in between the floors are of fire-proof material or brick work, shall complete the flooring or filling in as the building progresses, to not less than within three tiers of beams below that on which the iron work is being erected. If the plans and specifications of such building do not require filling in between the beams of floors with brick or fire-proof material all contractors for carpenter work, in the course of construction shall lay the under flooring thereof on each story as the building progresses, to not less than within two stories below the one to which such

building has been erected. Where double floors are not to be used, such contractor shall keep planked over the floor two stories below the story where the work is being performed. If the floor beams are of iron or steel, the contractors for the iron or steel work of buildings in course of construction or the owners of such buildings, shall thoroughly plank over the entire tier of iron or steel beams on which the structural iron or steel work is being erected, except such spaces as may be reasonably required for the proper construction of such iron or steel work, and for the raising and lowering of materials to be used in the construction of such building, or such spaces as may be designated by the plans and specifications for stairways and elevator shafts. If elevating machines or hoisting apparatus are used within a building in the course of construction, for the purpose of lifting materials to be used in such construction, the contractors or owners shall cause the shafts or openings in each floor to be enclosed or fenced in on all sides by a barrier at least eight feet in height. If a building in course of construction is five stories or more in height, no lumber or timber needed for such construction shall be hoisted or lifted on the outside of such building. The chief officer, in any city, charged with the enforcement of the building laws of such city and the factory inspector are hereby charged with enforcing the provisions of this section.

Penalty for violations. SECTION 4. Any owner, contractor, sub-contractor, foreman or other person having charge of work on building, if found guilty of violation of any of the former sections of this law shall be subject to a fine of not less than twenty-five dollars and not more than one hundred dollars, or imprisonment of not less than three months or not more than one year by any court having jurisdiction.

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

Approved May 2, 1901.