

CHAPTER 215

AN ACT to amend 66.05 (1); and to create 66.05 (7) of the statutes, relating to razing old buildings.

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

SECTION 1. 66.05 (1) of the statutes is amended to read:

66.05 (1) The governing body or the inspector of buildings or other designated officer in every municipality, *except in towns situated in a county of less than 15,000 population upon complaint of a majority of the members of the town board the circuit court*, may order the owner of premises upon which is located any building or part thereof within such municipality, which in \* \* \* *its* judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation, occupancy or use, and so that it would be unreasonable to repair the same, to raze and remove such building or part thereof, or if it can be made safe by repairs to repair and make safe and sanitary or to raze and remove at the owner's option; or where there has been a cessation of normal construction of any building or structure for a period of more than 2 years, to raze and remove such building or part thereof. The order shall specify a time in which the owner shall comply therewith and specify repairs, if any. It shall be served on the owner of record or his agent where an agent is in charge of the building and upon the holder of any encumbrance of record in the manner provided for service of a summons in the circuit court. If the owner or a holder of an encumbrance of record cannot be found the order may be served by posting it on the main entrance of the building and by publishing in the official newspapers of the municipality for 2 consecutive publications at least 10 days before the time limited in the order commences to run.

SECTION 2. 66.05 (7) of the statutes is created to read:

66.05 (7) The action provided in sub. (1) for razing or removing a building on premises in a town situated in a county of less than 15,000 population shall be commenced by serving summons and complaint upon the owner and occupant of and any holder of an encumbrance of record against the premises and procedure shall be the same in all respects as the procedure in other civil actions so far as applicable. Subsection (3) shall not apply to such actions except the court may, upon a showing of hardship or other good cause, restrain for reasonable periods of time the razing or removal of a building or part thereof and the removal, sale or destruction of any personal property or fixtures therein. Costs shall be in the discretion of the court except as to persons found by the court to be acting maliciously in or about the commencement or prosecution of such action.

Approved July 22, 1959.