

CITY CHARTERS.

[No. 29, S.]

[Published February 20, 1889.]

CHAPTER 13.

AN ACT to amend chapter 21, of the laws of 1882, entitled, "An act to incorporate the city of Baraboo;" also to amend chapter 54, of the laws of 1882, entitled, "An act to amend chapter 21, laws of 1882, entitled, 'An act to incorporate the city of Baraboo.'"

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

SECTION 1. Section 4, of sub-chapter 4, of said chapter 21, is hereby amended by striking out the word, "resolution," wherever it occurs in said section.

Amendment to chapter 21, laws of 1882.

SECTION 2. Section 1, of sub-chapter 6, of chapter 21, of the laws of 1882, is hereby amended so that said section shall read as follows: Section 1. The common council shall have power to take lands for public use for the purpose of laying out, widening, straightening, extending, enlarging or constructing streets, alleys, markets, parks, sewers, gas works, electric light works, water works, school-houses, hospitals, pest houses, or for any other public purpose, the necessity therefor having been first determined by a jury, and just compensation therefor having been made as hereinafter provided.

Lands for public use.

SECTION 3. Section 2, of said sub-chapter 6; is hereby amended, so that said section shall read as follows: Section 2. Whenever it shall, in the opinion of the common council, be necessary to take any lands for any purpose mentioned in the preceding section, it shall by resolution so declare, giving a description of the same, and the purpose for which such lands are to be taken,

Relating to appointment of jurors to view lands.

and shall thereupon cause notice of said proceedings, describing the land proposed to be taken, and the purpose for which it is proposed to take the same, and stating that at a time and place therein to be named (which shall not be less than ten days after the service or expiration of the publication of said notice) application will be made to the police justice of the city of Baraboo or a court commissioner of the county of Sauk for the appointment of twelve jurors to view said premises and determine whether it shall be necessary to take the same for the purpose specified in such notice, and if so, to assess the damages, to be served on all persons interested in such lands who are residents of this state, and whose residences are known by service thereof in the usual manner of serving a summons, and on all other persons by the publication of such notice for four weeks successively once in each week in some newspaper published in said city, and by mailing a copy thereof to each non-resident person interested in said premises whose residence is known.

Amend sub-
chapter 6.

SECTION 4. Section 3, of said sub-chapter 6, is hereby amended by striking out the word, "application," where it first occurs in said section, and inserting the word, "resolution," instead, and by striking out the word, "application" at the end of said section, and inserting the word, "notice," instead.

Relating to
building of
school houses.

SECTION 5. Section 9, of sub-chapter 8, of said chapter 21, is hereby amended so that said section shall read as follows: Section 9. Whenever repairs to a larger amount than one hundred dollars shall, in the opinion of the board, be required for any one school-house, they shall cause a statement to be made showing the repairs and an estimate of the cost thereof to be laid before the common council; and whenever in its opinion another school-house shall be required, it shall cause an estimate of the cost of a site for such house, and a plan for the proposed building or buildings, together with the estimate of the cost of the same to be made, and submit the same for the consideration of the common council, which shall forthwith take measures to raise a sum of money by tax or otherwise sufficient to defray the cost of such repairs or the erection of such building or

buildings and the purchase of a site or sites, unless there shall be a two-thirds vote of the whole number of aldermen of the city against the same, in which case such proposed repairs shall not be made, nor shall such site or sites be purchased, or building or buildings erected; and it shall be the duty of said board to enter into contracts for making such repairs or for the purchase of such sites whenever it shall be made to appear that the necessary money for the same has been provided or authorized by the common council.

SECTION 6 Section 16, of sub-chapter 9, of said chapter 21, is hereby amended by inserting after the word, "year," in the twelfth line of said section, the following: "Who shall attach thereto his warrant for the collection of said taxes, and deliver the same to the marshal of said city who shall proceed to collect the same and for that purpose shall have all the powers possessed by the city treasurer."

Collection of taxes.

SECTION 7. Section 10, of sub-chapter 10, of said chapter 21, is hereby repealed.

Repealed.

SECTION 8. Section 7, of sub-chapter 11, of said chapter 21, is hereby amended to that said section shall read as follows: Section 7. The costs and expenses of surveying streets, alleys, sewers and gutters, and of estimating work thereon in the execution of any public improvement shall be chargeable to and payable by the city; the costs and expenses of opening, grading, graveling, planking or paving streets and alleys or the making and repair of sewers may be wholly or partly charged against the lots of land fronting on such street, alley or sewer; so that such lot or parcel of land shall pay for work between the front of each lot or parcel of land and to the center of such street, alley or sewer, or such portion thereof as the common council shall determine; provided, that the common council may order the whole or any part of such cost and expense to be paid by the lots or land fronting on such streets, alleys or sewers by a pro rata tax based upon the last assessment made prior to such order of the common council. For the purpose of making any improvement mentioned in this section, the common council may assess taxes upon the taxable property of said city, or issue bonds of said city; provided, that no such bonds shall be issued until

Relating to costs of surveying streets, etc.

authorized by a vote of a majority of the electors voting on that question, at an election at which at least ten days' previous notice of the intention to submit such question has been given. Provided, further, that the amount of taxes levied in said city for all purposes shall not exceed two and one-half per centum of the assessed valuation in any one year. In all cases where the whole or any part of the cost of such improvements are charged upon lots benefited, all such improvements across streets, alleys and public grounds shall be made and paid for by the city in proportion to the width of the street, alley or public ground. Lots and land shall be liable as in this chapter provided for the improvement of streets to the center of the street on which they abut or adjoin, and corner lots for all sidewalks up to the crossing or cross walks.

Relating to the
Baraboo Water
Works Co.

SECTION 9. Sub-chapter 12, of said chapter 21, laws of 1882, is hereby amended by adding thereto a new section known as section 40, as follows: Section 40. Said city of Baraboo is hereby authorized and empowered to purchase, own, operate, enlarge or extend the plant of the "Baraboo water-works company," the "Baraboo gas and electric company," and the "Baraboo light, heat and power company," or either of them, and for that purpose may borrow money and issue bonds of said city, but no such purchase shall be made or bonds issued until authorized by a vote of the electors of said city at a general or special election at which at least ten days' previous notice that such such proposition will be acted on has been given by public notice in one or more newspapers published in said city.

Repealed.

SECTION 10. Section 5, of chapter 54, of the laws of 1882, is hereby repealed, and the law thereby repealed is hereby re enacted.

SECTION 11. This act shall take effect and be in force from and after its passage and publication.

Approved February 18, 1889.