

[No. 314, A.]

[Published March 16, 1889.]

CHAPTER 93.

AN ACT to amend chapter 89, of the laws of Wisconsin for the year 1877, entitled, "an act to incorporate the city of Chilton," and the several acts amendatory thereof.

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

SECTION 1. Section 1, of chapter 12, of chapter 89, of the laws of Wisconsin for the year 1877, is hereby amended so that the same shall read as follows: Section 1. When three freeholders of said city shall petition the common council for an ordinance or resolution for the construction or reconstruction of any sidewalk, sewer, or gutter, or for the repairing of any sewer or gutter, such petition shall, on its being introduced at a meeting of the common council, be laid upon the table for at least seven days; and the owners or occupants of the lots or parcels of land adjoining, abutting or fronting on the proposed sidewalk, sewer or gutter, shall be notified thereof within twenty-four hours, and any such ordinance or resolution shall not be passed or adopted sooner than seven days after such introduction thereof, nor take effect until such owners or occupants of such lots or parcels of land shall be notified of the passage or adoption of the same. When it shall appear by written remonstrance presented to the common council that a majority of the owners of such lots or parcels of land adjoining, abutting or fronting such proposed sidewalk, sewer or gutter, shall be opposed to the passage or adoption of such ordinance or resolution, then such ordinance or resolution shall not be passed or adopted except by the affirmative vote of two thirds of the members of the said common council. When any of the lots or parcels of land above mentioned shall be unoccupied and owned by non-residents of or absentees from said city, then all the notices above mentioned may be legally served by posting such notices upon such premises, or by posting the same by mail to such owners when their post-office

Amendment to
ch. 89, laws of
1877.

address shall be known to the city clerk of such city.

Relating to construction of sidewalks, etc.

SECTION 2. Section 4, of chapter 12, of said chapter 89, is hereby amended so that the same shall read as follows: Section 4. Sidewalks, sewers and gutters shall be constructed or reconstructed, and sewers and gutters repaired upon such grade, of such width, in such manner, of such materials and in such time as the common council shall by ordinance or resolution direct, by the owner or owners of the lots or parcels of land adjoining, abutting or fronting on such sidewalk, sewer or gutter so ordered to be constructed or reconstructed, or on such sewer or gutter so ordered to be repaired. If the owner or owners of such lots or parcels of land shall not construct, reconstruct or repair such sidewalk, sewer or gutter as aforesaid, in the manner, of the material or at the time directed by the said ordinance or resolution of the common council, then it shall be the duty of the street commissioners of said city to forthwith cause such sidewalk, sewer or gutter to be constructed or reconstructed, or such sewer or gutter to be repaired at the expense of such owner or owners, and report the cost of such construction, reconstruction or repairs to the common council, who shall at the time of levying other taxes for general city purposes, levy a special tax upon each lot or parcel of land in front of or adjoining which such sidewalk, sewer or gutter has been so constructed, reconstructed or repaired by the street commissioner as aforesaid, sufficient to pay all cost of such construction, reconstruction or repairs in front of or adjoining each of such lots or parcels of land; the said special tax to be entered in the general tax roll, and to be collected at the time and in the manner as is provided herein for the collection of other taxes in said tax roll.

Repair of sidewalks.

SECTION 3. Section 5, of chapter 12, of said chapter 89, is hereby amended so that the same shall read as follows: Section 5. Whenever any sidewalk shall be out of repair and so remain for the space of twenty-four hours, the street commissioner shall be authorized, and it is hereby made his duty to cause the same to be immediately repaired; provided, such repairs so made by him shall not exceed in cost the sum of ten dollars in

front of any one lot or parcel of land. The street commissioner shall report the cost of such repairs to the common council, who shall levy a special tax upon each of such lots and parcels of land to pay such cost and expense as shall have been incurred in so repairing the sidewalk fronting and adjoining the same and collect the same in the same manner as directed in section 4, of this chapter.

SECTION 4. Section 6, of chapter 12, of said chapter 89, is hereby amended so that the same shall read as follows: Section 6. The common council of said city shall have the power, and may in its discretion, by an affirmative vote, let to the lowest responsible bidder, whose bid it shall deem reasonable and proper, or as they may otherwise order, the construction or reconstruction of any sidewalk, sewer or gutter, or the repairing on any sewer or gutter which shall have been ordered by said common council to be constructed, reconstructed or repaired, and levy and collect a special tax upon each lot or parcel of land in front of or adjoining which said sidewalk, sewer or gutter shall have been ordered constructed, reconstructed or repaired, under such contract or otherwise, sufficient to pay the cost of constructing the same, in the same manner as provided in section 4, of this chapter.

Construction of
sidewalks to be
let to the lowest
bidder.

SECTION 5. Section 13, of chapter 13, of said chapter 89, is hereby amended so that the same shall read as follows: Section 13. The city treasurer shall have the same powers and proceed to collect the said taxes in the same manner as in the collection of general taxes, and such taxes so collected shall be passed to the highway fund and kept and paid out as such; and in case any portion of such tax shall be and remain unpaid and uncollected on the fifteenth day of July in each year, he shall then add to such tax then uncollected and unpaid five per cent. as a penalty for such non-payment, and shall, on or before the third Monday in November in each year, make out and deliver to the city clerk of said city a verified copy of the public notice given by him, together with a list of all such unpaid taxes with such five per cent. penalty added thereto, which list shall contain the names of all persons or corporations and the description of all real estate or personal prop-

Powers of city
treasurer to
collect.

erty included in said tax roll, and the amount of such tax against each said description or items so uncollected, which said list shall be sworn to by said city treasurer, before some officer authorized to administer oaths.

Street commis-
sioner to super-
vise work.

SECTION 6. Section 8, of chapter 12, of said chapter 89, is hereby amended so as to read as follows: Section 8. All work provided for in this chapter, except the removal of ice and snow from sidewalks, shall be done under the supervision of the street commissioner and shall be approved by him before it shall be accepted by the council.

Removal of
snow and ice
from sidewalks.

SECTION 7. Chapter 12, of said chapter 89, is hereby amended by adding to the end thereof a new and further section to be numbered section 15, and which shall read as follows: Section 15. Any snow or ice may be removed from any sidewalks of the city at any time without notice to the owner of the lot or premises in front of which said sidewalk is located; provided, said snow and ice shall have remained upon said sidewalk at least eighteen hours. The removal of said snow or ice shall be done by the city marshal or under his direction, and such city marshal shall report to the common council at its next regular meeting thereafter the cost of removing said snow or ice, together with a description of the lot or premises upon which said sidewalk so cleaned by him of snow and ice fronts. The common council may thereupon cause notice of the cost of the removal of said snow or ice to be served upon the owner or occupant of the lot or premises upon which said sidewalk fronts directing the said owner to pay such cost to the city treasurer within twenty days thereafter, and should such lot or premises be unoccupied and be owned by a non-resident of or absentee from said city, then said notice shall be served by posting the same upon the premises or lots in front of and adjoining the sidewalk from which said snow and ice was so removed. Should the owner of such lot or premises fail to pay the costs of the removal of said snow and ice within the twenty days above mentioned, then after the expiration of such time the common council may by resolution add to such cost ten per cent. thereof, as a penalty for such non-payment, and assess and levy such amount of such costs and penalty as a special tax upon said lot or premises; and

such special tax shall be collected at the time and in the manner provided for the collection of taxes for general city purposes.

SECTION 8. All acts and parts of acts conflicting with the provisions of this act are hereby repealed. Repeated.

SECTION 9. This act shall take effect and be in force from and after its passage and publication.

Approved March 14, 1889.

[No. 338, A.]

[Published March 16, 1889.]

CHAPTER 102.

AN ACT to amend chapter 221 of the laws of 1882, entitled, "An act to reduce the act incorporating the city of Janesville and the several acts amendatory thereof into one act and to amend the same," and the several acts amendatory thereof.

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

SECTION 1. The first subdivision of section 1, of chapter 6, of chapter 221, of the laws of 1882, as amended, is hereby amended by striking out the words, "seven thousand five hundred" in the second line thereof and inserting in lieu thereof, the words, ten thousand, so that said subdivision will read when amended as follows: Amendment to chapter 221, laws of 1882.

"First. To annually levy and collect taxes not exceeding ten thousand dollars on the assessed value of the real and personal property in the said city, made taxable by the laws of this state, to defray the current expenses of the city, and such other expenses thereof as are not otherwise especially provided for by law, which taxes shall constitute the general fund of said city." Levying taxes.

Second. The fourth subdivision of section 1, of chapter 6, of chapter 221, of the laws of 1882, is hereby amended by striking out the words, "three thousand five hundred" in the second line thereof and inserting in lieu thereof, the words, "five" Amended.