

SECTION 6. This act shall be in force and take effect from and after its passage and publication.

Approved June 15, 1891.

No. 590, A.]

[Published May 5, 1891.

CHAPTER 405.

AN ACT to amend chapter 227, laws of 1885, being the charter of Whitewater, and all acts amendatory thereof.

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

SECTION 1. The office of superintendent of schools in the city of Whitewater shall be appointive, in the manner hereinafter prescribed, instead of elective, as heretofore.

Superintendent of schools declared an appointive officer.

SECTION 2. Paragraph 31, of section 3, of chapter 5, of chapter 227, laws of 1885, is hereby amended so as to read as follows: 31st. To compel owners, occupants of buildings or grounds, to remove and keep snow, ice, dirt or rubbish from the sidewalk, streets or alleys opposite thereto, and to compel such owners or occupants to remove from the lots owned or occupied by them all such substances as the board of health shall direct. And on their default to authorize the destruction or removal thereof by the marshal or superintendent of streets, at the expense of such owner or occupants. And in case any owner or occupants of any lot in the city shall neglect for the space of six hours after the same has fallen or accumulated, to remove all snow and ice from the sidewalk in front of such lot or lots, it shall be the duty of the superintendent of streets to remove the same and report the costs of such removal to the clerk of the city in writing, specifying the cost of the same, chargeable to each lot. And if the same is not paid, before the completion of the tax roll for the same year,

Amends chapter 227, laws of 1885.

Removal of snow, ice, dirt and rubbish from sidewalks, etc.

the said clerk shall insert such sum in said tax roll, as a special tax against such lot, and the same shall be a lien on said lot the same as other special taxes, and collected in the same manner.

Amends chapter 227, laws of 1885.

SECTION 3. Section 4, of chapter 7, of chapter 227, laws of Wisconsin for 1885, is hereby amended by striking out the word "shall" where it occurs after the words, "for that purpose they," and inserting in lieu thereof the words, "may in their discretion."

Amends chapter 227, laws of 1885.

SECTION 4. Section 7, of chapter 7, of chapter 227, laws of Wisconsin for 1885, is hereby amended so as to read as follows: Section 7. The common council of the city of Whitewater shall have full power to cause any street, lane, or alley, or part of any street, highway, lane or alley, in said city to be graded, worked, graveled, macadamized and repaired, and to cause any sidewalks, crosswalks, drains, sewers, gutters, culverts and bridges to be made therein as it shall deem necessary, and the same shall be repaired, or relaid, as may be ordered by the common council. Whenever the common council shall conclude to repair, grade, gravel, work, or macadamize any street, alley or highway, or any part thereof, or build bridges therein, such proposed work in this section mentioned shall be ordered by resolution, specifying the nature and kind of work, repairs, graveling, grading, or macadamizing, and if gutters, sidewalks, sewers, crosswalks, culverts or bridges, the kind of material and mode of construction; and whether such work shall be let by contract or otherwise as to the council shall seem best. And if such work shall be done by contract the same shall be advertised and let to the lowest bidder in the same manner as the work mentioned in section 4, chapter 7 of said chapter 227 as therein set forth. All work in this section mentioned shall be done under the supervision of the superintendent of streets or such other person or persons as the common council shall order by resolution, and the expenses thereof paid out by the general fund of the city.

Council may cause streets, lanes, alleys, etc., to be graded, graveled, etc.

Amends chapter 227, laws of 1885.

Levy of annual city tax.

SECTION 5. Section 9, of chapter 8, of chapter 227, laws of Wisconsin for 1885, is hereby amended so as to read as follows: Section 9. On the first Tuesday of July in each year, or within ten days thereafter, the common council shall determine

the amount of taxes to be levied for general city purposes, not to exceed eight mills on the dollar for any one year, and also the amount necessary to be levied for school purposes, and shall by resolution levy the same. But no such resolution shall be adopted which shall fix the amount for general city purposes above five mills in one year, except by a vote of two-thirds of the members-elect, which shall appear in the proceedings of the council. Nor shall any such resolution fixing or levying an amount exceeding five mills for general purposes in any one year be of any force or effect unless the same shall be approved by the mayor, with his signature, within the time allowed for signing or returning resolutions by section 4, chapter 5, of said chapter 227.

SECTION 6. Section 19, of chapter 8, of chapter 227, laws of Wisconsin for 1885, is hereby amended so as to read as follows: Section 19. In all cases of non-payment of taxes upon lots or real estate in said city, in manner now required by law, it shall be the duty of the treasurer to certify to the county treasurer for Walworth county all such unpaid taxes, giving a description of the premises, to whom assessed and the sum chargeable to each piece or parcel of land with any charges and interest thereon to the time of such return. And the county treasurer shall proceed in manner now provided by law to sell the real estate in such return described, for such unpaid taxes, and the moneys received for such sales shall be paid over to said city treasurer. And all laws now or hereafter in force relating to sale and redemption of lands sold by said county treasurer for delinquent real estate taxes shall apply to such sales.

Amends chapter 227, laws of 1885.

City treasurer to certify to county treasurer delinquent lands.

SECTION 7. Section 25 of chapter 8, of chapter 227, laws of Wisconsin for 1885, is hereby amended to read as follows: Section 25. All the powers and duties of the treasurer of Walworth county, as far as relates to the collection of delinquent personal property taxes, within the city of Whitewater, are hereby conferred upon the treasurer of the city of Whitewater, and if at the sale of any personal estate for taxes or assessments, no bid shall be made for any goods or chattels, the same shall be struck off to said city and thereupon the said city shall receive in its corporate

Amends chapter 227, laws of 1885.

City treasurer to have same power as county treasurer in the collection of delinquent personal property tax.

name a certificate of such sale and shall be vested with the same rights as other purchasers are. And in case said city shall become the purchaser of any personal property by virtue of this chapter, the treasurer shall have power to sell the same at public sale. Sections 20, 21, 22, 23 and 24 of chapter 8, of said chapter 227, laws of Wisconsin for 1885, are hereby repealed.

Amends chapter 227, laws of 1885.

Appointment of city superintendent of schools.

SECTION 8. Section 2 of chapter 9, of chapter 227, laws of Wisconsin for 1885, is hereby amended so as to read as follows: Section 2. At the first meeting of the commissioners of common schools in July of each year, they shall nominate to the common council a suitable person as superintendent of schools of said city, who shall hold his office for one year, and upon his confirmation by the common council, he together with said commissioners shall constitute a board, to be styled "The Board of Education of the City of Whitewater," which shall be a corporate body in relation to all the powers and duties conferred on them by virtue of this act. The superintendent of schools shall be chairman of said board, and whenever he shall be absent a president *pro tempore* may be appointed. A majority of the board shall form a quorum. The city clerk shall be clerk of said board, and shall receive no compensation other than that heretofore provided for in this act. Said commissioners shall receive no pay for their services. Any vacancy in said office of school superintendent shall be filled in like manner as above in this section provided.

Amends chapter 227, laws of 1885.

The mayor; his powers and duties.

SECTION 9. Section 11 of chapter 12, of chapter 227, laws of Wisconsin for 1885, is hereby amended to read as follows: Section 11. The mayor of the city of Whitewater shall possess all the powers and duties in relation to assisting or removing to the poor house, of Walworth county, paupers and needy or transient persons in said city that are by law conferred upon the chairman of the board of supervisors of towns in Walworth county.

Amends chapter 227, laws of 1885.

Injuries caused by defective sidewalks.

SECTION 10. Section 1, of chapter 12, of chapter 227, laws of Wisconsin for the year 1885, is hereby amended so as to read as follows: Section 1. Whenever any injury shall happen to any person or persons, or property, in said city of Whitewater, by any reason of any defect or in-

cumbrance of any street, sidewalk, alley or public ground, or from any other cause for which the said city would be liable, such person or persons, to entitle them to recover from such city, shall within sixty days from the date of such injury to person or persons, or property, cause to be filed with the clerk of said city a statement in writing, stating and setting forth the nature of such injury or damage, the time and place of the occurrence, and the defect or incumbrance complained of. And no action shall be maintainable against said city for any such injury or damages after the lapse of two years from the date of filing such notice.

SECTION 11. Section 20, of chapter 12, of chapter 228, laws of Wisconsin for the year 1885, is hereby amended, by adding to the end of said section, after the word "qualified," the following: All additions, so-called, to the village of Whitewater, of which plats have heretofore been recorded, may be termed and known in all contracts, ordinances and proceedings as additions to the city of Whitewater, by their respective recorded titles, substituting the word city for village therein. The plat of the village proper may, in like manner be termed and known as the plat of the city of Whitewater.

Amends chapter 228, laws of 1885.

Additions to the village of Whitewater; how to be described hereafter.

SECTION 12. All provisions of said chapter 227, or of the several acts amendatory thereof, inconsistent with this act are hereby repealed.

Repealing clause.

SECTION 13. This act shall take effect and be in force from and after its passage and publication.

Approved April 23, 1891.