

(7) * * * On July 1, * * * 1925, thirty thousand five hundred dollars, and on July 1, * * * 1926, thirty thousand five hundred dollars, for property repairs and maintenance of the state capitol.

(9) On July 1, * * * 1925, * * * three thousand dollars for repairing the executive mansion, such repairs to be made at the discretion and under the direction of the governor.

(12) * * * On July 1, * * * 1925, * * * four thousand dollars, to be used as a revolving appropriation for the repair of machinery at the capitol power plant shop.

SECTION 2. This act shall take effect July 1, 1925.

Approved March 13, 1925.

No. 173, S.]

[Published March 16, 1925.

CHAPTER 18.

AN ACT to appropriate a sum of money from the Soldiers' Rehabilitation Fund to the University Fund Income to meet the appropriations made by subsection (10) of section 20.41 of the statutes.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is appropriated from the soldiers' rehabilitation fund to the university fund income, forty thousand dollars to meet the appropriations made by subsection (10) of section 20.41 of the statutes.

SECTION 2. This act shall take effect upon passage and publication.

Approved March 14, 1925.

No. 70, S.]

[Published March 18, 1925.

CHAPTER 19.

AN ACT to create section 60.305 to 60.3059, of the statutes, relating to sanitary districts in towns.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Ten new sections are added to the statutes to read:

60.305 (1) Whenever the public health or public welfare will be promoted thereby, the town board on a petition signed by at least sixty per centum of the persons owning real estate, not used for agricultural purposes, or the owner or owners of at least sixty per centum of the land area not so used within any community or district unincorporated as a village, or city, shall proceed to establish a sanitary district as hereinafter provided. This section shall not apply to any community or district where sewerage and water facilities are available from any city or village. In case the proposed sanitary district is located in more than one town the board of the town containing the largest area of the district shall have jurisdiction in establishing the sanitary district. The petition for the creation of a sanitary district shall be addressed to the town board and filed with the town clerk. It shall set forth:

- (a) A suitable name for the district.
 - (b) The number of buildings used for residences in the proposed district.
 - (c) The number and kind of industries in the proposed district.
 - (d) That the public health or public welfare will be promoted by the establishment of such district.
 - (e) Area or parcels of land owned by signers and the purposes for which each parcel of land or part thereof is used.
 - (f) Date of signature.
- (2) The petition shall be verified by one of the petitioners and shall be accompanied by a plat or sketch indicating the approximate area and boundaries of the district.
- (3) Each signer to the petition shall make affidavit that he is an owner of real estate within the district as set forth in the petition. The petition shall be presented to the town board within eight months from the date of the first signature thereto.
- (4) The preliminary cost shall be borne by the petitioners if the district is not established. If the district is established, certified bills covering this cost may be presented to the sanitary commissioners and paid out of the funds of the district.

60.3051 Upon receipt of the petition the town board shall arrange a hearing to be held not later than thirty days from the date of presentation of the petition at which time all inter-

ested property owners may be present and offer objections, criticisms or suggestions to the necessity of the proposed district as outlined. Notice announcing this hearing and stating the boundaries of the proposed district shall be posted in at least three public places within the proposed district for not less than ten days prior to the hearing or by two weekly publications in a newspaper of general circulation in the proposed district, published in the county in which the district or some part thereof is located. As a result of information presented at the time of hearing the town board may alter by deducting from or adding to the district such territory as may seem necessary and establish the boundaries of the district; provided, that the creation of the district and its boundaries, as established, are approved by the state board of health and the commissioner of agriculture. Should the state board of health or the commissioner of agriculture disapprove of the boundaries as outlined such modifications shall be made as will meet with such approval. In no case shall the area be made so as to be inconsistent with the original requirements with reference to petitioners and ownership as set forth in section 60.305.

60.3052 When the state board of health and the commissioner of agriculture shall have approved of the establishment of the proposed district, the town board shall, if the petition is sufficient and the public health or public welfare will be promoted thereby, make an order establishing such district and describing its boundaries; provided, that where territory has been included within the final boundaries not included in the boundaries published in the notice of the original hearing on establishment of the sanitary district, a second notice shall be given and a hearing held in the same manner as provided in section 60.3051 before a final order is made.

60.3053 Any party aggrieved by any act of the town board in the establishment of the sanitary district may bring action in circuit court to set aside or modify the action of the board within twenty days after final determination by the board.

60.3054 Additions and alterations to any such district may be made in the manner provided for the creation of a district.

60.3055 When the sanitary district is established, the town board shall within ten days thereafter, appoint three sanitary commissioners who shall be property owners within the district

and at least one a petitioner. In making the original appointment, one commissioner shall be appointed for a term of one year, one for a term of two years, and one for three years. Each year, thereafter, one commissioner shall be appointed for a term of three years. Any vacancy may be filled by appointment for the remainder of the unexpired term. The salary of the commissioners, if any, shall be fixed by the town board.

60.3056 The sanitary commissioners shall have the powers and proceed as a village board in the construction, maintenance and operation of a system of waterworks, sewerage, garbage or refuse disposal including the making of contracts therefor and also in the formation and adoption of ordinances, rules and regulations relating to sanitation, as provided in chapter 61 of the statutes except that assessments shall be made as provided for in section 60.3057.

60.3057 Before proceeding with the construction of any waterworks or sewerage system or any extensions or additions thereto, the sanitary commissioners shall have prepared plans and specifications including a map of the district giving a description of the lots or parcels of land to be benefited, and the names of the owners thereof as far as practicable which shall be kept on file at a convenient place within the district and open to review by any property owner. After the filing of the plans and specifications for such work and before any contract therefor is let, the commissioners shall view the premises and determine the entire cost of the contemplated work and the benefits that will accrue to the several lots, tracts or parcels of land to be benefited by the proposed improvements and shall fix the amount to be assessed upon each lot, tract or parcel of land, sufficient to pay the expense of the construction or improvement as ordered, but in no case shall the amount assessed against any such lot, tract or parcel of land exceed the benefits accruing therefrom by such construction or improvement. Such special assessments shall be made in the manner provided by subsection (6) of section 62.16 except that it shall not be necessary to post notices along the street, and the provisions of said subsection are made applicable to such sanitary districts and the powers and duties conferred therein upon the common council and the board of public works shall be exercised by the sanitary commissioners and those conferred upon the clerk and comptroller by the secretary of the

sanitary commissioners. In sanitary districts in which no newspaper is published, notices required to be published by said subsection in the official paper of the city shall be published in like manner in some newspaper of general circulation in the district published in the county in which the sanitary district or some part thereof is situated or by posting notices in at least three public places within the district for not less than ten days. When the sanitary commissioners shall have made an assessment, under the power conferred by said subsection upon the board of public works, and had a hearing thereon in the manner therein provided the determination of the sanitary commissioners upon such hearing shall be deemed the final determination of the sanitary commissioners and a further hearing pursuant to paragraph (h) of said subsection (6) of section 62.16 shall not be required. The sanitary commissioners may issue certificates or special improvements bonds as provided in sections 62.20 and 62.21 and the provision of said sections shall be applicable to work done under the provisions of this section; provided that certificates shall be filed with the clerk of the town in which the parcel of land against which said certificates shall have been issued is located and the same procedure shall be had as in case of other certificates. On or before the first day of December in each year after the issue of bonds and until all of them are paid, the secretary of the sanitary commissioners shall certify to the clerk of the town in which the respective parcels of land are situated, a sufficient portion of the special assessment on each parcel of land covered by the bond to pay the annual installment of the principal and interest on the amount of special assessment then unpaid and the town clerk shall extend the same on the tax roll as a special tax against said property, which, when collected, shall be paid by the town treasurer to the treasurer of the sanitary district and shall be a special fund for the payment of said bonds and interest and used for no other purpose.

60.3058 (1) The sanitary commissioners shall organize with a president and a secretary. The secretary may or may not be one of the commissioners. The treasurer of the town in which the district or largest portion thereof is situated shall act as treasurer of the sanitary district and shall keep all moneys received therefrom in a separate fund to be disposed of only upon order of the sanitary commissioners signed by the president and secretary.

(2) The sanitary commissioners may provide an office, fix and collect charges for garbage disposal, collect water rentals which shall constitute a general fund for the operation and maintenance of the waterworks plant the same as for any public utility and statutes relating to the collection of water rentals shall apply to waterworks operated under this section.

60.3059 The sanitary commissioners shall on or before the first day of December in each year determine as accurately as may be the amount of money required for waterworks, sewerage or garbage disposal purposes, for the ensuing year, not however, to exceed the sum of five mills on the dollar of the assessed valuation of the real and personal property in the district and such sum is hereby levied on all the taxable property in the sanitary district and shall be collected in the following manner; when the sanitary district is entirely within a single town the secretary of the sanitary commissioners shall certify the amount so determined to the clerk of the town; when the sanitary district is situated in more than one town the secretary of the sanitary commissioners shall certify to the clerk of each town in which a portion of the sanitary district is located such proportion of the total amount determined to be so required as the portion of the taxable property in the sanitary district located within the town bears to the entire valuation of the taxable property in the sanitary district as shown by the assessment roll of each town for said year. The amount so certified shall be spread on the tax roll as a special tax against such property within the town and shall be collected as other taxes are collected and shall be paid to the treasurer of the sanitary district.

SECTION 2. This act shall take effect upon passage and publication.

Approved March 17, 1925.