

No. 399, S.]

[Published July 5, 1929.]

CHAPTER 268.

AN ACT to renumber paragraph (e) of subsection (1), to renumber and amend subsection (2) and to renumber subsection (3) of section 192.90 of the statutes, relating to railroad track clearances.

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

SECTION 1. Paragraph (e) of subsection (1) of section 192.90 is renumbered to be subsection (2) of said section.

SECTION 2. Subsection (2) of section 192.90 of the statutes is renumbered to be subsection (3) of said section and is amended to read: (192.90) * * * (3) Upon finding that any such building or structure will not imperil life or limb, and that the public interest requires or permits such structure to be constructed or reconstructed otherwise than as permitted by the provisions of subsections (1) and (2) of this section, the railroad commission may exempt such building or structure from such provision. Such findings shall be made only upon written application, setting forth fully the grounds therefor and shall be made only after public hearing, and the findings and order granting exemption shall be in writing and shall contain complete provisions and requirements as to the horizontal clearance to be maintained in the construction or reconstruction of such building or structure. Thereafter, such building or structure shall be constructed or reconstructed only in observance of and in compliance with such order of the commission. Such order shall be reviewable in an action brought as provided in section 195.32.

SECTION 3. Subsection (3) of section 192.90 of the statutes is renumbered to be subsection (4) of said section.

SECTION 4. This act shall take effect upon passage and publication.

Approved July 2, 1929.