

**CHAPTER 237**

AN ACT to amend 81.38 (1), (2), (3) and (5) of the statutes, relating to county aid for culverts.

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

81.38 (1), (2), (3) and (5) of the statutes are amended to read:

81.38 (1) When any town has voted to construct or repair any *culvert or bridge* on a highway maintainable by the town, and has provided for such portion of the cost of such construction or repair as is required by this section, the town board shall file a petition with the county board setting forth said facts and the location of the *culvert or bridge*; and the county board, except as herein provided, shall thereupon appropriate such sum as will, with the money provided by the town, be sufficient to defray the expense of constructing or repairing such *culvert or bridge*, and shall levy a tax therefor, which tax when collected shall be disbursed on the order of the chairman of the county board and the county clerk, when the town board and county highway committee \* \* \* files a written notice with the clerk that the work has been completed and accepted. The county board of any county which has never granted aid under this section may in its discretion refuse to make any appropriation.

(2) If the town has an assessed valuation of \$400,000 or over as last equalized by the county board, the county shall pay the cost in excess of \$200 up to \$400. The town and county shall each pay one-half of the cost of construction or repair above \$400. If the town has an equalized assessed valuation of less than \$400,000, the county shall pay the cost in excess of one-twentieth of one per cent of said valuation until the cost equals one-tenth of one per cent of said valuation. The town and county shall each pay one-half of the cost of such construction or repair in excess of one-tenth of one per cent of said valuation of the town. In determining the cost of construction or repair of any *culvert or bridge*, the cost of constructing or repairing any approach not exceeding 100 feet in length shall be included.

(3) Whenever the construction or repair of any such *culvert or bridge* must be made without delay, the town board may file its petition with the county clerk and the county highway committee, setting forth the facts respecting the necessity for immediate construction or repairs. It shall then be the duty of the town board and the county highway committee to make such construction or repairs with the least possible delay. The town board is authorized to borrow the entire cost of the work, and to include the town's share of such cost in the next tax levy. But if the said town's share of such cost \* \* \* exceeds the amount produced by a tax of 2 mills on the dollar the action of a town meeting shall be required. The construction or repair of a *culvert or bridge* performed and accepted pursuant to this subsection shall entitle the town to the same county aid that the town would have been entitled to had it filed its petition with the county board as provided in sub. (1).

(5) No county order shall be drawn under sub. (1) for the construction of a *culvert or bridge* unless the *culvert or bridge* is constructed in a workmanlike manner and built of creosoted wood or timber, steel, stone or concrete or \* \* \* a combination thereof.

Approved July 28, 1959.