

[No. 467, A.]

[Published April 16, 1885.]

CHAPTER 328.

AN ACT to amend chapter 16, of the private and local laws of 1872, being an act to incorporate the city of Eau Claire.

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

-Section two, of
chapter three,
-amended.

SECTION 1. Section 2, of chapter 3, of the act to incorporate the city of Eau Claire, as amended by section 7, chapter 106, laws of 1874, and section 4, chapter 10, laws 1877, is hereby amended by substituting the word, "three" for the word, "two" in line 12 of said section 4, chapter 10, laws 1877, by striking out the words, "and fifty cents" from line 13, of said last section, and by inserting after the word, "dollars" in line 15, the words, "and fifty cents;" said section 2, is further amended by adding thereto at the end of said section the following: "But he shall not have the right to vote upon any question before or under consideration by the common council;" so that said section when so amended shall read as follows: Section 2. The mayor shall have power to administer oaths and affirmations, take acknowledgments of deeds and other instruments, and perform marriage ceremonies. He shall appoint a chief of police, and may appoint such further number of policemen as the common council at any regular meeting may authorize, which appointments shall be approved by the common council before they shall enter upon the duties of their office, and the compensation of the chief of police shall not exceed three dollars per day, to be determined by the common council, and the said policemen shall be paid such salary not exceeding two dollars and fifty cents per day, as the common council may determine. The mayor may also appoint as many special or temporary police on election days or on other public or unusual occasions as he may think proper, but no such special or temporary police shall be paid any compensation for his services out of the city treasury, unless otherwise ordered by a vote of three-fourths of all the

members of the common council. The common council may by ordinance prescribe the powers and duties of the police and other peace officers. The mayor shall communicate in writing to the common council once a year such information as he may deem necessary, and at all times give such information as the common council may require. The mayor, when present, shall preside over the meetings of the common council, and shall take care that the laws of the state and ordinances of the city within the corporation are duly enforced and observed, and that all officers of the city perform their respective duties, but he shall not have the right to vote upon any question before or under the consideration by the common council.

SECTION 2. Section 4, of chapter 4, or said act, as amended by section 6, chapter 106, laws of 1874, and by section 6, chapter 10, of the laws of 1877, is hereby amended by substituting the word, "licenses" for the word, "resolutions" in the fifth line of said section when thus amended shall read as follows: Section 4. No appropriation shall be made nor shall any debt be created or liability incurred against the city except by a vote of a majority of all the members of the council and all laws, ordinances, rules and licenses shall be passed by an affirmative vote of a majority of all the members of the common council, and all ordinances, before the same shall be in force, shall be signed by the mayor; and all resolutions or measures for the appropriations of money or whereby a debt shall be created against, or a liability incurred by the city, shall be approved by the mayor before the same be in force; provided, that in case the mayor shall refuse to sign any ordinance or any certificate of the appropriation of money, or shall refuse to approve any resolution or by-law creating a debt or establishing a liability against the city three-fourths of all the members of the council voting in the affirmative shall have power to repass such ordinance, resolution, by-law or certificate, notwithstanding the objections of the mayor; provided, further, that whenever the mayor shall disapprove of any resolution, ordinance or measure requiring his approval, he shall within twenty days after the passage thereof by the council, file such

Section four,
of chapter four,
amended.

resolution, ordinance or measure together with his approval thereof and his reasons therefor in writing in the office of the city clerk, who shall lay the same before the council at its next stated meeting thereafter; and in case of the failure to file the same within the time aforesaid, such resolution, ordinance or measure shall be in force without his approval, and all ordinances shall be published in the public newspaper printed in the city of Eau Claire, which may have been selected by the common council to do the printing of the city, and shall be in force from and after their passage and publication; and within fifteen days after publication, such publication being duly proved by the affidavit of the printer or foreman of the printers of such newspaper, and filed in the office of the city clerk shall be *prima facie* evidence of the passage and publication thereof.

Section 18, of
chapter three,
amended.

SECTION 3. Section 13, of chapter 3, of said act, is hereby amended by substituting the word, "four," for the word, "two" in line fourteen of said section, so that said section when so amended shall read as follows: Section 16. The assessors so elected shall assess all the taxable property of their said districts as required by law, and each shall complete and return his assessment roll to the common council on or before the first Monday in July in each year. During the last week of the month of June in each year the assessors shall attend at the common council chamber for the purpose of hearing the complaints of persons who may feel themselves aggrieved by such assessments, and shall make such alterations and amendments thereto as justice and equity may require. The assessors shall receive for their services such compensation as the common council may determine, not exceeding the sum of four hundred dollars each for the term for which they were elected. The said assessors, together with the mayor, or in his absence or disability the president, the city clerk and the city treasurer, shall constitute a city board of equalizers, and they shall meet at the office of the city clerk of said city on or before the third Monday of July in each year, and proceed to equalize the said several assessments in the same manner in all respects as town boards of equalizers are now authorized by law to do.

SECTION 4. Section 14, of chapter 3, of said act is hereby amended by inserting after the word, "elect," in the third line of said section, "one city attorney, one firewarden," so that said section when so amended shall read as follows: Section 14. On the third Tuesday of April in each year, or within ten days thereafter, the common council may elect one city attorney, one firewarden, one superintendent of streets, and a city surveyor, each one of whom shall hold his office until the next third Tuesday in April, and the common council shall have power to fill, from time to time, vacancies that may exist in said offices.

Section 14, of chapter three, amended.

SECTION 5. Subdivision 1, of section 3, of chapter 4, of said act, is hereby amended by inserting after the word, "performances," in the third line of said subdivision, the following words: "To license and regulate skating rinks;" so that said subdivision, when so amended, shall read as follows:

Subdivision one, of section three, of chapter four, amended.

1st. To license and regulate the exhibition of common showmen or shows of any kind, or the exhibitions of caravans, circuses or theatrical performances, to license and regulate skating rinks, billiard tables, bagatelle tables, pigeon-hole tables, bowling saloons, etc., and to provide for the abatement and removal of nuisances under the ordinances or common law; and to grant licenses for selling spirituous, vinous or fermented liquors, and to regulate and license groceries, taverns, victualing-houses, and all persons vending or dealing in spirituous, vinous or fermented liquors, and to revoke the same for a violation thereof; provided, that the sum to be paid for any such license shall not be less than the amount fixed and provided by the laws of the state, and that no license shall be granted for a less time than one year from the date of filing the application for such license in the office of the city clerk; and in case the person so applying for a license shall have a former license within the year next preceding such application, then such license shall be granted for the term of one year from the date of the expiration of such former license.

SECTION 6. Section 34, of chapter 16, of the act to incorporate the city of Eau Claire, is hereby repealed.

Section 34, of chapter 16, amended.

Duties of fire-wardens.

SECTION 7. The fire-wardens of the city shall examine as to the construction and location of all chimneys, fire-places, hearths, stoves, stove-pipes, ovens, smoke-stacks, boilers and fire apparatus, used in and about any building, and shall have power to prevent the improper construction thereof, and may cause them to be removed and placed in a safe and secure position; they shall prevent the depositing or keeping of ashes, or any combustible material in any place except such as is safe; and they shall perform other and such further duties as may be ordered or prescribed by the common council.

Section one, of chapter ten, amended.

SECTION 8. Section 1, of said chapter 10, is hereby amended by adding at the end of said section 1, the following: And the common council of said city shall have power and may from time to time, by ordinance, create and establish such additional wards in said city as it may deem proper; and fix and establish the boundaries thereof, and for that purpose shall have power to reorganize said wards, and to create and organize new and additional wards theretrom, and alter and change the boundaries thereof to conform to the changes so made in the wards of said city. Each of the aldermen from any ward, the boundaries of which shall be so changed, shall continue to represent the ward of which he shall be found to be a resident after such change in boundary is made, and shall hold his office for the remainder of the term for which he was elected; and there shall be elected at the first charter election after such change of boundaries of said wards, and the creation of such new wards shall be so made by said common council, two aldermen, one of whom shall be elected for two years and one for one year, in each of the wards of said city for which there shall be no aldermen holding over, and one alderman for two years in each of the wards in which there shall be an alderman holding over. And in all such elections one of such aldermen from each ward shall be designated as supervisor, and shall represent his ward in the county board of supervisors. The common council of said city shall apportion the ward funds belonging to all the wards affected by any such change of boundaries upon the basis of the assessment for the pending year, and said common

council shall also, by resolution, appoint a polling place or places in each of the wards of said city affected by such change of boundaries, and make the same arrangements for holding elections in such wards at the next charter election as are now or may hereafter be made for holding elections in the other wards of said city.

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

NOTE BY THE SECRETARY OF STATE.—The foregoing act having been presented to the governor for his approval, and not having been returned by him to the house of the legislature, in which it originated, within the time prescribed by the constitution of the state, has become a law without his approval.

ERNEST G. TIMME,
Secretary of State.

April 7, 1885.

[No. 316, S.]

[Published April 16, 1885.]

CHAPTER 358.

AN ACT to amend section 2, of chapter 1, of chapter 76, of the laws of 1885, entitled, "An act to incorporate the city of Alma.

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

SECTION 1. Section two, of chapter one, of chapter seventy-six of the laws of 1885, entitled, "An act to incorporate the city of Alma, is hereby amended to read as follows: Section 2. All that district of country included in sections two, eleven, twelve, thirteen and fourteen, in township number twenty-one north, of range number thirteen west, and all that portion of section twenty-five lying north of Beef river, and section twenty-six, twenty-seven, twenty-eight, thirty four and thirty-five, in township twenty-two north, of range number thirteen west, in the county of Buffalo, shall comprise the territory and limits of the city of Alma.

Section two, of
chapter one,
amended.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 8, 1885.