

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved May 25, 1905.

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No. 302, A.]

[Published May 26, 1905.

## CHAPTER 250.

AN ACT to amend sections 2, 3, and 4 of chapter 257 of the laws of 1901, entitled, "An act providing for the furnishing and use of safe scaffolding, hoists, stays, ladders or other mechanical devices used in the construction of a building and providing a penalty for the violation thereof," and by adding a new section thereto to be known as section 3a.

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

**Complaints; power and duty of factory inspectors.** SECTION 1. Section 2 of chapter 257 of the laws of 1901, is hereby amended so as to read, when so amended, as follows: Section 2. Whenever complaint is made to the *commissioner of labor, state factory inspector, any assistant factory inspector, or the chief officer charged with the enforcement of the building laws in the city where the work is being performed,* that the scaffolding, slings, hangers, blocks, pulleys, stays, braces, ladders, irons or ropes of any swinging or stationery scaffolding used in the construction, alteration, repairing, cleaning or painting of buildings, \* \* \* are unsafe or liable to prove dangerous to the life or limb of a person, such *commissioner of labor, state factory inspector, any assistant factory inspector or the officer charged with the enforcement of the building laws in such city,* shall immediately cause an inspection to be made of such scaffolding, slings, hangers, blocks, pulleys, stays, braces, ladders, irons or other parts connected therewith. If, after examination such scaffolding, or any part thereof, is found to be dangerous to life or limb, the *above person so authorized to inspect* shall prohibit the use thereof, and require the same to be altered and reconstructed so as to avoid such danger. *The commissioner of labor, state factory inspector, any assistant factory inspector, or*

*the chief officer charged with the enforcement of the building laws in such city, making the examination, shall attach a certificate to the scaffolding, slings, hangers, irons, ropes, or other parts thereof or connected therewith, so examined by him, stating that he has made such examination and found it safe or unsafe as the case may be. If he declares it unsafe, he shall at once, in writing, notify the person responsible for its erection of the fact, and warn him against the use thereof. Such notice shall be served personally or by mail upon the person responsible for its erection, and by conspicuously affixing it to such scaffolding, slings, hangers, blocks, pulleys, stays, braces, ladders, irons or ropes, or any part thereof so declared to be unsafe. After such notice shall have been so served and affixed, the person responsible therefor shall immediately remove such scaffolding or other part so declared to be unsafe, and alter or strengthen it in such manner as to render it safe in the discretion of the officer who examined it or of his superiors. The commissioner of labor, state factory inspector, any assistant factory inspector and the chief officer charged with the enforcement of the building laws of such city, shall have free access at all reasonable hours, to any building or premises containing any scaffolding or part thereof. \* \* \* All swinging and stationary scaffolding shall be so constructed as to bear four times the maximum weight required to be dependent therefrom or placed thereon, when in use, and not more than four men shall be allowed on any swinging scaffolding at any one time.*

**Provisions required in erection of buildings in cities.** SECTION 2. Section 3, chapter 257 of the laws of 1901, is hereby amended, so as to read when so amended, as follows: Section 3. All contractors and owners, when constructing buildings in cities, where the plans and specifications require the floors to be arched between the beams thereof, or where the floors or filling in between the floors are of fire-proof material or brick work, shall complete the flooring or filling in as the building progresses, to not less than within three tiers of beams below that on which the iron work is being erected. If the plans and specifications of such buildings do not require filling in between the beams of floors with brick or fire-proof material, all contractors for carpenter work, in the course of construction, shall lay the under flooring thereof on each story as the building progresses, to not less than within two stories below the one to which such building has been erected. Where double floors are not to be used, such contractor shall keep planked over the floor two stories below the story where the work is being performed.

If the floor beams are of iron or steel, the contractors for the iron and steel work of such buildings, in the course of construction, or the owners of such buildings, shall thoroughly plank over the entire tier of iron or steel beams on which the structural iron or steel work is being erected, except such spaces as may be reasonably required for the proper construction of such iron or steel work, and for the raising and lowering of materials to be used in the construction of such building, or such spaces as may be designated by the plans and specifications for stairways and elevator shafts. If elevating machines or hoisting apparatus are used within a building in the course of construction, for the purpose of lifting materials to be used in such construction, the contractors or owners shall cause the shafts or openings in each floor to be enclosed or fenced in on all sides by a barrier at least eight feet in height. If a building in course of construction is five stories or more in height, no lumber or timber needed for such construction shall be hoisted or lifted on the outside of such building. \* \* \*

**Officers charged with enforcement of law.** SECTION 3. A new section is hereby enacted to be known as section 3a of chapter 257 of the laws of 1901, which shall read as follows: Section 3a. The commissioner of labor, state factory inspector, assistant factory inspector and the chief officer charged with the enforcement of the building laws in such city are hereby charged with the enforcement of the provisions of this act.

**Penalty.** SECTION 4. Section 4 of chapter 257 of the laws of 1901 is hereby amended so as to read, when so amended, as follows: Section 4. Any owner, contractor, sub-contractor, foreman or other person having charge of *any work subject to the provisions of this act*, if found guilty of violation of any of the provisions thereof, shall be subject to a fine of not less than twenty-five dollars nor more than one hundred dollars, or imprisonment of not less than three months nor more than one year by any court having *competent* jurisdiction.

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Approved May 25, 1905.