

plans \* \* \* approved by the commission *prior to such publication date* as plans which would be entitled to exemption under section 108.15 of the compulsory act. The commission shall file such *second finding of fact* with the secretary of state. Such finding of fact by the industrial commission shall be conclusive. In accordance with such finding and in accordance with subsection (1) of \* \* \* *this section* the secretary of state shall give notice through publication in the official state paper of the taking effect or otherwise of the compulsory features of section 2 and section 5 of this act.

(4) *In case sections 2 and 5 of this act take general and compulsory effect, voluntary plans duly approved and established in accordance with this section shall automatically constitute exempted plans under section 108.15 of the compulsory act.*

(5) If the compulsory plan shall not come into operation, the industrial commission shall continue its supervision over the voluntary plans of unemployment compensation established in this state. It shall be the duty of the commission to keep itself informed regarding the operations of such voluntary plans and it shall include pertinent statistics regarding such plans in its biennial reports.

SECTION 5. Subsection (5) of section 20.57 of the statutes is amended to read: (20.57) (5) On January 1, 1932, twenty-five thousand dollars, and on July 1, 1933, eighteen thousand dollars, to assist employers in the establishment of voluntary plans for unemployment compensation in conformity with the standards prescribed by law, and for carrying out the purposes of chapter 108. This appropriation shall remain available until \* \* \* *ninety days after the publication date of the finding of fact to be made by the industrial commission under section 1 of chapter 20, laws of special session 1931-1932, as amended.*

SECTION 6. This act shall take effect upon passage and publication.

Approved June 1, 1933.

No. 297, A.]

[Published June 2, 1933.]

## CHAPTER 187.

AN ACT to repeal all of section 61.34 except subsection (39) and section 61.455; to renumber subsection (39) of section 61.34; to create section 61.34 and sections 61.69 to 61.72; and to amend

subsections (3) and (9) of section 59.08, section 61.19, subsection (1) of section 61.42, subsection (1) of section 61.50, paragraph (a) of subsection (5) and subsection (7) of section 66.05, sections 70.27 and 74.59, and subsection (1) of section 236.07 of the statutes, relating to the powers of village boards and village government generally.

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

SECTION 1. Section 61.34, except subsection (39), and section 61.455 of the statutes are repealed.

SECTION 2. Subsection (39) of section 61.34 of the statutes is renumbered subsection (4) of section 61.37.

SECTION 3. Five new sections are added to the statutes to be numbered and to read: 61.34 POWERS OF VILLAGE BOARD. (1) GENERAL GRANT. Except as otherwise provided by law, the village board shall have the management and control of the village property, finances, highways, streets, navigable waters, and the public service, and shall have power to act for the government and good order of the village, for its commercial benefit and for the health, safety, welfare and convenience of the public, and may carry its powers into effect by license, regulation, suppression, borrowing, taxation, special assessment, appropriation, fine, imprisonment, and other necessary or convenient means. The powers hereby conferred shall be in addition to all other grants and shall be limited only by express language.

(2) CO-OPERATION WITH OTHER MUNICIPALITIES. The village board, in behalf of the village, may join with other villages or cities in a co-operative arrangement for executing any power or duty in order to attain greater economy or efficiency, including joint employment of appointive officers and employees.

(3) ACQUISITION AND DISPOSAL OF PROPERTY. The village board may acquire property, real or personal, within or without the village, for parks, libraries, historic places, recreation, beautification, streets, waterworks, sewage or waste disposal and for any other public purpose; may improve and beautify the same; may construct, own, lease and maintain buildings on such property for instruction, recreation, amusement and other public purposes; and may sell and convey such property. Condemnation shall be as provided by chapter 32.

(4) VILLAGE FINANCES. The village board may levy and provide for the collection of taxes and special assessments; may refund any tax or special assessment paid, or any part thereof, when satisfied that the same was unjust or illegal; and generally may manage the village finances.

(5) CONSTRUCTION OF POWERS. For the purpose of giving to villages the largest measure of self-government in accordance with the spirit of the home rule amendment to the constitution it is hereby declared that chapter 61 shall be liberally construed in favor of the rights, powers and privileges of villages to promote the general welfare, peace, good order and prosperity of such villages and the inhabitants thereof.

61.69 STREETS, SIDEWALKS, SEWERS, WATERCOURSES. The village board may lay out, open, change, widen or extend roads, streets, alleys, sanitary and storm sewers, parks and other public grounds, and improve, repair or discontinue the same or any part thereof, including lighting and tree planting, and may establish and open and construct drains, canals or sewers and alter, widen or straighten watercourses; may build, alter, repair or otherwise improve or vacate or discontinue sidewalks and crosswalks; and may build and maintain roads and sidewalks required to connect the village with any transportation terminal or village property outside of its limits.

61.70 WATERWORKS. (1) The village board may lay water mains and levy special assessments therefor in the manner provided by section 62.16, except that it shall not be necessary to post notices along the street, and the powers and duties conferred therein upon the common council and board of public works shall be exercised by the village board, and those conferred upon the clerk or comptroller, by the village clerk. In villages in which no newspaper is published notices required by said section to be published in the official paper of the city shall be published in like manner in some newspaper published in the county in which the village or some part thereof is situated. When the village board shall have made an assessment under the power conferred by said subsection upon the board of public works, and a hearing had thereon in the manner therein provided, the determination of the village board upon such hearing shall be the final determination and a further hearing shall not be required.

(2) Where the village owns or operates waterworks, the village board may contract to furnish water for fire, mechanical and do-

mestic use beyond the village limits and to lay the necessary pipes, mains and conduits for that purpose.

61.71 CONSOLIDATED PLATS: NUMBERING OF BUILDINGS. The village board may cause a revised and consolidated plat of the lots and blocks of the village to be recorded in the office of the register of deeds, and may compel the owners and occupants of all buildings within the village to number the same in such manner as the board may from time to time prescribe.

61.72 PEST AND DISEASE PREVENTION. When a village board shall appropriate money for the control of insect pests, weeds, or plant or animal diseases, the department of agriculture and markets upon request of the village board shall co-operate with the village and shall provide technical assistance and direction for the expenditure of such funds.

SECTION 4. Subsections (3) and (9) of section 59.08, section 61.19, subsection (1) of section 61.42, subsection (1) of section 61.50, paragraph (a) of subsection (5) and subsection (7) of section 66.05, sections 70.27 and 74.59, and subsection (1) of section 236.07 of the statutes are amended to read: (59.08) (3) Change the name of any town \* \* \* , in their respective counties.

(9) Enact ordinances, by-laws, or rules and regulations, providing for the regulation, control, prohibition and licensing of dance halls and pavilions, amusement parks, carnivals, street fairs, bathing beaches and other like places of amusement. Such ordinances, by-laws or regulations shall provide for such license fees as shall yield so nearly as may be possible sufficient revenues for administering their provisions. Upon the passage of such an ordinance the county board shall select from persons recommended by the county board a sufficient number thereof whose duty it shall be to supervise public dances according to assignments to be made by the county board. Such persons while engaged in supervising public dances or places of amusement shall have the powers of deputy sheriffs, and shall make reports in writing of each dance visited to the county clerk, and shall receive such compensation as the county board may determine and provide. Their reports shall be filed by the county clerk and embodied by him in a report to the county board at each meeting thereof. The county board shall immediately revoke the license of any dance hall proprietor or manager if the use of intoxicating liquors is permitted in such dance hall or pavilion or on the premises during the holding of a

public dance, or if there is allowed at any such dance presence of intoxicated persons, or of children of sixteen years of age or under unaccompanied by their parent or lawful guardian, or if any of the ordinances, rules, or regulations prescribed by the county board are violated. The chairman of the county board, when the board is not in session, shall be authorized to issue license or to suspend the license of any person violating any of the provisions of this law or any rule or regulation adopted by the county board; such issuance of licenses or the suspension of such license to be acted on by the county board at its next meeting. Ordinances, by-laws or rules and regulations enacted by a county board under this subsection shall not apply to any city *or village* in such county which \* \* \* by ordinance regulates dance halls or other places of amusement.

61.19 ANNUAL ELECTIONS; APPOINTMENTS. At the annual election in each village there shall be chosen the following officers, viz.: A president, a clerk, a treasurer, an assessor, except that no assessor shall be elected in any village in any county which has adopted a county system of assessment as provided in section 70.87, a supervisor, a constable, and a justice of the peace. In villages in counties having a population of at least two hundred and fifty thousand no supervisor shall be elected and the other officers named shall be elected for a term of two years on the first Tuesday of April of each year in which is to be held a general election for state officers. \* \* \* *Any* other officers \* \* \* shall be appointed by the village board at their first meeting after the annual election unless such board shall otherwise provide. No person not a resident elector in such village shall be \* \* \* *elected* to any office therein. The village clerk may appoint a deputy clerk for whom he shall be responsible, and who shall take and file the oath of office, and in case of the absence, sickness or other disability of the clerk, may perform his duties and receive the same compensation unless the village board shall appoint a person to act as such clerk.

(61.42) (1) Whenever the village board shall have ordered the grading, paving, macadamizing or other improvement of any street or part of any street, it may cause water and sewer mains, or either of them, to be laid in any portion of such street so to be improved, after an estimate of the cost thereof, made by an engineer employed by the village, shall be on file with the clerk. Upon the completion of such work the clerk shall file in his

office a correct and certified statement of the total cost of such work and thereupon the board may levy a tax for the whole or any part of such cost, exclusive of the cost of street and alley crossings, upon the property adjoining such portion of such street, proportioned to the frontage; provided, however, that in the case of surface or storm sewers the board may levy a tax for the whole or any part of such cost upon all of the lots, tracts and parcels of land in said village benefited thereby in proportion to the amount of such benefits as determined by said village board. *No assessment shall exceed the benefit. Prior to the levy of the tax a public hearing shall be held thereon, notice of which shall be posted in at least three public places not less than seven days in advance.*

(61.50) (1) PUBLICATION OF ORDINANCES. Every contract, conveyance, commission, license or other written instrument shall be executed on the part of the village by the president and clerk, sealed with corporate seal, and in pursuance only of authority therefor from the village board. All ordinances and by-laws shall be signed by the president and countersigned by the clerk; and, if any penalty or forfeiture is thereby, in any event imposed, shall, before taking effect, be published one week at least in some newspaper \* \* \* having a general circulation in said village \* \* \* or the village board may, in lieu of the printing thereof, have copies of said ordinances and by-laws posted in at least three public places in said village, and proof thereof filed and recorded by the village clerk one week before the same shall take effect. Every ordinance or by-law heretofore posted, filed and recorded as herein provided, is hereby validated.

(66.05) (5) (a) *The governing body, or the inspector of buildings or other designated officer, in every city \* \* \* or village may order the owner of premises upon which is located any building within such city or village which in his or their judgment \* \* \* is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation, and so that it would be unreasonable to repair the same, to raze and remove such building or if it can be made safe by repairs to repair and make safe and sanitary or to raze or remove at the owner's option. The order shall specify a time within which the owner shall comply therewith and specify repairs, if any. It shall be served on the owner or his agent where an agent is in charge of the building in the manner provided for service of a summons in the circuit court. If the owner is a nonresident of*

the state, the order may be served by posting it on the *main entrance of the* building and by publishing in the official newspapers of the city *or village* for two consecutive \* \* \* *issues* at least ten days before the time limited in the order commences to run.

(7) OFFENSIVE INDUSTRY. Any city council *or village board* may direct the location, management, and construction of, and license, regulate, or prohibit any industry, thing, or place where any nauseous, offensive or unwholesome business may be carried on, within the city *or village* *or* within four miles of the boundaries, except that the Milwaukee, Menominee and Kinnickinnic rivers with their branches to the outer limits of the county of Milwaukee, and all canals connecting with said rivers, together with the lands adjacent to said rivers and canals or within one hundred yards thereof, shall be deemed to be within the jurisdiction of the city of Milwaukee.

70.27 PLATTING LANDS FOR ASSESSMENT IN CITIES AND VILLAGES \* \* \* . Whenever any \* \* \* subdivision of land \* \* \* situated within the limits of any city *or village* is owned by two or more persons in severalty and the description of one or more of the different parts or parcels thereof cannot, in the judgment of the common council *or board*, be made sufficiently certain and accurate for the purposes of assessment and taxation without noting the metes and bounds of the same, said council *or board* may \* \* \* *cause to be made a plat and an accompanying list of all lands within said city or village which are not embraced in any of the recorded plats of land therein. The plat shall plainly define the boundary of and designate each parcel of land thereon and the accompanying list shall describe each parcel with sufficient certainty to enable a surveyor to locate the same. Both such plat and list shall be certified to by the person making the same, approved by the council or board, acknowledged by the city clerk and mayor or the village clerk and president and recorded in the office of the register of deeds of the county in which said city or village is located. Said plat shall be called "Assessor's Plat." For purposes of assessment, taxation and conveyance, it shall be deemed a sufficient description of any land as it appears on said plat, and any such description in any conveyance shall be as effective to pass the title to the land therein described as it would be if the same premises had been described by metes and bounds. Said plat or record thereof shall be received in evidence in all courts and places as correctly describing the several pieces of land therein*

*designated. Amendments may be made to the plat at any time by the council or board by recording with the register of deeds a plat and accompanying list of such amendment, authenticated in the same manner as the original plat and list. It shall not be necessary to refer to any amendment of the plat, but all assessments or instruments wherein any tract of land is described as being in the assessor's plat shall be construed to mean the assessor's plat of lands with its amendments as it stood at the date of making such assessment or instrument.*

74.59 APPLICATION OF CHAPTER TO CITIES. The provisions of this chapter relative to towns and town treasurers shall apply to cities and villages and the treasurers thereof, when the same are applicable, unless otherwise provided \* \* \*. When any territory shall be detached from any county, town, city, village or school district it shall in no manner invalidate or interfere with the collection of taxes in such territory, but they shall be collected and returns made as if the territory was not detached therefrom.

(236.07) PLATS NEAR CITIES OR VILLAGES. (1) The owner of any lands lying outside the corporate limits of any city in the state of the second, third or fourth class, or of any village, except such lands lying within counties having a population of two hundred and fifty thousand or more, and situated within three miles of such limits, in the case of cities of the second or third class and within one and one-half miles of such limits in the case of cities of the fourth class *or villages*, desiring to divide the same into lots or blocks by the platting thereof, shall, in the platting of such lands, cause the streets and alleys shown on the map thereof to be laid out and platted to the satisfaction of the common council of such cities or the board of such village and of the town board of the town in which such land is situated and shall submit such map thereof, and if it shall be approved, he shall cause it to be recorded within thirty days of the date of the last approval together with the evidence of approval of the common council or village board and town board, which shall be a copy of the ordinance or resolution adopted by such common council or village board and town board certified to by the city or village clerk or town clerk, as the case may be, and affixed to such map.

SECTION 5. This act shall not deprive villages of any privilege, right, or power possessed on the effective date of this act. The primary purpose of this act is to remove uncertainties and to repeal provisions of the statutes which are obsolete or unnecessary



in view of the home rule amendment to the constitution. The inclusion of any provision, however, shall not be construed as a legislative declaration that the subject is outside of the scope of the home rule amendment.

SECTION 6. This act shall take effect upon passage and publication.

Approved June 1, 1933.

---

No. 302, A.]

[Published June 2, 1933.

### CHAPTER 188.

AN ACT to create section 215.116 of the statutes, relating to the withdrawal of shares from building and loan associations.

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

SECTION 1. A new section is added to the statutes to be numbered and to read: 215.116 WITHDRAWALS OTHER THAN IN CASH. A member may, with the approval of the commissioner of banking and the board of directors, apply his unpledged shares, whether such shares have been noticed for withdrawal or not, toward the purchase price of any of the association real estate or toward the payment of his loans, taxes, insurance or any other item owing the association.

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

Approved June 1, 1933.

---

No. 721, A.]

[Published June 2, 1933.

### CHAPTER 189.

AN ACT to repeal subsection (3) of section 152.06; to create subsection (7) of section 152.01, subsection (4) of section 152.02, and subsections (3), (4), (5) and (6) of section 152.06; and to amend subsection (5) of section 152.01, subsections (1) and (2) of section 152.02 and section 152.08 of the statutes, relating to dentistry and providing penalties.

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

SECTION 1. Subsection (3) of section 152.06 of the statutes is repealed.