

[470, A.]

[Published March 14, 1883.]

CHAPTER 71.

AN ACT to amend the charter of the city of Ahnapee.

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

General laws shall govern.

SECTION 1. In all cases when it shall become necessary and proper to do, or perform any act or thing within, or by the city of Ahnapee, and provision is not made therefor, in the charter of said city, the general laws of this state shall govern such proceedings, and shall be considered and taken as applicable to such city.

Sidewalks, how repaired or constructed.

SECTION 2. Sidewalks shall be constructed, reconstructed and repaired of such materials, of such width, in such manner, and in such time as the common council by ordinance, resolution or order shall direct, by and at the expense of the owners of any lot or piece of ground in front of which such sidewalk be ordered built, or repaired.

Provided owner neglects to repair.

SECTION 3. If such sidewalk shall not be constructed or repaired in the manner and within the time prescribed, the common council may cause the same to be done at the expense of the lot or lots adjoining such sidewalk, and the amount of the cost thereof shall be entered on the next tax roll and collected in the same manner as other taxes.

SECTION 4. This act shall take effect and be in force from and after its passage.

Approved March 13, 1883.

[No. 142 A.]

[Published March 17, 1883.]

CHAPTER 77.

AN ACT to amend an act, entitled "an act to revise, consolidate and amend the charter of the city of Racine," approved August 8, 1848, and "the several acts amendatory thereof." Approved March 11, 1876, and the several acts amendatory thereof.

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

Boundaries defined.

SECTION 1. Section 3, of title 1, of chapter 313, of the laws of 1876, is hereby amended so that the same shall read as follows: Section 3. The said city shall be divided into wards, and the number and boundaries shall be as follows, until altered by the common council: The First ward

shall embrace all the territory south and east of the center line of Root river, and north of the center of Seventh street, and east of the center of Chippewa street. The Second ward shall embrace the territory bounded as follows: Commence at the intersection of the continuation of the center line of Seventh street with the east boundary line of the city; run thence west along the center of Seventh street to its intersection with College avenue; thence south along the center line of College avenue to the south line of section sixteen (16); thence west along said south line to the northwest corner of the east half ($\frac{1}{2}$) of the northwest quarter ($\frac{1}{4}$) of section twenty-one (21); thence south to the city limits; and thence east to the east boundary line of city; and thence north to place of beginning. The Third ward shall embrace all that territory situated within the following boundaries: Commencing at the intersection of the center line of College avenue with the south line of section sixteen (16), run thence west on the south line of said section to its intersection with the center line of Center street; thence north along the center of Center street to the center of Root river; run thence easterly along the center of said river to the intersection with the center line of Chippewa street; run thence southerly along the center of Chippewa street to the center Seventh street; run thence east along the center of Seventh street to the intersection with the center line of College avenue, and thence south along the center of College avenue to the place of beginning. The Fourth ward shall embrace all that part of the territory of said city bounded as follows: Commence at the center of section nine (9) and run due east to the center line of the river, and then returning on said line to the center of section nine (9); run west along the south line of lot one (1) in the northwest quarter ($\frac{1}{4}$) of said section, to the center of Douglas avenue; thence north along the center of Douglas avenue to its intersection with the center line of Prospect street; thence west along the center line of Prospect street to the center of Marquette street; thence north along the center line of Marquette street to the center line of St. Patrick street, and thence easterly along the center line of St. Patrick street to the east boundary line of the city; thence south along the east boundary line of said

city to the center line of Root river; thence west-erly on said last named line to the center line of said section nine (9). The Fifth ward shall embrace all the territory north and west of the center line of Root river not embraced in the Fourth and Seventh wards. The Sixth ward shall embrace all that part of the territory of the city south of the center line of Root river not embraced by the First, Second and Third wards. The Seventh ward shall embrace all that part of the territory of the city bounded as follows: Commencing at the intersection of the center line of St. Patrick street with the east boundary line of said city; thence west along the center line of St. Patrick street to the center line of Marquette street; thence south along the center line of Marquette street to the center line of Albert street; thence west along the center line of Albert street to the west boundary line of the city; thence north on said west boundary line to the north boundary line of the city; thence east on the said north boundary line to the east boundary line of the city; thence southerly on said east boundary line to the place of beginning.

Elective, and
appointive
officers.

SECTION 2. Section 1, of title 2, of chapter 313, of the laws of 1876, as amended by chapter 180, of the laws of 1880, is hereby amended so that the same shall read as follows: Section 1. The elective officers of said city shall be a mayor, two aldermen from each ward, constituting a common council; a city treasurer, a city clerk who shall be *ex officio* comptroller, a city marshal, three assessors, two justices of the peace, and one supervisor from each ward to represent such ward in the county board of supervisors of Racine county; and the appointive officers shall be, one school commissioner from each ward, constituting a board of education; three health commissioners, constituting a board of health; a city attorney, a chief of police, a fire marshal, a superintendent of the poor, a harbor master, who shall be bridge tender until otherwise ordered by the common council; a city surveyor, and as many bridge tenders, firemen, constables, policemen and such other officers and agents as may be provided for by this act, or as the common council may determine to be necessary.

Justice of the
peace, and his
jurisdiction.

SECTION 3. Section 6, of title 2, of said chapter 313, is hereby amended so that the same shall read

as follows: Section 6. A justice of the peace shall be elected annually by the qualified electors of said city, for the term of two years, and until the election and qualification of his successor. The civil and criminal jurisdiction of said justice and the practice and procedure before him, shall be the same as is now, or may hereafter be prescribed by law, for justices of the peace elected in the towns. The justices of the peace now in office shall continue in office until the expiration of their respective terms.

SECTION 4. Section 9, of said title 2, is hereby amended by striking therefrom the first two sentences thereof, beginning with the words, "The aldermen," and ending with the words, "there resident." Amendment.

SECTION 5. Said title 2, is further hereby amended by adding thereto a new section, which shall read as follows: Section 18. At the annual municipal election in April, 1883, two aldermen shall be elected by the qualified voters of the Seventh ward, who shall hold their offices one year and two years respectively, from the third Tuesday in April, 1883, and one supervisor who shall hold his office for one year; thereafter the same ward officers shall be elected in said Seventh ward as in the other wards of said city. Inspectors and clerks of election in said Seventh ward, shall be appointed at least five days before said municipal election in the manner provided by law. Hereafter all inspectors and clerks of election, in said city, shall receive for their services as follows: Inspectors each, three dollars (\$3) per day for services upon the board of registry; Inspectors and clerks each, four dollars (\$4) per day for services upon election days. Election of aldermen.

SECTION 6. Title 3, of said chapter 313, is hereby amended by inserting therein the following new sections, viz: Section 10 a. On the third Tuesday in April, 1884, or at any time thereafter, and prior to the first day of May, 1884, and at the same time in every third year thereafter, the mayor shall appoint, subject to confirmation by the common council, one tax commissioner, who shall hold his office for the term of three years from the first day of May, in the year of his appointment, and until his successor is appointed and qualified, and thereafter no assessor shall be elected in any year in which a tax commissioner is to be appointed for Tax commissioner to be appointed, and his duties.

a full term. Section 10 b. Said tax commissioner shall have an office, which shall be kept open during the usual business hours of each business day during the term of his office; and shall, in suitable books provided for the purpose, keep a record of all lots, blocks, fractional lots or parcels or land contained in said city, with the assessed value of each in separate columns, together with the assessed value of the improvements thereon, and the name of the owner of each, and the street and number of his residence as far as possible, during each and every year of the term of his office; and shall also keep a record of the names of all persons liable to assessment for personal property, during each year of the term of his office, with the amount assessed to each person; and as far as possible shall cause to be entered upon said record, in a suitable column, opposite the name of such person so assessed, an accurate description of the class of such personal property, whether bonds, stock, mortgages or money, notes, accounts, choses in action of any kind, or merchandise, manufacturers' stock, capital invested in business, household goods, vessels, pianos, horses and carriages, sewing machines, watches, etc., and any and all other personal property, taxable under the laws of Wisconsin. Said tax commissioner shall gather such information with regard to any property, real or personal, properly taxable in said city, and lay such information before the assessors, and shall perform such other duties as the common council shall prescribe. Section 10 c. He shall also keep a record of all vessels registered in the books of the custom house at the port of Milwaukee, with the names of the owners residing in Racine, and the amount of the interest held by each said owner, together with all other information in relation thereto, which may be serviceable in making an assessment of the vessel property owned, in whole or in part, by any resident of the city of Racine. Section 10 d. Said tax commissioner shall also keep on file in his office, all plats or copies of plats of all lots, blocks, additions, divisions and subdivisions of lots or lands, which shall be at any time furnished to him by the common council; and it shall be the duty of the common council to furnish copies of all such plats, recorded in the office of the register of deeds of

Racine county. He shall also keep all other matters or information which may be valuable in making an assessment of the real and personal property in the said city of Racine. He shall also cause to be copied in a book provided for that purpose, all complaints made in writing at any time in said office of the said tax commissioner, of excessive or erroneous assessments, either of real or personal estate, which said complaints shall be considered and disposed of, by the board of assessors at their first meeting thereafter, in the order of their entry, unless otherwise ordered by said board. The said tax commissioner shall be building inspector of said city, without extra compensation, and shall perform such duties in that capacity as the council may prescribe by ordinance. The said tax commissioner shall also be an assessor of said city, without extra compensation, either as assessor or as member of the board of equalization, and shall have the same powers and duties in that capacity as the assessors elected by the people; provided, however, that none of the provisions of this act relating to the appointment, powers and duties of tax commissioner, shall be of any force or effect unless the legal voters of the city of Racine, at the municipal election in April, 1883, shall, by a majority of the votes cast on that subject, decide in favor of the creation of the office of tax commissioner. The form of the ballot and the manner of conducting such election shall be under the direction of the common council.

SECTION 7. Subdivision 37, of section 3, of title 4, of said chapter 313, is hereby amended so that the same shall read as follows: 37. To regulate the weighing and sale of hay and straw, and the places and manner thereof; to appoint official weighers, and establish and maintain a hay and wood market, and city scales therefor, and empower such weighers to charge and collect reasonable charges for such weighing, and to prescribe suitable fines and penalties for the sale, or offering for sale, of hay or straw in violation of such regulations; to regulate the cutting and sale of ice, and to restrain the sale of such as is impure; also to regulate the sale and measuring of wood, and the weighing and selling of coal and lime, and the places and manner thereof, and to appoint suita-

Hay, hay
scales etc.

ble persons to superintend and conduct the same, and to define their duties.

Amendment.

SECTION 8. Subdivision 63, of section 3, of said title 4, is hereby amended so that the same shall read as follows: 63. To alter the boundaries of the wards of said city, and to increase the number thereof, and to provide for the election of proper ward officers for such new wards.

Private property for public use.

SECTION 9. Section 1, of title 5, of said chapter 313, is hereby amended so as to read as follows: Section 1. The common council shall have the power to take private property for public use, and to lay out, open, establish, enlarge or widen public squares, grounds, streets and alleys, and to alter the boundaries or course of any public street, alley or ground, by taking certain lands and vacating other lands. The following shall be the manner of proceeding: Any ten or more freeholders, residing in any ward, may, by petition and plat accompanying the same, represent to the common council, that it is necessary to take certain land within the ward where such petitioners reside, for public use, for the purpose of laying out, opening, enlarging, extending or widening any public square, ground, street or alley, or that it is necessary to take certain lands and vacate other lands, for the purpose of altering the boundaries or course of any public street, alley or ground, setting forth in such petition and plat, the courses and distances, and metes and bounds of the lands proposed to be taken and vacated, and praying that such lands may be taken for such purposes, as authorized by law. Every person signing such petition, shall make and annex thereto, his affidavit, that he is a resident and freeholder in said ward, and thereupon such person shall be deemed to be such freeholder and resident, and such petition shall be held as valid, and of the same effect as if every such person were such resident and freeholder, although it should afterwards appear that any of such affiants were not such residents and freeholders. Persons in actual possession of lands, under the agreement for the purchase thereof, shall be held to be such freeholders, within the meaning and for the purposes of this act. All petitions for the opening or altering of streets, alleys or grounds, shall be presented between the first day of January, and the first day of June in each year. The procedure, as laid down in said chapter

313, is hereby amended so as to be applicable to a proceeding in which lands are to be taken, and streets or alleys vacated, in the same proceeding.

SECTION 10. Section 12, of title 5, of said chapter 313, is hereby amended by adding at the end thereof, the following: The common council of said city may within twenty days from the filing of said report of said commissioner, with the said city clerk, appeal therefrom to the circuit court of Racine county, and the same shall be disposed of in the same manner as other appeals, provided for in said section, except the said city shall not be required to give a bond, as provided in other appeals. Amendment.

SECTION 11. Section 21, of said title 5, is hereby amended by adding thereto the following paragraphs: In case of the approval of any plat by the common council, it shall be the duty of the proprietor thereof, to immediately file an exact copy of said plat with the certificates attached in the office of the city clerk. In case of failure by the proprietor to file such copy, he shall be deemed guilty of an offence and shall be liable to the same forfeitures and penalties as herein above prescribed, in case of failure to present the original plat for approval. Filing copies of plat.

SECTION 12. Section 7, of title 6, of said chapter 313, is hereby amended so that the same shall read as follows: Section 7. As soon as any assessment of benefits or damages, or of both, shall be made as in the preceding sections of this chapter provided, the common council shall give notice to all parties interested, by advertisement in the official paper of said city, that such assessment has been made and is ready for inspection in its office, and that the same will be open for review and correction by the common council, at one regular meeting of the common council, held not less than ten days after the first publication of such notice, that all persons interested will then be heard by the council in objection to such assessment, and generally in the matter of such review and correction. It shall be sufficient to state in such notice in brief, what such assessment has been made for, and in what locality, and no further notice or publication of such assessment shall be necessary. At the meeting mentioned in such notice the council shall hear objections and evidence, and it shall have power to review, Notice to be given to all persons interested.

modify and correct such assessment in such manner as it shall deem just, at any time during such review.

Construction of
breakwaters,
piling, piers etc.

SECTION 13. Section 18, of title 6, of said chapter 313, as amended by chapter 133, of the laws of 1882, is hereby amended so that the same shall read as follows: Section 18. The common council may cause the construction of breakwaters, parallel piling, sheet piling, piers or such other protections as may be planned or devised for the purpose of protecting the shores of said city against the encroachments of Lake Michigan, and defray the costs thereof, by levying city and ward taxes and special assessments upon real estate deemed to be specially benefited by such protection; and whenever lots, or lands, or streets, are being washed away or encroached upon by said lake, the common council may cause the construction of such protections as may be necessary to prevent such washing away or encroachments, in the manner hereinafter provided, no petition shall be required to authorize the construction of any such protection. Whenever it shall be deemed necessary to construct any of the protections named in this section, the common council shall first cause plans and specifications, and an estimate of the cost thereof to be made and filed with the city clerk. After the adoption of such plans and specifications, and after the cost of such work shall have been so ascertained, the common council shall direct application to be made for the appointment of three special commissioners, to determine the amounts to be charged as special assessments against any and every lot or parcel of land benefited by such proposed protections; also to determine the amount to be charged to the ward in which such protection is proposed to be made, and also to determine the amount to be charged to the city at large, for such proposed protections; provided, that in the discretion of the common council, the amount chargeable to the ward aforesaid, and the amounts chargeable to the city as aforesaid, may be appropriated from the ward fund in which such protection is made, and from the general city fund, respectively; further provided, that the general appropriation from the city fund or city tax for any one year for such purpose, shall not exceed the sum of two thousand dollars (\$2,000). And further provided, that

an equal amount shall have been appropriated from the ward fund, or levied and raised by special ward tax on the ward benefited, and an amount equal to both of said sums shall have been raised by special assessments on property benefited. Such application shall be made and such commissioners shall be appointed, and shall make their assessments of benefits and their report thereof, in all respects in like manner and with like effect, as provided in section 8, of title 5, of this act, with regard to commissioners for the assessment of benefits and damages in the opening of streets. Residents of the ward in which such protections are to be made, shall, however, be eligible to appointment as such commissioners if not directly interested in the proposed improvements, and in all cases, one of such commissioners, and but one, shall be a resident of such ward. The county judge, or court commissioner, the city marshal, or other officer acting in his place, and the special commissioners appointed under this section, shall receive like compensation, as provided for, by section 7, title 5.

SECTION 14. Section 26, of said title 6, is hereby amended by adding at the end thereof the following paragraphs: The common council may, if they deem it advisable, in any year, appoint a general street commissioner, or superintendent of street work, for the whole city, whose powers, duties and salary may be defined by ordinance. The term of office of such commissioner, if appointed, shall be one year, and no longer.

Street commis-
sioner.

SECTION 15. Section 1, of title 11, of said chapter 313, is hereby amended so that the same shall read as follows: Section 1. The common council, for the purpose of guarding against the calamities of fire, shall have power to prescribe the limits within which wooden buildings, or buildings of other materials, that shall not be considered fire-proof, shall not be erected, placed, raised, enlarged or repaired; and to direct that all and any buildings, within the limits prescribed, shall be made and constructed of fire-proof materials; and to prohibit the repairing or rebuilding of wooden buildings, within the fire limits, and to prevent the moving of any wooden building into, or within such limits; and to declare all buildings erected, repaired, rebuilt, raised or moved within said limits, not constructed of such materials, or in

Fire limits.

such manner as the council may prescribe, to be nuisances, and to provide for the summary abatement thereof; also to regulate and prescribe proper fire-escapes in and upon all factories, theaters, hotels and other buildings in said city, of more than one story in height, and punish the violation of such regulations.

Fixing salaries.

SECTION 16. Section 1, of title 12, of said chapter 313, is hereby amended so that the same shall read as follows: Section 1. Salaries shall be fixed by the common council to the several and respective officers, of the said city mentioned in this section, for all services during the term of their service, not to exceed the following rates per annum, to-wit: To the city clerk and ex-officio comptroller, twelve hundred dollars (§1,200). To the city treasurer, for all services by him to be rendered, fifteen hundred dollars (§1,500). To the city attorney, eight hundred dollars (§800). The assessors, each, three hundred dollars (§300). To the fire marshal of the fire department, five hundred dollars (§500). To the assistant fire marshal, two hundred dollars (§200). To the engineers of fire steamers employed for full time, seven hundred and twenty dollars (§720). To the engineers of all other fire steamers, four hundred dollars (§400). To the tax commissioner, if such officer be created, twelve hundred dollars (§1,200). To the chief of police, eight hundred dollars (§800). To the superintendent of poor, four hundred dollars (§400). To the harbor master, acting also as bridge-tender, five hundred and fifty dollars (§550). To bridge-tenders, five hundred dollars (§500) each. To the city marshal, two hundred dollars (§200). All salaries of officers and others which are not fixed absolutely by this act, shall be fixed by the common council by ordinance subject to the limitations herein prescribed. The salaries and allowance above mentioned, and which shall be fixed as aforesaid by the common council, shall be accepted by such officers and others respectively, as their sole compensation for the services for which such salaries are allowed.

Power to levy tax for salaries defined.

SECTION 17. Section 1, of title 13, of said chapter 313, is hereby amended so that the same shall read as follows: Section 1. The common council shall annually, on or before the first Tuesday of August, levy a tax upon all the taxable property of said city, sufficient to pay the salaries of the officers of

said city, as in this act provided, and to meet the interest on the corporate debt, and to provide for the sinking fund, as provided by law, and for the purposes hereinafter named, to-wit:

1. For school purposes, including repairs of school houses and incidental expenses, a sum not exceeding thirty thousand dollars (\$30,000), the sums received from the state school fund, from tuition fees, and all other sources, to be in addition to such fund.

2. A sum not exceeding four thousand dollars (\$4,000) for harbor purposes.

3. A sum not exceeding forty-five hundred dollars (\$4,500), for the repair of bridges and building and repairing of culverts.

4. A sum not exceeding fifteen thousand dollars (\$15,000) for the fire department. The salaries of all officers or employes of the fire department, shall be paid from the fund named in this subdivision, and no part thereof shall be paid from the salary fund.

5. A sum not exceeding six thousand dollars (\$6,000) for a contingent fund; all the delinquent taxes and remittances shall be charged against the contingent fund.

6. A sum not exceeding three thousand dollars (\$3,000) for the support of the poor of said city.

7. A sum not exceeding five thousand dollars (\$5,000) for a police fund.

8. A sum not exceeding two thousand dollars (\$2,000) may be annually levied on the taxable property of each ward, for the repair of streets, lighting of streets, and other ward purposes.

All moneys received from fines or penalties under the ordinances or regulations of said city, and all moneys received from licences, shall be credited to the poor fund, from which such sums as shall not be required for the support of the poor, may be transferred to the contingent fund when necessary. Said poor fund shall be disbursed from the city treasury under such ordinances and regulations as the council may prescribe, and no part of the same shall be transferred to the county treasury. In addition thereto, and to the special levies and assessments authorized by this act, or as may be hereafter authorized, the common council may, at such annual levy, by a vote of three-fourths of all its members, whenever it shall have been de-

Poor fund.

terminated to be necessary to erect any new school house or other public building, or to purchase real estate for such purposes, or to make any other urgent improvement or purchase, levy an additional sum for said contingent fund, not exceeding one and one-half mills on the dollar of the valuation of taxable property of the city, as returned by the assessors for such year. The common council may also levy, for the purpose of building a city hall, thirty thousand dollars (\$30,000) which may be levied in installments, if desired, and may also levy, four thousand dollars (\$4,000) for the purpose of paying for the additional fire steamer already purchased; the last two levies above named shall be made but once.

Clerk to make
abstract of
tax roll.

SECTION 18. Sections 1, 2, 3 and 4, of title 14, of said chapter 313, are hereby amended so that the same shall read as follows: Section 1. After the completion of the assessment and correction of the assessment roll returned by the assessors, the city clerk shall, within the time required by law, make an aggregate abstract of the assessment and statistics required by law, and return the same to the county clerk of Racine county in pursuance with the general law; he shall also prepare a tax roll, in the usual form, with appropriate columns and headings for general city, ward, special, school and state and county taxes, on which he shall carry out opposite to the description of each parcel of land, and to the names of each person taxed, the appropriate proportion of the general city, ward and special taxes and assessments levied by the common council. To such tax roll shall be annexed a warrant, signed by the mayor and city clerk, and sealed with the corporate seal of the city, directed to the city treasurer, commanding him to collect the taxes and assessments therein specified. Such tax roll shall be delivered to the city treasurer on or before September 1, in each year, and before being delivered to said treasurer, shall be compared by the clerk with the corrected assessment roll; and he shall append to it his certificate, that the same has been so compared by him, and that the said assessment roll and the whole thereof, has been copied by him into said tax roll; and said tax roll, when so certified, shall be *prima facie* evidence in any court, that the lands and persons therein named, were subject to

taxation, and that the assessment was just and equal. Section 2. The city treasurer, upon receipt of the tax roll, shall proceed to collect the taxes and assessments thereafter, and said taxes and assessments shall be a lien upon the real estate so taxed from the time of the receipt of said roll by the treasurer. Section 3. The city treasurer shall, upon the receipt of the tax roll, publish a notice in the official paper of the city, and in such other local paper as he shall deem proper, specifying that all taxes and assessments, whether upon real or personal property in said tax roll, shall be paid before the fifteenth day of October, in each year, and that all taxes and assessments not paid by that day, will be collected by the seizure and sale of the goods and chattels of the person, company or corporation charged with such taxes and assessments, and the publication of such notice shall be deemed and taken to be a demand, and failure to pay the taxes and assessments within the time limited in such notice, shall be deemed a refusal to pay the same. The city treasurer shall charge no fees for collection of taxes and assessments paid to, and collected by him, prior to the fifteenth day of October, of each year, and shall charge and collect five (5) per cent. upon all taxes and assessments remaining unpaid on the fifteenth day of October of each year. Upon the receipt by the city clerk, from the county clerk, of the certified apportionment of state, county and school taxes, the said city clerk shall carry out upon the same roll, opposite to the description of each parcel of land, and to the name of each person taxed, the appropriate proportion of the state, county and school taxes, and also such further special assessments as may be directed by the common council, and shall re-deliver said roll to the city treasurer with a new warrant for collection, and the city treasurer shall proceed to collect said state, county and school taxes and special assessments, in the same manner and within the same time, as is required by law of town treasurers. Section 4. At the expiration of either of the times specified for the collection of taxes, the city treasurer, shall proceed to collect such taxes and assessments remaining unpaid, by seizure and sale of the goods and chattels of the respective persons or corporations, and he shall have the same power to collect such taxes and assessments, and to levy the same by distress and sale

City treasurer
to collect.

Notice to be
published in
official paper,
and manner of
collecting
defined.

of the goods and chattels of the person owing such taxes, and to sue for the same, as is, or may be given to town treasurers. And the city treasurer, may make a list of such delinquent taxes on real and personal property, and attach and affix thereto his warrant directed to the chief of police of the city, requiring and commanding him to collect such taxes and assessments, of the persons or corporations liable to pay the same, by the seizure and sale of their goods and chattels. The chief of police shall proceed to collect such taxes and assessments as directed, and make return of the warrant, within the time to be specified in such warrant, to the city treasurer, and the chief of police shall have the same powers to collect and levy such taxes by distress and sale, as is given to the city treasurer, and to his return, he shall annex his affidavit, that after diligent inquiry he has been unable to discover any goods or chattels belonging to persons or corporations charged with such taxes, as shall then remain unpaid on his tax list. The chief of police, shall receive as compensation, five (5) per cent. collection fee, upon all taxes by him collected, and in addition thereto, in case of a levy and sale, such further fees as are allowed to constables upon a levy and execution. The chief of police, before receiving such tax list, shall execute to the city treasurer, a bond in such penal sum as the treasurer, shall require, conditioned that he will account for and pay over to the treasurer, all taxes by him collected, and make due return of his warrant whenever required.

Meetings of
board of educa-
tion.

SECTION 19. Section 3, of title 15, of said chapter 313, is hereby amended so that the same shall read as follows: Section 3. The board of education shall hold such regular stated meetings, and other meetings, as they shall determine, and the president of said board shall call special meetings when requested, by at least two members of said board, and a majority of all the members of the board shall constitute a quorum. The board of education shall elect from its members, a president, to preside at its meetings, and in his absence, a president *pro tempore* may be appointed, who for the time being, shall possess all the authority of the president. Said board shall appoint a clerk whose salary shall not exceed one hundred and fifty dollars (§150), and it shall be his duty, under the direction of the board, to keep a record

of the proceedings thereof, in a book to be provided for that purpose. He shall also enter therein, or in a book especially provided for that purpose, copies of all official reports made by the board, or the superintendent. He shall keep and preserve all papers, books and records, or other property belonging to his office and deliver the same to his successor, or to the common council. The board of education shall employ some suitable person to take the school census of children in the city over the age of four, and under the age of twenty years, and shall pay reasonable compensation for such service.

SECTION 20. Title 5, of said chapter 313, is hereby amended by adding thereto a new section immediately following section 26 a, which shall read as follows: Section 26 b. Said common council is also authorized to divide any part of said city, into artesian well districts, irrespective of ward lines, and to construct an artesian well in any of said districts, such well to cost not exceeding three thousand dollars (\$3,000), and defray the expense of the construction and maintenance thereof, by special tax upon taxable property in said district; provided, however, that the question as to whether such well shall be constructed, shall first have been submitted to a vote of the legal voters of said district, at a special election to be called and held under direction of the council, and shall have been decided in the affirmative, by a majority of votes cast.

Artesian well districts.

SECTION 21. Section 35, of said title 6, is hereby amended by adding thereto the following paragraphs: In case of the construction of an artesian well by, and for, any artesian well district, whose lines do not coincide with ward lines, the deficiency between the amount of special assessments levied and the amount expended for such work may be defrayed by special tax upon the taxable property of such district; and in case it is deemed advisable to rent water from private wells to supply any part of said district, such rental may be defrayed by like special tax.

Respecting artesian wells.

SECTION 22. Title 6, of said chapter 313, is further hereby amended by adding at the end of said title the following new sections: Section 36. The common council shall prescribe the location, arrangement, form, materials and construction of every drain and sewer, for every lot in the city

Construction of drains and sewers.

emptying into the public sewers, and shall determine the manner and plan of the connection of the same; the work of construction shall be in all cases subject to the superintendence and control of said council, and shall be executed strictly in compliance with their orders; but the cost of such private sewers shall not be included in the estimate of the cost of the general plan of sewerage in any district, and shall be charged upon the lot or lots for the benefit of which such private sewers shall be constructed; and no private sewer or drain shall be connected with any public sewer unless permission shall first have been given by such officer or officers as the council may designate. The common council may, by ordinance, prescribe proper punishments and penalties for the violation of any rules and regulations made under the provisions of this section. Section 37. Whenever the common council shall order the paving or repaving of any street in the city of Racine, in which water and gas mains and sewers or either of them, shall have been previously laid and constructed, they may also cause water and gas service pipes and house drains, to be first laid in such street, at the cost of the property fronting such street, from the main sewer and water and gas mains in such street, to the curb line on either side of the street, at such intervals as they shall determine to be necessary, along the whole length of such paved street, except at street and alley crossings; and the said council shall thereupon give notice to the owners or occupants of the property adjoining such paved street, by publication thereof in the official paper, and by service of such notice on the owner or occupant of such real estate, if any, at least ten days before such work is required to be done, requiring them to do such work opposite their respective lots, according to a plan and specification to be before prepared and on file in the office of said council, showing the location and size, and the kind and quality of materials, of such lateral sewers or drains, and water and gas service pipe; and if such owners or occupants shall refuse or neglect to do the same, before the paving or repairing of said street, so ordered, and within ten days after the service of such notice, the said council may procure the same to be done, and charge and assess the expense thereof to the lots or parts of lots

fronting upon such work, in the manner provided in and by section sixteen of this title; and the same shall be levied and collected as other special assessments are levied and collected in said city. Section 38. The common council is hereby authorized to divide said city into proper sewerage districts, and levy a special tax for sewerage purposes upon the taxable property of said district, which shall constitute a general sewerage fund for said district; and the same shall be used for the purpose of defraying deficiencies between the total cost of constructing sewers in said district, and the amount of the special assessments therefor. The special assessments made against private property for the construction of a public sewer, shall in no case exceed the sum of eighty-five (85) cents per foot front, upon each side of the street.

Estimates to be submitted by committees.

SECTION 23. Title 4, of said chapter 313, is hereby amended by adding a new section thereto, which shall read as follows: Section 10. At the first regular meeting of the common council in July in each year, the several council committees on fire, bridges, paupers, harbor, printing and police, and the board of education, shall present to the council, estimates of the money necessary for their respective departments for the ensuing year, which, estimates shall be considered by the council in making the annual tax levy; and the finance committee shall report the amounts, in their opinion, necessary to be raised at the annual tax levy, at least one regular meeting in advance of said levy.

Sewerage districts.

SECTION 24. All acts and parts of acts inconsistent with, or repugnant to any of the provisions of this act are hereby repealed.

Repealed.

SECTION 25. This act shall take effect and be in force from and after its passage and publication.

Approved March 16, 1883.