

ner provided by law in relation to towns or town clerks.

SECTION 20. The plats of the village of Phillips and the additions thereto, heretofore executed and recorded, are hereby adopted as plats of the city of Phillips, and the additions thereto, and the real estate included in such plats, and the real estate not yet platted within the outside boundary line, may be hereafter described by lots and blocks, and by describing the plats as the original plat of the village of Phillips, now city of Phillips, or the plat of a specified addition to the village of Phillips, now city of Phillips, and, in like manner with the plats of other additions, or in any other manner so as to describe the land with reasonable certainty.

village plats  
adopted as  
plats of city.

SECTION 21. The use of the jail of Price county, until otherwise provided, shall be granted to said city for the confinement of persons or offenders; and every such offender may be delivered to the sheriff of said county, for whose custody, safe keeping and delivery, the said sheriff shall be responsible, as in other cases.

City may use  
county jail for  
confinement of  
prisoners.

SECTION 22. This act shall take effect and be in force from and after its passage and publication, Approved April 2, 1891.

No. 238, A.]

[Published April 10, 1891.

## CHAPTER 131.

AN ACT to incorporate the city of Greenwood, Clark county.

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

### CHAPTER I.

#### FORMATION AND BOUNDARIES.

SECTION 1. From and after the first Tuesday in May, 1891, all that territory in the county of Clark,

Corporation  
created.

and state of Wisconsin, hereinafter described shall be and remain a city, by the name of Greenwood, and together with the people who now or may hereafter inhabit the same shall constitute a municipal corporation by the name of the city of Greenwood, having the same rights, privileges, immunities and powers possessed by such corporations at common law, together with such as are hereinafter specially granted. Said municipal corporation, by the authorities thereof, shall have perpetual succession and be capable of contracting and being contracted with, suing and being sued, pleading and being impleaded with, in all courts of law and equity, and shall have a common seal.

*Boundaries  
of city.*

SECTION 2. The southwest quarter and the west half of the southeast quarter of section number thirty-five; the southeast quarter and the east half of the southwest quarter of section number thirty-four, in township number twenty-seven north, of range number two west; the east half and the east half of the west half of section number three; the north half of the northeast quarter and the northeast quarter of the northwest quarter of section number ten; the north half of the northwest quarter and the northwest quarter of the northeast quarter of section number eleven; the west half and the west half of the east half of section number two, in township number twenty-six north, of range number two west, shall be the district comprised in the said city of Greenwood.

*One ward.*

SECTION 3. The entire city described in the foregoing section shall comprise one ward.

## CHAPTER II.

### OFFICERS AND ELECTIONS.

*City officers.*

SECTION 1. The officers of said city shall be a mayor, four aldermen, a city treasurer, a city clerk, city attorney, city assessor, a marshal and street commissioner, two justices of the peace, one police justice, a supervisor to represent said city on the county board, and one health officer; and such other officers as the common council may from time to time deem necessary.

**SECTION 2.** The annual charter election shall be held on the first Tuesday in May in each year, at such place as the common council shall designate. The polls of such election shall be open at nine o'clock in the forenoon, and closed at five o'clock in the afternoon; ten days previous notice of the time and place of such election and of the officers to be elected shall be given by the city clerk by publication in the official newspaper of said city, and by posting three written or printed notices thereof in public places; in all other respects the election shall be conducted as is prescribed by the general laws of the state; provided, however, that failure to give such notice shall not invalidate said election.

Annual election, when and where held and how conducted.

**SECTION 3.** The mayor, treasurer, clerk, aldermen, assessor, justices of the peace, supervisor and police justice shall be elected by the people.

Elective city officers.

**SECTION 4.** The other officers shall be appointed by the mayor and confirmed by a majority of the members of the common council voting in favor of such confirmation.

Appointive city officers.

**SECTION 5.** The mayor, clerk, treasurer, assessor, attorney, marshal and street commissioner, supervisor and health officer, shall hold their offices respectively for the term of one year, and until their successors are duly elected and qualified. The aldermen, justices of the peace and police justice shall be elected for the term of two years respectively, and shall hold office until their successors are duly elected and qualified; provided, however, that at the first annual election held under this charter, on the first Tuesday in May, 1891, two of said aldermen shall be elected for the term of one year.

Term of office of various city officers.

**SECTION 6.** No person shall be eligible to an office created by the provisions of this act, who is not at the time of his election a citizen of the United States and of this state, and a resident elector of the city.

Qualification of city officers.

**SECTION 7.** The term of office of the mayor and aldermen shall commence upon their election and qualification. The terms of all the other officers shall commence upon the second Tuesday in May, succeeding their election or appointment.

Terms of mayor and aldermen to commence upon election and qualification; others on second Tuesday in May.

**SECTION 8.** All elections shall be by ballot, and a plurality of votes shall constitute an election. When two or more candidates for an office shall

Elections to be by ballot; ties.

receive an equal number of votes for the same office, the election shall be determined by the casting of lots in the presence of the common council, at such time and in such manner as such common council shall direct.

Salaries of officers.

SECTION 9. The clerk, attorney, marshal and street commissioner, health officer, assessor, and police justice shall receive such yearly salary as shall be hereafter determined by the common council; the treasurer shall receive such compensation as is allowed by the general laws of this state to town treasurers; the supervisor shall receive for his service in attendance upon the county board meetings such compensation as is allowed by law to the chairman of a town; all the other offices named herein shall be honorary and without compensation.

Vacancies, how occurring and how filled.

SECTION 10. When any officer elected or appointed shall remove from the city, or when any such officer shall refuse or neglect, for the space of ten days after official notification of his election or appointment, to qualify and enter upon the discharge of the duties of his office, the office shall be deemed vacant; and whenever a vacancy shall occur in any office to be filled by an election by the people, more than thirty days prior to the general charter election, the common council may order a special election, upon a public notice to be given five days in like manner as notice is given of a general charter election, for the election of a person to fill such vacancy; and whenever a vacancy shall occur in an office to be filled by appointment, the same proceedings shall be had to fill such vacancy as are provided for in case of an appointment in the first instance.

Special elections, how conducted.

SECTION 11. Special elections to fill vacancies, or for any other purpose, shall be held and conducted by the inspectors and clerks of election, in the same manner, and the returns thereof shall be made in the same manner and form as of the general charter elections, and within such time as prescribed by law.

Officers, how to qualify.

SECTION 12. Every person elected or appointed to any office shall, before he enters upon the discharge of the duties thereof, take and subscribe the oath of office provided for by the constitution, and file the same with the clerk within ten days after notice of his election, and in case of his fail-

ure to file the same within the time indicated, the office shall be deemed vacant.

SECTION 13. The city treasurer, justices of the peace, marshal, and such other officers as the common council shall direct, shall, before entering upon the discharge of the duties of their respective offices, execute and deliver to the city a bond in such sum as the common council may determine, with two or more sureties, conditioned for the faithful discharge of the duties of their respective offices, and with such other conditions as the common council may prescribe. The common council may at any time require new and additional bonds of any city officer. All bonds must be approved by the mayor; and when so approved they shall be filed in the office of the city clerk within ten days after the officer executing the same shall have been notified of his election; and when so approved and filed shall be recorded by the city clerk in a book kept for that purpose; such clerk shall annex to such record a certificate that the same is a true copy of the original, and such record shall be *prima facie* evidence of the contents of such bond; and in the absence of the original may be used as evidence in all courts of this state. Justices of the peace and marshal shall also give bond as required by statute.

Official bonds  
of city officers.

SECTION 14. Every officer elected or appointed to any office may be removed from such office by a vote of three-fourths of all the members of the common council; but no officer shall be removed except for cause, nor unless charges are preferred against him, and an opportunity given him to be heard in his own defense. The common council shall have power to compel the attendance of witnesses and the production of papers when necessary for the purpose of such trial, and shall proceed within ten days to determine such case upon the merits thereof. The mayor may suspend any officer against whom charges have been preferred, until the disposition of the same.

Removal of  
officer; to  
first be given  
an opportunity  
to be heard.

SECTION 15. The mayor shall be the chief executive officer of the city; he shall take care that the laws of the state and the ordinances of the city are enforced and observed; and that all the officers of the city discharge their respective duties. He shall from time to time give the common

The mayor;  
his powers  
and duties.

council such information and recommend such measures as he may deem advantageous to the city. When present he shall preside at all meetings of the common council; he shall sign all agreements, contracts, licenses and permits granted by such common council; he may in case of riot, appoint as many special policemen as necessary. He shall have the veto power. Should he refuse to approve any ordinance, rule, regulation, claim or resolution appropriating money, or creating a debt or liability, he shall communicate his objections in writing to the common council within three days (Sundays and legal holidays excepted) after such ordinance, rule, regulation, claim or resolution, is submitted to him for his approval. If, upon the return of such veto message, three-fourths of all the common council vote for the passage of such ordinance, rule, regulation, claim or resolution, the same shall be considered legally passed, notwithstanding the objections of the mayor.

**President of  
the council.**

**SECTION 16.** The common council shall, at its first meeting after organization in each year, choose from the number a president; and in the absence of the mayor said president shall preside at all the meetings of the common council; and during the absence or inability of the mayor to discharge the duties of his office, the president shall exercise all the power and discharge all the duties of the mayor. The president while in the discharge of any of the duties of the mayor shall be styled "acting mayor," and any act performed by him as such shall have the same force and effect as if performed by the mayor; but he shall have no authority to sign or approve any ordinance, rule, regulation, claim, resolution, warrant or any proceeding whatever, which the mayor has refused to sign and communicated such refusal to the common council.

**The city clerk;  
his powers and  
duties.**

**SECTION 17.** The city clerk shall have the care and custody of the corporate seal and all the papers and records of the city. It shall be his duty to attend all meetings of the common council and keep a full record of their proceedings; to record all ordinances and bonds in a book kept for that purpose; to keep a record of all licenses granted, which record shall at all reasonable times be open to the inspection of the public; to

carefully preserve all receipts filed with him except as otherwise herein provided; and to draw and sign all orders upon the treasurer, except as otherwise herein provided, in pursuance of an order or resolution of the common council, and shall keep a full and correct account thereof in books provided for that purpose. He shall have the power and authority to perform such duties as clerks of cities and villages may be required to perform under the general laws of the state. He shall keep an accurate account with the treasurer and charge him with all tax lists presented to him for collection, and all sums paid into the treasury. Within thirty days prior to the annual charter election, he shall cause to be published in the official paper of the city a financial statement, showing the receipts and disbursements on account of each fund during the last preceding financial year. Copies of any and all books, papers, documents or instruments duly filed and kept in his office and transcripts of the proceedings of the common council certified by him under the corporate seal of the city, shall be evidence in all courts and places, in like manner and with the same force and effect as though the originals were produced. He shall have power to administer oaths and affirmations authorized to be taken by and under the laws of the state; and shall perform such other duties as shall be required of him by the common council. He shall appoint a deputy, in writing under his hand, and shall file such appointment in his office; and such deputy shall aid in the performance of the duties of clerk, under his direction, and in case of his absence or disability, or of a vacancy in his office, shall perform all the duties of clerk during such disability, absence or vacancy until such vacancy shall be filled. The clerk and his sureties shall be liable upon his bond for the acts of such deputy.

SECTION 18. The city attorney shall conduct all the law business of the city and of the departments thereof, and all other law business in which the city may be interested. He shall keep a docket of all cases in which the city may be a party, and briefly state therein each step taken in the cause; said docket to be open to the inspection of the officers and electors of the city, at

The city attorney; his duties.

reasonable hours. He shall draft all ordinances, bonds, contracts, leases, conveyances and such other instruments as may be required by the officers of said city, concerning the business thereof. He shall examine and inspect all assessments in reference to the levying and collection of taxes and assessments; and perform such other duties as may be required by the charter and ordinances of the city.

The city treasurer; his powers and duties.

**SECTION 19** The city treasurer shall collect all city, county and state taxes; he shall receive all moneys belonging to the city, and keep an accurate account thereof in suitable books for that purpose, and shall pay over the money in his hands according to law. He shall keep a detailed account of the money received and disbursed by him, in such manner as the common council shall direct; his books shall at all reasonable times be open to inspection by the electors of the city. He shall make a report to the common council each year, within the month of April, and as much oftener as the common council may require, which report shall embrace a statement of the receipts and disbursements in his office; he shall file in the office of the city clerk, ten days before the annual charter election, a full and minute report of all moneys received and disbursed by him; of all tax certificates, vouchers and other effects of pecuniary value in his possession, and all other transactions relating to his office necessary to show the financial condition of the city. Said statement to embrace all transactions from the date of the like report made by his predecessor to the date of the report required by him. He shall keep an accurate account of each of the separate funds in his custody.

Official city paper. ■

**SECTION 20.** The common council at its first meeting, or as soon thereafter as may be, shall designate a newspaper published in the city or Clark county, in which shall be published all ordinances, notices and other proceedings required by law to be published; and the common council shall have power to fix by ordinance, just and proper rates therefor, provided that such rate shall not exceed the legal rate.

Ordinance when published to be filed with city clerk.

**SECTION 21.** When any ordinance, notice or other proceeding shall have been published, a copy of such publication, together with the affida-



vit of the printer or foreman stating the length of time the same has been published, shall be filed with the city clerk; and such affidavit shall be conclusive evidence of the publication of such ordinance, notice or other proceeding, and the bill for such publication shall not be audited until such affidavit is filed.

SECTION 22. All other officers elected or appointed under and by virtue of this charter, shall perform such duties as are required to be performed by like officers under the general laws of the state, and also such as are prescribed by the common council.

Council may impose additional duties on officers.

### CHAPTER III.

#### POWERS.

SECTION 1. The mayor, aldermen, and supervisor shall constitute the common council; and the style of all ordinances shall be: "The mayor and common council of the city of Greenwood do ordain as follows."

Common council; how constituted.

SECTION 2. The common council shall hold its first meeting in each year on the third Tuesday in May, and shall thereafter hold a regular meeting on the first Tuesday of each month, and at such other times as the council may direct. The mayor may call a special meeting by written notice to each of the members, to be served personally or left at their several places of abode at least six hours previous to such meeting.

Meetings of council.

SECTION 3. The common council shall determine the rules for its own proceedings. Two-thirds of the members shall constitute a quorum for the transaction of business, but a less number may adjourn. The session shall be open to the public. The ayes and noes may be required to be taken by any member; and on the adoption of an ordinance or resolution assessing or levying taxes, or for the appropriation or disbursement of money, or creating a charge or liability against the city, or any fund thereof, the vote shall be taken by ayes and noes, and every such vote shall be entered at length on the journal. The common council shall be the judge of the election and qualification of its own members, and may punish

General provisions relating to meetings of council.

its members or others present, by fine, for disorderly behavior; may compel the attendance of its members upon its meetings, may fine or expel any member for a neglect of duty as such member, or for unnecessary absence from sessions of the council.

Confirmation,  
votes to be by  
ayes and noes.

SECTION 4. At all confirmations by the council the vote shall be taken by ayes and noes, and recorded upon the journal; a majority of all members of the council shall be necessary to a confirmation.

Powers of  
council.

SECTION 5. The common council shall have the management and control of the finances and all the property of the city, except as herein otherwise provided; and shall likewise in addition to all other power herein vested in it, have full power and authority to make, enact, ordain, establish, publish, enforce, alter, modify, amend and repeal all such rules, by-laws and regulations for the good order and government of the city, for the benefit of the trade and commerce and for the health of the inhabitants thereof; for the prevention of crime, and for carrying into effect the powers vested in said council, as it shall deem expedient; such council shall have power to impose and declare penalties and to enforce the same against any person or persons who may violate any of the provisions of such by-laws, ordinances, rules, and regulations. Such ordinances, by-laws, rules and regulations are hereby declared to be and have the force of law, provided they be not repugnant to the constitution of the United States, or of this state, or to the laws thereof; and for the aforesaid purposes the common council shall have authority by ordinance, resolution, by-law or regulations:

Licenses.

SECTION 6. First. To license, regulate or prohibit the exhibition of common showmen or shows of any kind, billiard tables, bowling saloons, nine or ten-pin alleys, and to provide for the abatement of the same and removal under the ordinances of the city and laws of the state; and may grant licenses for and regulate groceries, tavern keepers, keepers of ordinaries, saloons, victualing houses or other houses or places for dealing in or vending spirituous, vinous, fermented or malt liquors, and may revoke such licenses for violation thereof; provided, that in case an application

for a license is denied, the council shall not have the authority until after the next succeeding charter election to grant any license for such vending of spirituous, vinous, fermented or malt liquors to the same person. And provided further, that no such licenses shall be granted except by a two-thirds vote of all the members of the common council. The person to whom such license is granted shall give a bond in due form, according to law with two or more sureties.

Second. To restrain, prohibit and suppress all devices for gambling or fraudulent practices or any indulgence or practice in such gambling. Gambling, etc.

Third. To license regulate, suppress or prohibit concerts or other musical entertainments by itinerant persons or companies; exhibitions of natural or artificial curiosities, and all other exhibitions and amusements. Regulate and license exhibitions and amusements.

Fourth. To prevent and suppress riots, noise, disturbance or disorderly assemblages; and to suppress and restrain disorderly houses and houses of ill-fame. Riots, disturbances, etc.

Fifth. To compel the owner or occupant of any grocery, cellar, tallow chandler's shop, soap factory, tannery, stable, barn, privy, sewer or other unwholesome or nauseous house or place, to cleanse the same from time to time or remove or abate the same, as it may be deemed necessary for the comfort and convenience of the inhabitants of said city. Abatement and removal of nuisances.

Sixth. To direct or prohibit the location and management of houses for the storage of gunpowder and other dangerous and combustible materials. Combustible material, storage of.

Seventh. To prohibit the shooting of fire-arms and crackers, and the exhibition or use of fire-works at any time or in any manner which may be considered by the council dangerous to the city, or to any property therein, or annoying to the citizens thereof. Shooting of fire arms, etc.

Eighth. To prohibit horse racing and immoderate riding or driving in the streets. Horse racing in streets.

Ninth. To prohibit and punish the abuse of animals. Abuse of animals.

Tenth. To compel persons to fasten their horses, oxen or other animals attached to vehicles or otherwise, while standing or remaining in any street, alley or public grounds. Fastening of horses, etc., on streets.

- Licensing of dogs.** Eleventh. To provide for licensing the keeping of dogs at a rate of not less than one dollar nor more than ten dollars a year for each dog; and to provide for a badge or token to be carried by each licensed dog, and for the secure muzzling of such licensed dogs.
- Preservation of health.** Twelfth. To do all acts and to make all regulations which may be necessary or expedient for the preservation of health and the suppression of disease.
- Running at large of cattle, etc.** Thirteenth. To regulate, restrain or prohibit the running at large of cattle, horses, mules, swine, sheep or other animals, and to authorize the distraining, impounding and sale of the same, for the penalty incurred, and the cost of proceedings; and also to impose penalties on the owners of any such animals for a violation of any such ordinance.
- Sewers.** Fourteenth. To prescribe and regulate the construction of sewers within the city.
- Erection of public buildings. Parks, etc.** Fifteenth. To locate, purchase sites and let contracts for the erection and construction of public buildings. To acquire by gift, grant, devise, donation, purchase or condemnation, lands for parks and any other public purposes, and to sell, dispose of and convey the same.
- Opening and repairing of streets, etc.** Sixteenth. To lay out, make, open and keep in repair, alter or discontinue highways, streets, lanes and alleys, and to keep them free from incumbrances and to protect them from injury.
- Grades.** Seventeenth. To establish and alter the grade of streets and to regulate the manner of using the streets and pavements in said city, and to protect the same from injury by vehicles used thereon.
- Names of streets.** Eighteenth. To name or change the names of any street.
- Lighting of streets.** Nineteenth. To provide for lighting the streets, public grounds and buildings with gas or otherwise; and for such purpose to contract by ordinance or otherwise, with any person, company or corporation for a term not exceeding ten years at any time, at such terms, and subject to such limitations as may be prescribed by such ordinance or contract.
- Boards of health.** Twentieth. To establish and regulate boards of health.

Twenty-first. To provide for the abatement or removal of all nuisances under the ordinances or at common law, and the punishment of the authors thereof, or persons continuing the same by penalties, fine or imprisonment; and to define and declare what shall be deemed nuisances; but nothing in this act shall be construed to oust any court of jurisdiction to enjoin or to direct the abatement and removal of nuisances in the streets, or any other part of the city, or within its jurisdiction, by indictment or otherwise.

Abatement and removal of nuisances.

Twenty-second To prohibit any person from bringing, depositing or having within the limits of the city, any putrid carcass or other unwholesome substance, and to require the removal or destruction of the same by any person who shall have upon or near his premises any such substances, or any putrid or unsound beef, pork, fish or hides, and on his default to authorize the removal or destruction thereof by some officer or officers of the city at the expense of such person or persons.

Deposit of putrid carcasses within city limits

Twenty-third. To compel the owners or occupants of buildings or grounds to remove and keep snow, ice, dirt or rubbish from the sidewalk, street or alley opposite thereto, and to compel such owner or occupants to remove from the lots owned or occupied by them all such substance as the board of health shall direct; and on their default, to authorize the removal or destruction thereof by some officer of the city, at the expense of such owner or occupants.

Removal of snow or ice from sidewalk.

Twenty-fourth. To provide for the appointment of watchmen and policemen and to regulate the police and prescribe their duties.

Watchmen and policemen.

Twenty-fifth. To direct and regulate the planting and preserving of ornamental trees in the streets and public grounds.

Trees.

Twenty-sixth. Laws, ordinances, regulations and by-laws shall be adopted by an affirmative vote of a majority of all the members of the common council, and shall within fifteen days after their passage be published in the official paper or papers of said city before the same shall be in force.

Laws, ordinances, etc., how adopted.

SECTION 7. The common council shall examine and adjust all accounts of the clerk, treasurer and other officers of the city.

Accounts of city officers to be examined by council.

Corporate  
authority  
where vested.

**SECTION 8.** The corporate authority of the city shall be vested in the mayor and common council.

Actions how  
brought.

**SECTION 9.** All actions to recover any penalty or forfeiture or for the punishment of any offender under the ordinances or by-laws made by the city shall be brought in the name of the "City of Greenwood."

Judgment of  
court on find-  
ing.

**SECTION 10.** In case of conviction in actions brought to recover a penalty or forfeiture, or to impose a punishment for violation of any ordinance or by-law, the court shall enter judgment for such fine, penalty or forfeiture, together with the costs of the prosecution, against the defendant; and shall also enter judgment that such defendant be imprisoned in the county jail or city lock-up until such judgment be paid, not exceeding the term of six months, and shall forthwith commit the defendant accordingly. In cases where the defendant is adjudged to be punished by imprisonment, judgment shall also be entered for the costs of prosecution against him, that he be held in imprisonment until such costs be paid; but the court shall limit such additional term of imprisonment in his discretion, in no case, however, to exceed six months.

Appeals in city  
cases.

**SECTION 11.** Any person aggrieved by the judgment of the court, imposing a fine, penalty, forfeiture or term of imprisonment, may appeal to the circuit court of the said county of Clark, in the same manner in which defendants may appeal under the general laws of the state from judgments of justices of the peace, in actions when the state is a party plaintiff.

Claims against  
city to be  
presented to  
council.

**SECTION 12.** No action shall be maintained against the city on any claim or demand until such claim or demand shall have been presented to the common council for allowance, and the same shall have been disallowed in whole or in part; provided, that the neglect or refusal of the common council to act upon any such claim or demand for the space of sixty days after its presentation shall be deemed a disallowance thereof.

Disallowance  
of claim shall  
bar action  
thereon unless  
appealed from.

**SECTION 13.** The determination of the common council disallowing any claim or demand shall be final, and a bar to any action for said claim or demand against the city, unless an appeal shall be

taken from such determination in the manner hereinafter prescribed.

SECTION 14. Whenever any claim or demand against the city shall have been disallowed, an appeal may be taken from such action of the common council to the circuit court of said county, within twenty days after such disallowance, by causing a written notice of such appeal to be served on the city clerk; and by executing a bond to the city in the sum of one hundred and fifty dollars, with two sureties to be approved by the city clerk, conditioned for the faithful prosecution of such appeal and the payment of all costs that may be adjudged against the appellant in the appellate court. The clerk, in case such appeal is taken, shall make a brief statement of the proceedings had in the common council, with its decision thereon, and shall transmit the same, together with all the papers in the case, to the clerk of said circuit court. Such case shall be entered, tried and determined in the same manner as cases originally commenced in said court; provided, however, that whenever an appeal is taken from an allowance made by the common council upon any claim, and the recovery upon such appeal shall not exceed the allowance made by the common council exclusive of interest upon such allowance, the appellant shall pay the costs of the appeal, which shall be deducted from the recovery; and when the amount of costs shall exceed the amount of the recovery, the judgment shall go against the appellant for the excess.

Appeals how taken.

SECTION 15. The court held by the police justice shall be called the police court.

Police court.

SECTION 16. The police justice shall have the civil and criminal jurisdiction of justices of the peace, within the limits of the city, and exclusive jurisdiction of offenses against the ordinances and by-laws of the city.

Police justice; jurisdiction of.

SECTION 17. The police court may sentence any person convicted of the violation of any ordinance, punishable by fine and imprisonment or one or either, and any person convicted of any misdemeanor triable by said court, to pay the fine and costs of prosecution, or be imprisoned in the county jail or city lock-up.

Same.

Docket.

SECTION 18. There shall be kept in the police court a docket wherein shall be entered the substance of every complaint, the date of the issuance of the warrant, the date and substance of the return thereon, the plea of the accused, the names of the witnesses, and the judgment of the court.

Forms.

SECTION 19. The following shall be the form substantially, of complaint and warrant to be used in said court in cases of prosecution for the violation of ordinances:

## COMPLAINT.

Complaint.

State of Wisconsin, }  
City of Greenwood, } ss In the police court  
of said city.

A B. complains on oath to the police court of the city of Greenwood, that C. D. did, as the deponent verily believes, on or about the . . . . day of . . . ., A. D. 18. ., at said city, violate an ordinance of said city, to wit: (here insert the title and date of the ordinance or the chapter and section of the general ordinance), in that he did then and there contrary to said ordinance (here insert the act or omission complained of); therefore, the complainant prays that said C. D. be arrested and dealt with according to law.

A. B.,  
Complainant.

Subscribed and sworn to before me this . . . .  
day of . . . ., A. D. 18. . .

E F.,  
Police Justice.

## WARRANT.

Warrant.

State of Wisconsin, }  
City of Greenwood. } ss In the police court of  
said city.

The state of Wisconsin to the chief of police or any police officer of the said city, or the sheriff or any constable of the county of Clark. You are hereby commanded to arrest and bring before said court as soon as may be, and safely keep subject to the order of said court, the body of A. D., charged with violating one of the ordinances of the city of Greenwood.

Dated . . . . .

E F.  
Police Justice.



**SECTION 20.** The costs taxable in the police court shall be the same as in justice courts for similar services; and said costs shall be paid to the officers earning them, respectively, in addition to any salary which may be fixed by the common council. Costs and fees.

**SECTION 21.** It shall be the duty of the common council to confirm, upon nomination by the mayor, once in each year, a regularly licensed physician as health commissioner, who shall hold his office for the term of one year, and until his successor shall be appointed and qualified. Health commissioner.

#### COMMISSIONER'S DUTIES.

**SECTION 22.** It shall be the duty of the commissioner of public health to provide such rules and regulations as shall be requisite and necessary for the preservation of the health of the people of the city, to prevent the spread of contagious diseases, and to cause the removal of all objects detrimental to the health of the people of the city, and to enforce such rules and regulations as hereinafter provided. Commissioner's duties.

#### RULES TO BE REPORTED TO COUNCIL.

**SECTION 23.** All rules and regulations prepared by the commissioner of public health shall be by him reported to the common council, and if the common council shall confirm the same by a vote of a majority of the members thereof, such rules and regulations shall have the force and effect of ordinances, and the violation thereof may be prosecuted and punished as in the case of ordinances. Rules.

#### RECOMMENDATIONS TO BE MADE.

**SECTION 24.** The commissioner of public health, shall also, from time to time, recommend to the common council such sanitary measures to be executed at the public expense, as shall seem to him to be necessary for the preservation of the public health. Recommendation.

**SECTION 25.** All funds in the city treasury, except school funds, created and set apart for the payment of the interest and debts owing by the Funds to be under control of council.

city and funds collected on special assessment, shall be under the control of the city council, and shall be drawn out upon order of the mayor and clerk, authorized by the common council. All orders drawn upon the treasurer shall specify the purpose for which they are drawn, and shall be payable out of the funds of the city treasury not otherwise appropriated. All orders shall be payable to the person to whom drawn or his order.

Treasurer to pay out funds only for authorized purposes.

SECTION 26. The treasurer shall not pay out the funds in his hands which shall be appropriated to any special purpose, except for the purpose to which they were specially appropriated, any direction of the city council to the contrary notwithstanding.

Debts to be contracted only on majority vote.

SECTION 27. No debt shall be contracted against the city or certificate of indebtedness drawn upon the city treasurer unless the same shall have been authorized by a vote of a majority of the common council; and no money shall be appropriated for any purpose whatever except as authorized by this act.

Orders not to issue unless funds in treasury.

SECTION 28. The common council shall not authorize the issue of orders upon the treasurer unless the money to pay the same is in the hands of the treasurer, to the credit of the funds upon which the orders are drawn.

Treasurer's quarterly statements.

SECTION 29. The treasurer shall deliver to the clerk, once in each quarter, on such day as the council shall direct, a statement showing the condition of the treasury and all receipts and disbursements since the last preceding report.

Council may borrow money to pay ordinary expenses.

SECTION 30. The common council may borrow money to pay the ordinary expenses of the city, not exceeding twenty *per centum* of the taxes levied for the same purpose during the preceding year. Certificates of indebtedness may be issued therefor, signed by the mayor and clerk, bearing interest not exceeding the legal rate *per annum*, and payable not later than the fifteenth day of January succeeding their issue. Provided, however, that no such loan shall be made unless authorized by a vote of at least three-fourths of all the members of the common council, at a regular meeting thereof.

**SECTION 31.** All temporary loans shall be made payable and paid out of the taxes levied for the ensuing year, unless sooner provided for.

Temporary loans, when payable.

**PURPOSES FOR WHICH BONDS MAY BE ISSUED.**

**SECTION 32.** The common council shall have authority to issue bonds for the following purposes only:

Bonds may be issued; proposition to be adopted by three-fourths of the members of council.

First. Building school houses.

Second. Building bridges.

Third. Building public buildings for the use of the city.

Fourth. Purchase of apparatus for fire protection.

Fifth. Construction of main sewers.

Sixth. Water works.

Seventh. Public parks.

Provided, that no such bonds shall be issued unless authorized by ordinance adopted by a vote in favor of the same of at least three fourths of all the members of the common council-elect. Said vote to be at a regular meeting not less than one week after the proposed ordinance shall have been published in the official paper of the city; and provided, further, that no such bonds shall be issued so that the amount thereof, together with all the other indebtedness of the city shall exceed five *per centum* of the assessed valuation of such city at the assessment preceding the issue of such bonds; and provided, further, that all such bonds issued shall be payable at the pleasure of the city in not more than five years and absolutely in not more than twenty years after their date, and shall bear interest not exceeding six *per centum per annum*, payable semi-annually.

**SECTION 33.** All claims and demands against the city shall be itemized, verified by oath of the claimant, or some one on his behalf, and filed with the city clerk, who shall present the same to the council at its next regular meeting for action thereon.

Claims against city to be itemized.

**SECTION 34.** The assessment, levy and collection of taxes shall be provided for and carried out according to the manner prescribed by the general laws of the state, except as otherwise herein provided.

Assessment and collection of taxes.

**Standard sidewalks.**

**SECTION 35.** The common council may from time to time, by resolution, establish the width, determine the material, and prescribe the method of construction of standard sidewalks, and the standard so fixed may be different on different streets. In all cases where the grade of sidewalks has not been fixed by ordinance the grade thereof shall conform to that of the street as established.

**Improvement of streets and grading for sidewalks.**

**SECTION 36.** Whenever a street shall be improved for the first time, or the grade thereof changed, and the street improved so as to conform to the new grade, the grading of the sidewalks thereto shall be considered a part of the improvement; and shall be let by contract with the other work of improving such street, and expenses thereof shall be provided for and borne in all respects like that of improving the street; but the construction of the sidewalks shall be done by the owners of lots or parcels of land, or at their expense as hereinafter provided.

**Owner of lot to build sidewalk.**

**SECTION 37.** It shall be the duty of the owner of every lot or parcel of land abutting upon an improved street or a street ordered to be improved, whereon the sidewalk has been graded for ten days or more to lay at his own expense a standard sidewalk in front of the same, or one as good as the standard, to be approved by a street committee selected by the mayor from the common council. Provided, however, that no sidewalk shall be required to be laid unless such requirement shall have been decided upon by a resolution of the common council.

**If owner neglects or refuses, street commissioner shall build sidewalk.**

**SECTION 38.** Whenever the owner of any lot or parcel of land so abutting shall neglect for the space of twenty days to lay a sidewalk as provided in section 35, it shall be the duty of the street commissioner to cause a standard sidewalk to be laid in front of said premises. The street commissioner shall keep an accurate account of the expenses of laying such sidewalk, and of the repairs of any sidewalk, when the same shall have been out of repair for ten days, and repaired by him; it shall be the duty of the street commissioner to repair any sidewalk when the owner thereof shall neglect to repair the same for the space of ten days. He shall make report of all such expenses of construction and repairs to the

city clerk, who shall annually submit a statement of such expenses to the city council. The amount therein charged to each lot or parcel of land shall be entered by the clerk in the tax roll, as a special tax against said lot or parcel of land, and the same shall be collected in all respects like other city taxes upon real estate.

SECTION 39. It shall be the duty of the street commissioner to keep the sidewalks of the city clear of snow and ice in all cases, where the owners or occupants of abutting lots or parcels of land fail to do so, and the expense of clearing the ice or snow from sidewalks in front of any such lot or parcel of land shall be included in the statement to the clerk required by the last preceding section, and in the special tax to be levied as therein provided.

Street commissioner to keep sidewalks clear of snow and ice.

SECTION 40. The common council may from time to time make all needful rules and regulations by ordinance, for carrying the aforesaid provisions into effect, and for governing the use of sidewalks, and preventing their obstruction.

Rules and regulations as to sidewalks.

SECTION 41. The common council shall have power to improve and repair the streets of the city, paying therefor from the general fund in the city treasury. All such improvements and repairs which shall exceed in amount one hundred dollars the council shall let by contract to the lowest responsible bidder; two weeks' notice of the letting of such contract shall be given by publication thereof in the official newspaper of the city, or by posting notices thereof in two public places for a like time. Officers of the city or members of the council shall not bid or contract for said work. The street commissioner and street committee shall have general supervision of such improvements and repairs. If the expenses of such improvements and repairs shall not exceed one hundred dollars, and the work thereof shall be done by the street commissioner; whose accounts and claims therefor shall be audited and paid in like manner as other accounts against the city.

Improvement and repair of streets.

## CHAPTER IV

## MISCELLANEOUS.

General laws shall be in force except as otherwise provided.

SECTION 1. The general laws of the state for the government of cities, villages and towns, the assessment and collection of taxes, the preservation of public and private property, highways, roads and bridges, the punishment of offenders, the collection of penalties, and the manner of conducting elections, shall be in force in the city of Greenwood, except as herein provided.

General laws as to bribery, etc., to be in force.

SECTION 2. The general laws of the state of Wisconsin for the punishment of bribery, misdemeanors, and corruption in office, shall be in force and apply to all officers of the city elected or appointed under the provisions of this charter.

City official not to be interested in contract.

SECTION 3. No city official shall be interested, either directly or indirectly, in any contract to which the city is a party; and whenever it shall appear that such is the case such contract shall be null and void, and the city incur no liabilities thereon.

City officers may not be surety on official bond.

SECTION 4. No city officer shall be accepted as surety on any bond, contract or other obligation made to the city.

Forms.

SECTION 5. The use of any forms prescribed by the revised statutes of the state, and acts amendatory thereof, so far as the same are applicable, shall be as legal and of the same force and effect as the forms prescribed by this charter.

Ordinance book to be kept by city clerk; what to contain.

SECTION 6. The city clerk shall keep a book, to be known as the ordinance book, in which he shall enter at length, in a plain and distinct handwriting, every ordinance adopted by the common council immediately after its passage, and shall append thereto a note giving the date of its passage and page of the journal containing a record of the vote upon its passage and also the name of the newspaper in which the same was published, and the date of such publication, together with the proof of publication; the ordinances may be proved by the certificates of the clerk, under seal of the city, and when published in pamphlet form purporting to be published by authority of the city, shall be read and received in all courts as evidence of their adoption.

**SECTION 7.** In case of failure to prescribe the duties of any officer elected or appointed under this charter, the provisions of the revised statutes of Wisconsin and acts amendatory thereof so far as the same are applicable thereto, shall be taken and deemed to be the guides in determining the duties of such officers.

Officers' duties not herein prescribed to be as defined in general laws.

**SECTION 8.** The common council of the city shall meet on or before the second Tuesday in May in each year and canvass and declare the result of the annual municipal election.

Canvassing of election returns.

**SECTION 9.** The qualifications of electors at all charter elections shall be the same as under the revised statutes for general elections; provided, that a residence of thirty days in the city shall be requisite to entitle the elector to vote.

Qualification of electors.

**SECTION 10.** The common council shall, within one year from the taking effect of this charter provide a suitable building to be known and used as a city lock-up; the cost thereof shall be paid out of the general fund in the city treasury.

City lock-up.

**SECTION 11.** The bridge across Rock creek, near the city, known as "Rock creek bridge," shall be under the jurisdiction and control of the city authorities; the expense of keeping up and repairing said bridge shall be borne by the city of Greenwood and the town of Eaton in proportion to the assessed valuation of the taxable property in said town and city respectively. The bridge across Black river near the town line between the towns of Eaton and Warner, known as the "Black river bridge," shall be under the jurisdiction, care and custody of the city, and shall be kept up and repaired at the expense of the city and the said towns of Eaton and Warner respectively, in proportion to the assessed valuation of the taxable property thereof.

Rock creek and Black river bridges.

**SECTION 12.** Every male inhabitant of the city of Greenwood over twenty-one years of age and under fifty, except those otherwise exempt by the general laws of the state, shall pay into the city treasury annually the sum of one dollar and fifty cents, as a poll tax. It shall be the duty of the assessor of the city to make out a list of all persons liable to such poll tax, during the month of April, and deliver the same to the city treasurer, who shall proceed to collect the same according to the general laws of the state.

Poll tax.

Disposition of  
license  
moneys.

SECTION 13. All moneys derived from licenses issued by authority of the common council under the provisions of this charter or of the excise laws of the state, shall be paid into the treasury of the city for the benefit of the general fund thereof.

General fund,  
how raised.

SECTION 14. The common council shall have power to levy a tax, not exceeding three mills on the dollar on the assessed valuation of the taxable property in the city, which tax shall be collected as prescribed by the general law; and the proceeds thereof shall be kept and used as a general fund for the ordinary expenses of the city government. The amount of the tax to be levied shall be determined by the common council before the first Tuesday in October in each year, and shall be included in the tax roll in like manner as other taxes.

Apportion-  
ment of taxes  
between city of  
Greenwood  
and towns of  
Warner and  
Eaton.

SECTION 15. The supervisors of the towns of Warner and Eaton, and the common council of the city of Greenwood, shall meet on the second Tuesday in June, 1891, at such place as shall be designated by the city clerk of said city, and apportion the taxes levied for road or other town purposes, and any indebtedness between the said towns and the city; in case of failure to agree at such meeting of the supervisors and council, the board of supervisors of the county of Clark shall at its annual meeting in November, 1891, apportion the said taxes between the towns and city and divide and apportion any property or indebtedness.

SECTION 16. This act shall take effect and be in force from and after its passage and publication.  
Approved April 2, 1891.