

No. 238, A.]

[Published June 8, 1907

CHAPTER 190.

AN ACT to create sections 925—49a and 925—38a, and subdivision 69 of section 925—52, statutes of 1898, relating to common councils, their organization and power in cities of the first class.

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

SECTION 1. There are added to the statutes of 1898, two new sections to read: (Section 925—49a and 925—38a.)

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SECTION 2. There is added to the statutes of 1898, a new subdivision of section 925—52, to read:

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Approved June 7, 1907.

(In effect July 1, 1907.)

No. 351, A.]

[Published June 8, 1907.

CHAPTER 191.

AN ACT to create sections 1480t—1 to 1480t—17, inclusive, statutes of 1898, relating to the extermination of the Canada thistle.

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

SECTION 1. There are added to the statutes of 1898, seventeen new sections to read:

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Approved June 7, 1907.

(In effect July 1, 1907.)

position to which such a person is appointed, which certificate shall be filed with the secretary of the commission or board to which such a person has been appointed. Thereupon such appointee shall be deemed to be qualified to act as a member of such board or commission.

(Ch. 493, 1907.)

Vacancy in mayor's office. SECTION 925—31b. A vacancy in the office of mayor shall be filled by the common council, the person selected to hold office until the first Tuesday in April, succeeding, when the vacancy shall be filled by an election. The person so elected by the common council shall be elected in the same manner as the president of the common council.

(Ch. 493, 1907.)

Salaries; no additional pay. SECTION 925—31c. No officer or employe receiving a salary from any city, whether organized under general or special law, shall receive for service of any kind or nature rendered such city any compensation therefor other than the salary fixed and provided for such office. This act shall apply to all officials now serving or hereafter elected or appointed to public place.

(Ch. 493, 1907.)

President of council; election; acting mayor. SECTION 925—38a. In cities of the first class the council at its first meeting after its organization biennially shall choose from their number a president, by viva voce vote upon a roll call, who shall preside over the meetings of the common council during two years. The vote by which a president of the council is elected shall be entered upon the minutes of the proceedings of the council. No election shall be valid unless the vote is so entered. In case of a vacancy in the office of mayor, or during his absence or inability from any cause to perform the duties of his office, the president of the council shall have and exercise all the powers and discharge all the duties of mayor until he shall resume his office or the vacancy be filled by an election. When so acting such president shall be styled "acting mayor," but as acting mayor he shall not have authority to sign or approve any ordinance, rule, regulation, claim, resolution, warrant or other proceeding whatsoever which the mayor has refused to sign and communicated his refusal to the council.

(Ch. 190, 1907.)

Confirmation of appointments. SECTION 925—38b. The appointments to public office by the mayor of all cities shall be subject to confirmation by the common council, unless otherwise provided by law. An appointee to any office rejected by the common council shall be ineligible for appointment to the same office for one year thereafter.

(Ch. 493, 1907.)

Common council to fill vacancies in mayoralty and council. SECTION 925—40m. In cities of the second, third and fourth classes, where a vacancy shall occur in the office of mayor by reason of his death, resignation or permanent removal from the city, the council shall forthwith proceed to fill such vacancy, by the election of a qualified elector of the said city to hold such office until the first Tuesday in April succeeding when the vacancy shall be filled by an election. If the person so elected is a member of the common council the vacancy thus created in the common council shall be filled by a majority of the council and the appointee to hold until the first Tuesday in April succeeding, when the vacancy shall be filled by an election.

(Ch. 12, 1907.)

Style of ordinances; unfinished business. SECTION 925—49a. In cities of the first class the aldermen elected from the various wards and the aldermen at large, when elected in any city, shall constitute the common council and the style of all ordinances shall be “the common council of the city of—— do ordain.” The common council shall be a continuing body, and unfinished business pending before it shall not lapse or go down with the council year, but all pending business before the common council, or any committee thereof, at the termination of any council year, shall be considered as pending before the common council of the next succeeding council year, or the corresponding committee thereof, and may be acted upon and disposed of by the council of such succeeding year as if no change in the council had taken place, by the expiration of a council year.

(Ch. 190, 1907.)

Cities of 5,000, or over, may order wires under ground. [SECTION 925—52.] 31. To establish and alter the grade of streets and sidewalks; regulate the manner of using the streets

and pavements; protect the same from injury by vehicles used thereon; require standard sidewalks to be laid upon such street or streets or part thereof as it may prescribe; declare any sidewalk or part thereof unsafe, defective or insufficient, and that the same be removed and replaced with a new standard sidewalk or one as good as the standard, to be approved by the board of public works, at the expense of the owner or owners of the lots or parcels of land abutting upon that portion of the street or streets upon which said sidewalk is ordered to be built or removed, and cause the expense thereof incurred by the city in front of each said abutting lot or parcel of land to be charged to such lot or parcel of land as a special tax and collected like other city taxes upon real estate; all proceedings as to the construction of sidewalks and the collection of the cost thereof to conform to the provisions of sections 925—201 to 925—207 inclusive; and to establish districts in cities of the first, second and third classes *and in all cities of the fourth class having a population, according to the last state or federal census of five thousand inhabitants or over*, within which all electric light or power, telephone, telegraph or other wires may in the same ordinance establishing such districts be ordered to be placed under ground and all poles now or hereafter used to support such wires shall be removed from the streets in such districts, and to provide a penalty for the violation of the provisions of such ordinance.

(Ch. 119, 1907.)

Cities, 1st class; additional ordinance power; boulevards, water rates, docks, bonds. [SECTION 925—52.] 69. In cities of the first class the common council shall have power by ordinance duly passed in addition to the powers now possessed,

(a) To declare certain streets, boulevards and thoroughfares and to limit the use thereof; to prohibit heavily laden wagons or other conveyances from passing, being hauled or propelled thereon. All streets heretofore declared by law, boulevards, and the use thereof limited, shall continue as such until the acts designating the same as such are repealed.

(b) In such cities owning or which may hereafter own water-works, by ordinance adopted by a two-thirds vote of all the members elect, to fix uniform rates to be paid for the use of water furnished by such city.

(c) To establish public docks and to regulate the use of the same.

(d) To issue bonds for doing such dredging and docking and the purchasing and establishing of public docks and the making of such other harbor improvements as such city may do or make.

(Ch. 190, 1907.)

Public meetings in city school houses and grounds. [SECTION 925—52.] 70. School houses and grounds appurtenant thereto, under the direction of the proper school authorities, may be used for public meetings of a social and educational nature in addition to the purposes for which such buildings are now authorized to be used.

(Ch. 244, 1907.)

City council's powers: bill boards. [SECTION 925—52.] 71. To license and regulate bill boards and may limit the size and determine the location thereof.

(Ch. 302, 1907.)

Cities, second and third class: police pensions. SECTION 925—52h. In every city of the second or third class in this state, however incorporated, the common council shall make provision annually and from time to time as may be needed for the pensioning of disabled and superannuated members of police departments and the widows and orphans of deceased members thereof.

(Ch. 671, 1907.)

Sources of pension fund. SECTION 925—52i. For the purpose of establishing a permanent police pension fund said common councils shall cause to be set apart and to be retained and set apart by the treasurers of such cities all moneys received from dog licenses and one per cent. of all moneys received from all other licenses. There shall be deducted from the monthly pay of each member of the police department a sum equal to one per cent. of such monthly pay, which shall be added to such fund; also all moneys deducted for time lost by members on account of sickness; and there shall also be paid and added to said fund all rewards earned and received by members of such departments, and all moneys received from sales of unclaimed property; and any and all moneys and