

tered into between Michigan, Minnesota and Wisconsin to establish boundaries in Lake Michigan and Lake Superior.

Approved June 9, 1947.

No. 11, A.]

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### CHAPTER 223.

AN ACT to repeal and recreate 66.527 (1) (c); to amend 66.527 (1) (a), (b) and (d), (2) (a) and (b) and (3) and to create 40.09 (9) and 60.18 (18m) of the statutes, relating to recreation authorities for towns.

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

SECTION 1. 40.04 (9) of the statutes is created to read:

40.04 (9) RECREATION AUTHORITY. To vote a tax for the purposes specified in section 66.527.

SECTION 2. 60.18 (18m) of the statutes is created to read:

60.18 (18m) RECREATION AUTHORITY. To levy a tax for the purposes specified in section 66.527.

SECTION 3. 66.527 (1) (a), (b) and (d), (2) (a) and (b) and (3) of the statutes are amended to read:

66.527 (1) (a) Funds for the establishment, operation and maintenance of a department of recreation may be \* \* \* provided by the governing body of any town or school district after compliance with the provisions of section 65.90 or such funds must be appropriated following a favorable referendum conducted at any regular \* \* \* election.

(b) The governing body of any town \* \* \* may, upon its own initiative, order such a referendum and shall order such a referendum upon written petition signed by not less than 15 per cent of the total electors whose votes were cast for the office of governor at the last regular election of such town \* \* \*.

(d) Following a favorable mill tax referendum, the mill tax necessary to raise the required amount to establish, maintain and operate a department of public recreation shall be levied \* \* \* on the taxable property in any such governmental unit. Thereafter money may be raised for such purpose by following the provisions of section 65.90 as far as applicable.

Such moneys levied and collected shall not be used directly or indirectly for any other purpose.

(2) (a) Any \* \* \* *such governmental unit* may delegate the power to establish, maintain and operate a department of public recreation to a board of recreation, which shall consist of 3 members and shall be appointed by the chairman or other presiding officer of the governing \* \* \* *body*. *The first appointments shall be made so that one member will serve one year, one for 2 years and one for 3 years; thereafter appointments shall be for terms of 3 years.*

(b) When 2 or more of the aforesaid governing units desire to conduct, jointly, a department of public recreation, the joint recreation board shall consist of not less than 3 members who shall be \* \* \* *selected* by the \* \* \* *presiding officers* of \* \* \* *such governmental units acting jointly*. *Appointments shall be made for terms as provided in paragraph (a).*

(3) (a) The public recreation board has the right to conduct public recreation activities on property purchased or leased by any such governing unit for recreational purposes and under its own custody, on other public property under the custody of any other public authority, body or board with the consent of such public authority, body or board, or on private property with the consent of its owner, and such board \* \* \* *with the approval of the appointing board, may accept gifts and bequests of land, money or other personal property, and to use the same in whole or in part, or the income therefrom or the proceeds from the sale of any such property in the establishment, maintenance and operation of recreational activities* \* \* \*.

(b) *The board shall annually submit to the governing body a report of its activities and showing receipts and expenditures. Such reports shall be submitted not less than 15 days prior to the annual meeting of such governmental unit.*

(c) *An audit shall be made of the accounts of such recreational board in the same manner as provided for audits for towns or school districts as the case may be.*

(d) *The persons selected by the recreation board shall furnish a surety bond in such amount as shall be fixed by the governing body.*

SECTION 4. 66.527 (1) (c) of the statutes is repealed and recreated to read:

66.527 (1) (c) The petition for a referendum shall state the

amount of money to be raised for the purpose of establishing, operating and maintaining such a recreation department. The amount raised shall not exceed one-tenth of a mill on the assessed valuation of the town.

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### CHAPTER 224.

AN ACT to create 59.97 (1) (c) and (d), 60.74 and 60.75 of the statutes, relating to rural zoning, and providing penalties.

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

SECTION 1. 59.97 (1) (c) and (d) of the statutes are created to read:

59.97 (1) (c) The provisions of an ordinance under this section, applicable to any town and submitted to the town board prior to its adoption but not effective as it affects the lands in the town by reason of nonapproval by the town board, shall become effective as it affects the lands in the town whenever the town board shall file its written approval with the county clerk; and in like manner, any amendment to the text of any such ordinance, applicable to any town and submitted to such town board prior to its adoption by the county board but not effective by reason of nonapproval by the town board, shall become effective as it affects the lands in such town whenever the town board shall file its written approval with the county clerk.

(d) The provisions of an ordinance under this section, as they affect any town, shall supersede any prior town ordinance whenever the town board shall file with the county clerk its approval of the ordinance under this section as it affects the lands in the town, except that the town board shall not take such action without having held a public hearing following notice duly given as provided by subsection (2).

SECTION 2. 60.74 and 60.75 of the statutes are created to read:

60.74 ZONING POWER. (1) (a) Any town in any county not having adopted a county zoning ordinance as provided by section 59.97 may by ordinance regulate, restrict and determine the areas within which agriculture, forestry and recreation may be