

No. 351, S.]

[Published July 28, 1951.]

CHAPTER 560.

AN ACT to repeal 43.27 (4a), 61.18, 62.23 (19) and 66.066 (2) (m); to repeal and recreate 17.24; to amend 61.24, 62.16 (6) (d), 66.042 (5), 86.14 (1) and 144.06; and to create 61.38 (4) and 66.069 (2) (c) of the statutes, relating to city and village government so as to eliminate inconsistencies and obsolete material, and clarify existing statutes.

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

SECTION 1. 17.24 of the statutes is repealed and recreated to read:

17.24 VACANCIES IN VILLAGE OFFICES. A vacancy in any elective village office shall be filled by appointment by a majority of the members of the village board for the residue of the unexpired term. A vacancy in an appointive office shall be filled in the same manner as the original appointment.

SECTION 2. 43.27 (4a) of the statutes is repealed.

SECTION 3. 61.18 of the statutes is repealed.

SECTION 4. 61.24 of the statutes is amended to read:

61.24 The president shall be by virtue of his office a trustee and preside at all meetings of the board and have a vote as trustee, sign all ordinances, rules, by-laws, regulations, commissions, licenses and permits adopted or authorized by the board and all orders drawn on the treasury *except as provided by sections 66.042 and 66.044*. He shall maintain peace and good order, see that the ordinances are faithfully obeyed, and in case of disturbance, riot or other apparent necessity appoint as many special marshals as he shall deem necessary, who for the time being shall possess all the powers and rights of constables.

SECTION 5. 61.38 (4) of the statutes is created to read:

61.38 (4) In vacation proceedings section 281.04 shall be considered as a part of the proceedings.

SECTION 7. 62.16 (6) (d) of the statutes is amended to read:

62.16 (6) (d) Such notice shall be published in the official newspaper of the city at least once and one copy of such notice shall be posted in each block of the part of the

street proposed to be improved or the grade of which it is proposed to change. Such posted notices shall be printed in type not smaller than pica. Such publication and posting shall be made *at least* 5 days prior to the date of hearing objections as aforesaid.

SECTION 8. 62.23 (19) of the statutes is repealed.

SECTION 9. 66.042 (5) of the statutes is amended to read:

66.042 (5) No order shall be issued by the city or village clerk in excess of funds available or appropriated for the purposes for which such order is drawn, unless authorized by a resolution adopted by the affirmative vote of *a majority of all* the members of the governing body of such city or village.

SECTION 10. 66.066 (2) (m) of the statutes is repealed.

SECTION 11. 66.069 (2) (c) of the statutes is created to read:

66.069 (2) (c) Each village or city shall by ordinance fix the limits of such service in unincorporated areas.

SECTION 12. 86.14 (1) of the statutes is amended to read:

86.14 (1) After July 1, 1943, no bridge or culvert shall be constructed in any highway unless it shall be designed to have sufficient strength to carry at least 15 ton truck loading in accordance with standard specifications covering design for structures as adopted by the state highway commission and in force at the time of design. Repairs to any bridge or culvert shall be of substantial character, strengthening same as much as practical
* * *

SECTION 13. 144.06 of the statutes is amended to read:

144.06 *To assure preservation of public health, comfort and safety*, any city or incorporated village having * * * a system of waterworks * * * or sewerage, or both, may by ordinance require buildings used for human habitation and located adjacent to a sewer * * * or water main, or in a block through which * * * one or both of such systems extend, to be connected * * * with either or both in the manner prescribed * * *. If any person fails to comply for more than 10 days after notice in writing the municipality *may impose a penalty or* may cause connection to be made, and the expense thereof shall be assessed as a special tax against the property. Except in cities of the first class, the owner may, within 30 days after the completion of the work file a written option with the city or village clerk stating that he cannot pay such amount in one sum and asking that it be levied in not to exceed 5 equal annual instalments, and the amount shall be so collected with interest at the rate of 6 per cent per annum from the completion of the work. The unpaid balance to be a special tax lien.

Approved July 6, 1951.
