

No. 305, A.]

[Published July 11, 1945.]

**CHAPTER 421.**

AN ACT to amend 61.38 and 62.22 (6) of the statutes, relating to the closing of streets in cities and villages.

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

SECTION 1. 61.38 of the statutes is amended to read:

61.38 (a) The whole or any part of any road, street, slip, pier, lane or alley, in any lawfully incorporated village, may be discontinued by the board of trustees of such village, upon the written petition of the owners of all the frontage of the lots and lands abutting upon the portion thereof sought to be discontinued, and of the owners of more than one-half of the frontage of the lots and lands abutting on that portion of the remainder thereof, which lies within 2,650 feet from the ends of the portion proposed to be discontinued, or which lies within so much of said 2,650 feet as shall be within the corporate limits of said village. The beginning and ending of an alley shall be deemed to be within the block in which it is located.

(b) Whenever any of the lots or lands aforesaid is owned by the state, county, city or village, or by a minor or incompetent person, or the title thereof is held in trust, as to all lots and lands so owned or held, said petition may be signed by the governor, chairman of the board of supervisors of the county, mayor of the city, president of the board of trustees of the village, guardian of the minor or incompetent person, or the trustee, respectively, and the signature of any private corporation may be made by its president, secretary or other principal officer or managing agent.

(c) Written notice stating when and where the petition will be acted upon, and stating what road, street, slip, pier, lane or alley, or part thereof, is proposed to be discontinued, shall be given by the board of trustees as follows: By posting copies thereof in 3 public places in said village not less than 3 weeks before the day fixed for the hearing, and when possible, by the publication of said notice in the official or some other newspaper printed in said village, once a week for 3 successive weeks before said day.

SECTION 2. 62.22 (6) of the statutes is amended to read:

62.22 (6) The provisions of sections 61.36, 61.37 and 61.38 shall apply to cities; provided, that in cities of the second, third and fourth class, the whole or any part of any road, street, slip, pier, lane or alley may be discontinued by the common council upon the written petition of the owners of all the frontage of the lots and lands abutting upon the portion thereof sought to be discontinued, and of the owners of more than one-third of the frontage of the lots and lands abutting on that portion of the remainder thereof, which lies within 2,650 feet from the ends of the portion proposed to be discontinued, *or which lies within so much of said 2,650 feet as shall be within the corporate limits of said city.* The beginning and ending of an alley shall be deemed to be within the block in which it is located.

Approved July 6, 1945.

No. 450, A.]

[Published July 11, 1945.

#### CHAPTER 422.

AN ACT to amend 88.06 (6) (e) of the statutes, relating to the drainage of land and effect on water levels.

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

88.06 (6) (e) of the statutes is amended to read:

88.06 (6) (e) Whether the public health or public welfare will be promoted by the proposed work *the board in determining whether public health and welfare will be promoted shall include in their consideration whether the cumulative effect of such drainage over a period of years will lower the water levels of lakes, or streams, or the subterranean sources that supply farm and city water systems and whether the general need for the type of land that will be made available for cultivation or other purposes by such drainage is sufficiently great to warrant the possible lowering of such water levels;*

Approved July 6, 1945.