

may be found, to remove or abate the same upon such notice, within such time and such manner as the Commission may by ordinance or resolution direct.

Drainage to Cellars, Vaults, Etc.
Section 55. If any cellar, vault, lot, sewer, drain, place or premises within the village shall be damp, unwholesome, offensive or filthy, or be covered during any portion of the year with stagnant or impure water, or shall be in such condition as to produce offensive exhalations, or if any building, fence or structure in the village shall become ruinous or unsafe, the Commission or Health Officer may require such condition to be remedied by the owner or occupant, or person in charge, or the Commission may cause any of the foregoing things to be done by any officer of the village.

Expense of Draining Premises
Section 54. If the owner or occupant of any lot or premises when required by the Commission or Health Officer to remove any unsafe building or structure, or to cleanse, purify or drain such lot or premises or to abate or remove any nuisance therefrom, shall neglect so to do, the Commission may cause the same to be done under the direction of any officer of the village, and if the Commission shall incur any expense in causing the same to be done, such expense may be charged upon such lot or premises, and collected as a special assessment thereon; or such expense may be recovered by the village in an action of assumpsit against the owner or occupant of any such lot or premises.

Trades Offensive or Dangerous to Public
Section 55. The Commission, when it shall deem it necessary may from time to time, assign, by ordinance, certain places for the exercise of any trade or employment offensive to the inhabitants or dangerous to the public health; and may forbid the exercise thereof in places not so assigned; and may change or revoke such assignments at pleasure; and whenever a business carried on in any place so assigned; or in any other place in the village, shall become hurtful or dangerous to the health of the neighborhood, the Commission may prohibit the further exercise of such business or employment at such place, or in the village.

May Appoint Officers and Employees of Hospital.
Section 56. The Commission may provide for a suitable hospital, or pest house, so-called, and may provide for the appointment of the necessary officers and employees for the management of and care and treatment, therein, of such sick and destitute persons as the Commission or Health Officer of the village shall deem proper; and by direction of the Commission or Health Officer, persons having any malignant, infectious or contagious disease, may be removed to such hospital, and there detained and treated, when the public safety may so require; and the Commission may provide such restraints and punishments as may be necessary to prevent any such person from departing from such hospital until duly discharged.

Exercise Powers of Boards of Health
Section 57. The Commission shall have and exercise all the powers and authority conferred upon boards of health, by the general laws of the State, so far as the same are applicable; and it may enact such ordinances as may be necessary for regulating the proceedings and mode of exercising such powers.

Board of Health—Establishment Of
Section 58. When the Commission shall deem it necessary, it may, subject to the provisions of this charter, establish a board of health for the village, and appoint officers thereof; and make rules for its government, and invest it with such powers and authority as may be necessary for the protection and preservation of the health of the inhabitants.

CHAPTER XI. IMPROVEMENTS AND ASSESSMENTS

Cost and Expense of Improvement
Section 1. The cost and expense of the following improvements, including the necessary lands therefor, viz: public buildings and offices for the use of the village officers, engine houses and structures for the fire department, waterworks, lighting plants, parks and a village prison or prisons, shall be paid from the proper general funds of the village. When by the provisions of this charter the cost and expenses of any local or public improvements may be defrayed in whole or in part by special assessment upon land abutting upon and adjacent to, or otherwise benefited by the improvement, such assessment shall be made as in this charter provided. The aggregate amount of all special assessments which may be levied against any one parcel of land, and be at any time outstanding and not delinquent, shall not exceed 25 per cent of the value of such parcel of land, as shown by the village assessment roll last confirmed, preceding the time of the making of the last of such special assessments.

Resolutions, What to Contain
Section 2. When the Commission shall determine to make any public improvement and defray the whole or any part of the costs and expenses thereof by special assessment, they shall cause estimates of the expense thereof to be made; and also a map and diagrams, when practicable, of the work and of the locality to be improved, which shall show the boundaries and divisions of all the lots and premises in the district which in their opinion will be benefited by the improvement and which they intend to assess for the cost of the same, and in case of a sewer or drain the proposed route and location of the same, also its depth, grade and dimensions, and deposit the same with the Clerk for public examination; the Commission shall then declare by resolution its determination to make such improvement, which resolution shall designate the lands or district to be assessed, and describe by reference to the map and diagram above mentioned, the route, location, depth, grade and dimensions of the work, and shall state what part of the expense, if any, is to be paid by the general tax, and what part by special assessment, and whether according to the benefits or to frontage, and it shall give notice thereof and of the proposed improvement or work, and of the district to be assessed and of the time when the Commission will meet and consider any objections thereto, by publication once each week for at least two weeks, in a newspaper of general circulation in the Village

to be designated by the Commission, or by posting notices for the same length of time in three conspicuous public places in the village. At such meeting or any adjournment thereof the Commission may make any change in the proposed work or improvement, the special assessment district, which shall seem reasonable or proper in view of any objection which may be made.

Costs, What Included In
Section 3. The costs and expenses of any improvement which may be defrayed by special assessment, shall include the costs of surveys, plans, assessments and costs of construction.

Proposals For Improvements
Section 4. Before any special assessment shall be directed to be made, to defray the cost, or any portion thereof, of any improvement to be made by private persons and not by village departments, the Commission shall publicly advertise for proposals for making said improvements, and receive and open the same.

Special Assessment—When Levied
Section 5. Special assessments, to defray the estimated cost of any improvement, shall be levied before the making of the improvement. When the work is done by the village, the spreading of the assessment may be deferred until the completion of the work.

Special Assessment—Proportion Of
Section 6. When any special assessment is to be made pro rata upon the lots and premises in any special assessment district, according to the frontage or benefits, the Commission shall, by resolution, direct the same to be made by the assessor, and shall state therein, the amount to be assessed, and whether according to frontage or benefits, and describe the lots and premises, or locality constituting the district to be assessed. Upon receiving such resolution and directions, the assessor shall make out an assessment roll, entering and describing therein all the lots, premises and parcels of land to be assessed, and the situation thereof, with the names of the persons if known, chargeable with the assessments thereon, and shall levy thereon and against such persons the amount to be assessed, in the manner directed by the Commission and the provisions of this charter applicable to the assessment, and when such assessment is completed, shall report the same to the Commission. If the assessment is required to be according to frontage, there shall be assessed to each lot or parcel of land such relative portion of the whole amount to be levied as the length and front of such premises abutting upon the improvement bears to the whole frontage of all the lots to be assessed, unless on account of the shape or size of any lot, an assessment for a different number of feet would be more equitable. If the assessment is directed to be according to benefits, there shall be assessed upon each lot such relative portion of the whole sum to be levied as shall be proportionate to the estimated benefit which will result to each lot from the improvement.

Roll to Be Numbered
Section 7. Special assessment rolls reported by the assessor to the Commission, as in this charter directed, shall be filed in the office of the Clerk and numbered consecutively.

Review of Special Assessment
Section 8. Special assessment rolls shall be reviewed and confirmed in all respects and particulars as provided in Sections 19 to 22 both inclusive, of Chapter XII of this charter except that the Board of Assessment and Review need meet on one day only unless otherwise directed by the Commission.

Special Assessment a Lien—From What Date
Section 9. All special assessments shall, from the date of confirmation thereof by the Board, constitute a lien upon the respective lots or parcels of land assessed, and shall be a charge against the respective owners of the several parcels so assessed until unpaid.

How Payable
Section 10. Upon the confirmation of any special assessment the amount thereof may be divided into not more than five installments, one of which shall be collected each year, at such times as the Commission shall determine with annual interest at a rate not exceeding 6 per cent per annum on the unpaid balance, but the whole assessment after confirmation may be paid to the village treasurer at any time in full, with the proportionate interest accrued thereon. The number of installments shall be such that no installment against any parcel of land shall exceed 5 per cent of the value of such parcel as shown by the village assessment roll confirmed next preceding the levying of such assessment; Provided, that Commission may divide paving assessments in ten annual installments, payable with interest as above provided.

When Due
Section 11. All special assessments, except such installments thereof as the Commission shall make payable at a future time, as provided in the preceding section, shall be due and payable upon confirmation.

Roll For Each Installment
Section 12. If any special assessment shall be divided into installments, the special assessment roll may contain as many separate sets of appropriate columns as there are installments, or a special assessment roll may be made for each installment, as the same shall become due, with the accrued interest upon all unpaid installments included and assessed therein. Such special rolls for installments may be made and confirmed without notice to the person assessed.

UNCOLLECTED AMOUNTS
When Apportioned
Section 13. Should any lots or lands be divided after a special assessment thereon has been confirmed and divided into installments, and before the collection of all the installments, the Commission may require the Assessor to apportion the uncollected amounts upon the several parts of lots and lands so divided. The report of such apportionment when confirmed, shall be conclusive upon all the parties and all assessments thereafter made upon such lots or lands shall be according to such division.

Excess or Deficiency
Section 14. Should any special assessment prove insufficient to pay for the improvement or work for which it was levied, and the expenses incident thereto, the Commission

may make an additional pro rata assessment to supply the deficiency; and in case a larger amount shall have been collected than was necessary, the excess shall be refunded ratably to those by whom it was paid.

Reassessment—When
Section 15. Whenever any special assessment shall, in the opinion of the Commission, be invalid by reason of the irregularity or informality of the proceedings, or if any court of competent jurisdiction shall adjudge such assessment to be illegal, the Commission shall, whether any part of the assessments have been paid or not, have power to cause a new assessment to be made for the same purpose for which the former assessment was made. All proceedings on such re-assessment and for the collection thereof, shall be conducted in the same manner provided for on original assessment and whenever any sum or part thereof levied upon any premises in the assessment so set aside has been paid, and not refunded, the payment so made shall be applied upon the re-assessment of said premises, and the re-assessment shall to that extent be deemed satisfied.

Lien Not Destroyed By Judgment or Decree
Section 16. No judgment or decree or any act of the Commission vacating a special assessment shall destroy or impair the lien of the Village upon the premises assessed, after such assessment has been duly confirmed.

Treasurer's Warrant
Section 17. When any special assessment shall be confirmed and be payable as hereinbefore provided, the Commission may direct the assessment so made in the special assessment roll to be collected; and thereupon, the Village Clerk shall attach his warrant to a certified copy of said special assessment roll, therein commanding the Village Treasurer to collect from each of the persons assessed in said roll the amount of money assessed to and set opposite his name therein, and in case any person named in said roll shall neglect or refuse to pay his assessment upon demand, then to levy and collect the same by distress and sale of the goods and chattels of such person, and return said roll and warrant together with his doings thereon, within sixty days from the date of such warrant.

Treasurer to Collect
Section 18. Upon receiving said assessment roll and warrant, the treasurer shall proceed to collect the amounts assessed therein. If any person shall neglect or refuse to pay his assessment upon demand, the Treasurer shall seize and levy upon any personal property found within the Village or elsewhere within the county, or within an adjoining county, belonging to such person, and sell the same at public auction, first giving seven days notice of the time and place of such sale, by posting notices in three public places in the village or township where such property may be found. The proceeds of such sale, or so much thereof as may be necessary for that purpose, shall be applied to the payment of the assessment, and a percentage of five per centum upon the amount of the assessment for the costs and expenses of said seizure and sale, and the surplus, if any, shall be paid to the person entitled thereto.

Treasurer Makes Return to Clerk
Section 19. The Treasurer shall make return of said assessment roll and warrants to the Clerk according to the requirement of the warrant, and if any of the assessments in said roll shall be returned unpaid the Treasurer shall attach to his return a statement verified by affidavit, containing a list of the persons delinquent and a description of the lots and premises upon which the assessments remain unpaid, and the amount unpaid on each.

Renewal of Treasurer's Warrant
Section 20. Said warrant may be renewed from time to time by the Clerk if the Commission shall so direct, and for such time as they shall determine, and during the time of such renewal the warrant shall have the same force, and the Treasurer shall perform the same duties and make the like returns as above provided. In case any assessment shall be finally returned by the Treasurer unpaid, as aforesaid, the same may be transferred and reassessed in the next annual village tax roll, in a column headed "Special Assessment," with interest included at the rate of 10 per cent per annum from the date of confirmation of the assessment, and be collected and paid in all respects as provided for the collection of village taxes.

Collection By Suit
Section 21. At any time after a special assessment has become payable, the same may be collected by suit, in the name of the village, against the person assessed, in an action of assumpsit, in any court having jurisdiction of the amount. In every such action, a declaration upon the common counts for money paid shall be sufficient. The special assessment roll and a certified copy of the order or resolution confirming the same shall be prima facie evidence of the regularity of all the proceedings in making the assessment and of the right of the village to recover judgment therefor.

Assessments Not Required to Be Pro Rata
Section 22. When any expenses shall be incurred by the village upon or in respect to any separate or single lot, parcel of land or premises, which by the provisions of the charter, the Commission is authorized to charge and collect as a special assessment against the same, and not being of that class of special assessments required to be made pro rata upon several lots or parcels of land in an assessment district, an account of the labor or services for which expense was incurred, and the name of the owner or persons chargeable therewith, shall be reported to the Commission in such manner as the Commission shall prescribe.

Special Assessment
Section 23. The Commission shall determine what amount or part of every such expense shall be charged, and the person, if known, against whom, and the premises upon which same shall be levied, as a special assessment; and as often as the Commissioner shall deem it expedient it shall require all of the several amounts so reported and determined, and the several lots or premises and the persons chargeable therewith, respectively to be reported by the Clerk to the Assessor for assessment.

Roll Prepared By Assessor
Section 24. Upon receiving the report mentioned in the

preceding section, the Assessor shall make a special assessment roll, and levy as a special assessment thereupon each lot or parcel of land so reported, first against the persons chargeable therewith, if known, the whole amount or amounts of all the charge so collected to be levied upon each of such lots or premises respectively, and when completed he shall report the assessment to the Commission, and thereupon the same proceedings shall be had, and with like effect as is provided in this chapter in other cases of special assessments; except that notice of the meeting to review and hear objections to special assessments provided for in this and the two preceding sections shall be given by publication only, in the manner provided in Section 8 of this chapter.

CHAPTER XII FINANCE AND TAXATION

General Taxes

Section 1. The Commission shall have authority, within the limitations herein prescribed, to raise annually by general tax upon the real and personal property liable to taxation in said village, such sum of money as it shall deem necessary to defray the expenses and pay the liabilities of said village and carry into effect the powers in this charter granted.

Property Subject to Taxation

Section 2. The real and personal property subject to taxation for the municipal purposes of this Village shall be the same as that subject to taxation for State, County and School purposes under the general laws of the State.

General Funds

Section 3. All revenue raised by general tax upon all the property in the village, or by loan to be repaid by such tax, shall be divided into so many of the following general funds as are necessary.

FIRST—GENERAL FUND—To defray the general expenses and liabilities of the corporation and carry into effect the powers in this charter granted except in this section hereinafter set forth.

SECOND—HIGHWAY FUND—To defray the expenses of opening, widening, extending, altering, vacating streets, alleys and public grounds, and for grading, paving, curbing, graveling, and otherwise improving, repairing and clearing streets, alleys and public grounds of the village, and for the construction and repair of sidewalks and crosswalks and for the care thereof, and for the construction and repair of bridges, tunnels and subways thereon.

THIRD—INTEREST AND SINKING FUND—To pay the bonded debt of the Village, if any, and the interest thereon.

FOURTH—Such other funds as the Commission may from time to time create.

Amount of General Tax Commission May Levy
Section 4. The aggregate amount which the Commission may raise by general tax upon the taxable real and personal property in the village, shall not, except as hereinafter otherwise provided, exceed in any one year one and one-half per cent of the assessed value of such property.

Should any greater amount be required in any year than can be raised by the Commission under the foregoing provisions of this section, such amount may be raised by tax, if authorized by a three-fifths vote of the voters voting by ballot, upon the question at an annual special village election; provided that the total amount that may be raised by general tax in any year under all the provisions of this charter, shall not exceed two per cent of the assessed valuation of the property in the Village as shown by the tax roll of the last preceding year made therein.

Purpose of Special Assessments
Section 5. Moneys raised by special assessment to pay the cost of any such local improvement shall be held as a special fund to pay such cost and expense, or to repay moneys borrowed therefor.

Budget
Section 6. On or before December 1st in each year, the Village Clerk and the President (and for this purpose they shall be known as the Board of Estimates) shall furnish to the Commission estimates in writing of the probable expenses and liabilities to be incurred for the ensuing fiscal year, specifying in detail such probable expenditures, including a statement of the amounts necessary for the salaries of all village officers, for the payment of all debts and interest to fall due for lands to be acquired for buildings to be erected or repaired, for bridges to be built, for streets, for constructing sewers, for paying of other improvements, for the support of the various departments, and for every other purpose for which in their opinion any money will be required to be paid from any of the several general funds of the village during the year; and also the estimated amount of revenue from all sources other than tax levy. The estimate thus made shall be styled "The Annual Village Budget," and shall be published in a newspaper of general circulation in the village.

Section 7. The annual village budget provided for in the last section shall also contain a statement of the amount expended in each fund during the current year, together with the amount then on hand in each. It shall also contain a concise statement showing the use to which all money is intended to be put, together with such recommendations as to them may seem best. The budget when completed shall be signed by the Board of Estimates and filed with the Village Clerk.

Section 8. The Commission shall immediately on receipt of the same proceed to hold a public hearing on this budget. Notice of each public hearing shall be given by two publications in some newspaper of general circulation in the Village, the first of which notices shall be published at least fourteen days previous to said hearing, or by posting such notices in three conspicuous public places in the Village for the same length of time, and an opportunity shall be given for all citizens to be present and to participate in such hearing.

Section 9. The Commission shall, at its first regular meeting in February in each year, take up and consider the annual village budget thus filed with the Village Clerk and shall pass an ordinance to be termed the "Annual Village Appropriation Bill." It shall take up the matter thus recommended by the Board of Estimates, and pass upon each item separately. It may increase the amount asked