

the court, with its findings of fact and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may reserve, or affirm wholly or partly, or may modify the decision brought up for review.

Decision by court.

Costs shall not be allowed against the board unless it shall appear to the court that it acted with gross negligence or in bad faith or with malice in making the decision appealed from.

Costs.

All issues in any proceedings under this section shall have preference over all other civil actions and proceedings.

The proceedings shall have preference.

Section 8. Remedies.—In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure or land is used in violation of this act or of any ordinance or other regulation made under authority conferred hereby, the proper local authorities of the municipality, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct or abate such violation, to prevent the occupancy of said building, structure or land or to prevent any illegal act, conduct, business or use in or about such premises.

Remedies.

Section 9. Act Not to Apply to Certain Buildings of Public Service Corporations.—This act shall not apply to any existing or proposed building or extension thereof used or to be used by public service corporations if, upon petition of the corporation, the Public Service Commission shall, after a public hearing, decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public.

This act does not apply to public service corporations where building is necessary for public welfare.

APPROVED—The 1st day of July, A. D. 1937.

GEORGE H. EARLE

No. 505

A SUPPLEMENT

To the act, approved the seventh day of March, one thousand nine hundred and one (Pamphlet Laws, twenty), entitled "An act for the government of the cities of the second class," establishing a department of lands and buildings in said cities; providing for its officers and employes; defining the powers, duties, and jurisdiction of said department, and in certain cases transferring the same from existing departments.

Section 1. Be it enacted, &c., That an additional executive department in the government of cities of the second class is hereby created, to be known as the department of lands and buildings.

Second class cities.

Department of lands and buildings.

Powers and duties of said department.

Section 2. The department of lands and buildings shall be under the charge of a director who shall be the head thereof. The care, maintenance, repair and alteration, management and supervision, of all city buildings, the supervision of contract work in connection with the construction of all city buildings, the supervision of janitors, watchmen, and elevator service, and the operating maintenance of all city buildings, and the lease, purchase, and sale of real estate of the city, shall be under the jurisdiction of this department.

Transfer of said duties from other departments.

Section 3. All the powers and duties, as set forth in section two hereof, which are now under the jurisdiction of any other department of said city are hereby transferred to the department of lands and buildings, created by this act.

Repeals.

Section 4. All acts and parts of acts inconsistent herewith are hereby repealed.

When effective.

Section 5. This act shall become effective on the first day of January, one thousand nine hundred and thirty-eight.

APPROVED—The 1st day of July, A. D. 1937.

GEORGE H. EARLE

No. 506

AN ACT

To amend article four of the act, approved the seventh day of March, one thousand nine hundred one (Pamphlet Laws, twenty), entitled "An act for the government of cities of the second class," transferring to the Department of Public Works the powers and duties relative to the removal and disposal of offal, garbage, and swill.

Section 1. Be it enacted, &c., That article four of the act, approved the seventh day of March, one thousand nine hundred one (Pamphlet Laws, twenty), entitled "An act for the government of cities of the second class," is hereby amended to read as follows:

ARTICLE IV.

Department of Public Works.

Department of Public Works.

Section 1. The Department of Public Works shall be under the charge of one director, who shall be the head thereof.

Jurisdiction of.

Water works, gas works and electric light plants, owned and controlled by the city; the supply and distribution of water and gas; the grading, paving, repairing, cleaning and lighting of streets, alleys and highways; the construction, protection and repair of public