§ 61.03. Maintenance or employment of band by a city or village. The governing board of any city of the first or second class may, and the governing board of a city of the third class or of a village, if a proposition be submitted as provided in this section and adopted by majority vote of the qualified voters of the city or village voting thereon, shall provide for the maintenance or employment of a band for musical purposes, for the entertainment of the public. In a city of the third class or a village, a petition, signed and duly acknowledged by at least five percentum of the qualified voters of the city or village may be filed, within sixty days and not later than thirty days before a regular municipal election therein, with the officer or board charged by law with the duty of preparing ballots for such election, requesting the submission thereat of the proposition "Shall this city (or village) maintain or employ a band at an annual expense of not exceeding (amount to be inserted) dollars?" Upon the due filing of such a petition, such proposition shall be submitted at such election in the manner provided in the election law, and notice that such proposition is to be so submitted shall be published by such board or officer as follows: In a newspaper published in the city or village once in each of the two weeks preceding the election; but if there be no such newspaper, such board or officer shall cause such notice to be posted in ten public places in the city or village at least ten days before the election. In such a city of the third class or village, in which such a proposition shall have been adopted, a like petition may be presented after two years for the submission of the proposition "Shall the maintenance or employment of a band by the city (or village) be discontinued?" Such proposition shall be submitted accordingly and if adopted by majority vote of the qualified voters of the city or village voting thereon, the power of the city or village to maintain or employ such a band shall cease. This section shall not apply to a city or village whose charter makes special provision in relation to the maintenance or employment of a band by the city.