

ORDINANCE NUMBER 89.

AN ORDINANCE PRESCRIBING THE DUTIES OF THE TOWN OFFICERS OF THE TOWN OF SUGAR CITY, FIXING THEIR COMPENSATION, AND REPEALING THE FOLLOWING ORDINANCES, TO-WIT:—ORDINANCE NUMBER SIX, PASSED AND APPROVED JUNE 25th, 1900; ORDINANCE NUMBER SEVEN, PASSED AND APPROVED JUNE 25th, 1900; ORDINANCE NUMBER EIGHT, PASSED AND APPROVED JUNE 25th, 1900; ORDINANCE NUMBER NINE, PASSED AND APPROVED JUNE 25th, 1900; ORDINANCE NUMBER TEN, PASSED AND APPROVED JUNE 25th, 1900; ORDINANCE NUMBER ELEVEN, PASSED AND APPROVED JUNE 25th, 1900; ORDINANCE NUMBER FORTY-NINE, PASSED AND APPROVED APRIL 3rd, 1905; ORDINANCE NUMBER FIFTY-ONE. PASSED AND APPROVED APRIL 10th, 1905; ORDINANCE NUMBER TWENTY-SIX, PASSED AND APPROVED MAY 20th, 1901; AND ORDINANCE NUMBER TWENTY-SEVEN, PASSED AND APPROVED JANUARY 20th, 1902.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE INCORPORATED TOWN OF SUGAR CITY, COLORADO:—

Town Marshal.

SECTION 1. In addition to taking the oath of office, the marshal shall before assuming the duties of his office, give bond to the Town of Sugar City, with good and sufficient sureties, to be approved by the Board of Trustees, in the sum of one thousand dollars, conditioned that he will honestly and faithfully discharge the duties of his office, as required by the general statutes of the State of Colorado and the ordinances of the Town of Sugar City, and at the end of his term of office he will surrender all monies, books, papers, vouchers or other property belonging to the town, in good order, which bond shall be at once filed in the office of the town clerk and recorder.

SECTION 2. If at any time during the term of his said office said bond shall become impaired or insufficient, and said marshal shall be notified by the Board of Trustees to give additional security, and make such bond good, it shall be the duty of said marshal

forthwith to furnish the same, and his failure or neglect to do so shall be sufficient cause for his removal from office.

SECTION 3. In addition to the duties prescribed by the ordinances of the town, the marshal shall attend the meetings of the Board of Trustees, and shall execute all orders and serve all notices which are or may be necessary to execute or serve when directed to do so by the mayor or Board of Trustees.

SECTION 4. The marshal shall be ex-officio fire warden, and shall examine all premises in which he may apprehend danger from fire to exist, and make such orders in regard thereto as will, in his opinion, best guard against danger, and it shall be his duty, and he shall have the power to order that all shavings, powder, coal oil, gasoline or other inflammable and dangerous materials be removed from such places as may in his opinion be hazardous, to places of safety, at the expense of the owner thereof; every order given by the marshal to any person or persons in regard to dangerous places or materials shall be in writing duly dated and signed by the marshal, who shall retain a copy thereof, and in case any person or persons shall neglect or refuse to obey such order when given, it shall be the duty of the marshal to arrest such person or persons; Provided, that in cases of imminent danger ~~xxx~~ ~~xxx~~ verbal notice shall be sufficient, and if not obeyed the marshal may take such ^{as are} steps necessary, and for such purpose may enter any premises necessary so to do.

SECTION 5. He shall be active and vigilant in conserving the peace and good order of the town, and at all times shall be on the alert to suppress any riot or disorder in the town, and make arrests and complaints for the violation of town ordinances and ~~to~~ reporting the facts and witnesses to sustain the same to the police magistrate or town attorney for prosecution of offenses, and perform all other duties such as are usually performed by town marshals, which come within the sphere of his duties as town marshal.

street Commissioner.

SECTION 6. The Town Marshal shall be ex-officio Street Commissioner to superintend all improvements of the streets and alleys in the town, and to carry into effect all orders of the Board of Trustees in relation thereto.

SECTION 7. It shall be the duty of the Street Commissioner at each regular meeting of the Board of Trustees to report to said board the amount of money and the names of the persons to whom due, for labor done on the streets and alleys, and material furnished therefor, and the number of days of labor performed.

Water Commissioner And Water Collector.

SECTION 8. The Town marshal shall be ex-officio Water Commissioner and Water Collector. It shall be his duty to keep a record of all taps and service pipesconnections and such other information as will correctly indicate the water rent that should be paid upon each lot, residence or business house consuming water in the town of Sugar City. He shall also provide and keep in his office a substantial and permanent plat of the town of Sugar City on which shall be indicated the location and diameter of all water mains within the said town. He shall collect all water rents in said town and shall pay all moneys so collected and received to the town treasurer charging him therewith and taking his receipt therefor. The Town marshal in addition to his duties as Water Commissioner and Water Collector shall preform such other duties as may be required by resolution of the Board of Trustees or by ordinance.

Section 9. The Town marshal shall as ex-officio Water Collector enter into a good and sufficient bond, running to the Incorporated Town of Sugar City in the sum of ^{four} ~~Three~~ Hundred Dollars to be approved

by the Board of Trustees conditioned that he will faithfully perform the duties of Water Collector and turn over and account for all moneys coming into his hands according to the provisions of this ordinance.

SECTION 10. The Town Marshal shall receive for his services as Marshal, Street Commissioner, Water Commissioner and Water Collector and for such other services as are required by resolution or ordinance the sum of *Twenty-five* dollars per month and house rent, together with the same fees as constables receive for like services.

Town Attorney.

SECTION 11. In addition to taking the oath of office the Town Attorney shall, before assuming the duties of his office, give bond to the Town of Sugar City, with good and sufficient sureties, to be approved by the Board of Trustees, in the sum of two hundred dollars, conditioned that he will faithfully and honestly discharge the duties of his office, as required by the ordinances of the Town of Sugar City, and at the end of his term of office he will surrender all moneys, books, papers or other property belonging to the town, which bond shall be filed in the office of the town clerk and recorder.

SECTION 12. It shall be the duty of the Town Attorney to prosecute all suits for the recover of fines and penalties which may be brought in any court by or against the Town of Sugar City, or any of its officers, on account of any of their official acts. He shall cause execution to be issued on judgments to their prompt collection. All moneys which may be received by him on account of said Town of Sugar City shall be paid ~~into~~ the treasurer.

SECTION 13. The Town Attorney shall draft all ordinances, bonds, contracts, leases, conveyances, and other instruments of writing which may be required of him by ordinances or by order of the Board of Trustees. It shall be his duty to act as legal adviser of the Town

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SECTION 2. If at any time during the term of his said office said bond shall become impaired or insufficient, and said marshal shall be notified by the Board of Trustees to give additional security, and make such bond good, it shall be the duty of said marshal

forthwith to furnish the same, and his failure or neglect to do so shall be sufficient cause for his removal from office.

SECTION 3. In addition to the duties prescribed by the ordinances of the town, the marshal shall attend the meetings of the Board of Trustees, and shall execute all orders and serve all notices which are or may be necessary to execute or serve when directed to do so by the mayor or Board of Trustees.

SECTION 4. The marshal shall be ex-officio fire warden, and shall examine all premises in which he may apprehend danger from fire to exist, and make such orders in regard thereto as will, in his opinion, best guard against danger, and it shall be his duty, and he shall have the power to order that all shavings, powder, coal oil, gasoline or other inflammable and dangerous materials be removed from such places as may in his opinion be hazardous, to places of safety, at the expense of the owner thereof; every order given by the marshal to any person or persons in regard to dangerous places or materials shall be in writing duly dated and signed by the marshal, who shall retain a copy thereof, and in case any person or persons shall neglect or refuse to obey such order when given, it shall be the duty of the marshal to arrest such person or persons; Provided, that in cases of imminent danger ~~xxx~~ ~~xxx~~ verbal notice shall be sufficient, and if not obeyed the marshal may take such ^{as are} steps necessary, and for such purpose may enter any premises necessary so to do.

SECTION 5. He shall be active and vigilant in conserving the peace and good order of the town, and at all times shall be on the alert to suppress any riot or disorder in the town, and make arrests and complaints for the violation of town ordinances and ~~to~~ report the facts and witnesses to sustain the same to the police magistrate or town attorney for prosecution of offenses, and perform all other duties such as are usually performed by town marshals, which come within the sphere of his duties as town marshal.

Street Commissioner.

SECTION 6. The Town Marshal shall be ex-officio Street Commissioner to superintend all improvements of the streets and alleys in the town, and to carry into effect all orders of the Board of Trustees in relation thereto.

SECTION 7. It shall be the duty of the Street Commissioner at each regular meeting of the Board of Trustees to report to said board the amount of money and the names of the persons to whom due, for labor done on the streets and alleys, and material furnished therefor, and the number of days of labor performed.

Water Commissioner And Water Collector.

SECTION 8. The Town marshal shall be ex-officio Water Commissioner and Water Collector. It shall be his duty to keep a record of all taps and service pipes connections and such other information as will correctly indicate the water rent that should be paid upon each lot, residence or business house consuming water in the town of Sugar City. He shall also provide and keep in his office a substantial and permanent plat of the town of Sugar City on which shall be indicated the location and diameter of all water mains within the said town. He shall collect all water rents in said town and shall pay all moneys so collected and received to the town treasurer charging him therewith and taking his receipt therefor. The Town marshal in addition to his duties as Water Commissioner and Water Collector shall perform such other duties as may be required by resolution of the Board of Trustees or by ordinance.

Section 9. The Town marshal shall as ex-officio Water Collector enter into a good and sufficient bond, running to the Incorporated Town of Sugar City in the sum of ^{five}~~Three~~ Hundred Dollars to be approved

by the Board of Trustees conditioned that he will faithfully perform the duties of Water Collector and turn over and account for all moneys coming into his hands according to the provisions of this ordinance.

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SECTION 13. The Town Attorney shall draft all ordinances, bonds, contracts, leases, conveyances, and other instruments of writing which may be required of him by ordinances or by order of the Board of Trustees. It shall be his duty to act as legal adviser of the Town

of Sugar City in all matters pertaining to contracts with or by said town or any question of legality arising out of any law, ordinance or otherwise.

SECTION 14. The Town Attorney is hereby authorized and empowered except when otherwise directed by the Board of Trustees, to take appeals in all cases when in his opinion the interests of the town require it and to prosecute and defend the same in the county, district and supreme courts and for the purpose of carrying into effect the provisions of this section he is hereby authorized to make the necessary affidavits and to make and execute in the name of the Town of Sugar City the necessary appeal or other bond, signing the same as Town Attorney.

SECTION 15. The Town Attorney shall have the right to be heard upon all questions and motions before the Board of Trustees amending, repealing or in any manner affecting any ordinance in force or to be enacted by the Board of Trustees.

SECTION 16. The Town Attorney shall be paid *One Hundred and eighty* dollars per year for his services, payable monthly, and for each time that he shall appear in a Court of Record such fees as are usually charged by attorneys in conducting matters in said courts in addition to his said salary of *One Hundred and eighty* dollars.

Town Treasurer.

SECTION 17. In addition to taking the oath of office, the Town Treasurer shall, before assuming the duties of his office, give bond to the town with good and sufficient sureties to be approved by the Board of Trustees, in the sum of *five* ~~one~~ thousand dollars, conditioned that he will honestly and faithfully discharge the duties of his office, as required by the ordinances of the Town of Sugar City, and at the end of his term of office turn over to his successor all the moneys, books, papers, vouchers and other property belonging to the town, which may be in his hands, and such bond shall be filed in the office of the town clerk and recorder.

SECTION 18. If at any time during the term of office of the Town Treasurer, the surety on said bond shall from any cause become impaired and said Treasurer shall be notified by the Board of Trustees to give additional security and make said bond good and sufficient, it shall be the duty of the Treasurer to furnish the same forthwith, and his failure or neglect to do so shall be sufficient cause for his removal from office in the manner prescribed for the removal of officers by ordinance.

SECTION 19. It shall be the duty of the Town Treasurer to take under his charge and keep a just and accurate account of all moneys ~~belonging to the town of Sugar City~~ belonging to the town of Sugar City, stating from whom and on what account received, and he shall give two receipts therefor to the person from whom he may receive the same, one of which receipts the person to whom the Treasurer may give them shall deliver to the town clerk and recorder, in order that the Treasurer may be charged by the town clerk and recorder with the amount thereof, and in no case shall any officer of the Town of Sugar City, or any other person, be released from responsibility to the Town of Sugar City for any money that he may at any time have in his possession belonging to the Town of Sugar City until he shall deliver to the town clerk and recorder the Treasurer's receipt therefor.

SECTION 20. He shall pay from the treasury all sums of money as may be ordered by the Board of Trustees, and the warrant therefor shall be signed by the Mayor, or in his absence by the Mayor Pro Tem., countersigned by the clerk and recorder, and state for what purpose the money is appropriated. He shall keep the account of each fund separate and distinct from each other, charging each fund with all payments, and crediting it with all moneys received on account thereof. And upon all warrants shall be legibly written the name of the fund out of which they are payable.

SECTION 21. That when any warrant is presented for payment to the

Treasurer, and there shall be no funds for the payment of the same, it shall be his duty to register such warrant in his book by him kept for that purpose, wherein he shall state the date, number and amount of such warrant, and the name to whom the same is payable, together with the time and date of such presentation; and it shall be the further duty of the Treasurer to endorse upon all warrants so presented to him as aforesaid, the time and date of such registry, and such warrants shall thereafter draw interest at the rate of ~~ten~~ ^{six} per cent, per annum until paid, or notice that there is money in the treasury to pay the same has been published for ten days in some newspaper published within the corporation.

SECTION 22. The Treasurer shall at the close of each fiscal year and oftener if requested by the Board of Trustees, make out and deliver to the Board of Trustees a full and complete report of his doings during the preceding year, stating the amount of money received, from whom and for what purpose received, and exhibiting all credits allowed by law and the ordinances of the Town of Sugar City, and he shall do and perform such other duties as may be required of him by ordinance, resolution or order of the Board of Trustees. For any violation of the foregoing section of this article he shall forfeit and pay to the Town of Sugar City a fine or penalty not exceeding twenty-five dollars.

SECTION 23. The Town Treasurer shall be ex-officio collector of all money coming to the town from any source whatever.

SECTION 24. The Town Treasurer shall receive as compensation for his services the sum of one hundred dollars per annum payable semi-annually out of the Town Treasury.

Town Clerk.

SECTION 25. The recorder shall be ex-officio clerk. He shall be keeper of the seal of the Town of Sugar City, and shall affix it to all papers and instruments by law or ordinance are required to be attested by the town seal. ^{which} He shall have the custody and safely keep, all public records and documents, ordinances, resolutions and orders

of the Board of Trustees, and such other papers and documents as may be delivered into his custody.

SECTION 26. It shall be the duty of the clerk to attend all meetings of the Board of Trustees; keep the minutes of all their proceedings, and record the same in a book to be provided by the Board of Trustees and to be kept in his office. He shall keep a correct account between the Treasurer and the Corporation, by charging him with all sums received by him, as exhibited to the clerk in his duplicate receipts, and crediting him with all moneys paid out by him, by order of the Board of Trustees. and he shall allow the Treasurer such other credits as he may be entitled to by law and by the ordinances of the Town of Sugar City. He shall countersign all warrants drawn on the treasury and deliver the same when called for, taking a receipt therefor, and generally he shall perform such other duties as may from time to time be enjoined upon him by ordinance or resolution of the Board of Trustees. It shall be the duty of the clerk at the close of the fiscal year to make out and lay before the Board of Trustees a full and explicit statement of the receipts and expenditures, and of all the fiscal affairs of the Town of Sugar City during such year, and cause the same to be published in a newspaper in the Town of Sugar City; such fiscal year shall commence on the first day of April in each year, and shall end on the last day of the succeeding March.

SECTION 27. The recorder when acting and performing the duties of clerk shall be entitled to the following fees: for issuing license for any business for which fifty dollars or more is charged, one dollar and fifty cents for each license; when less than fifty dollars and not less than five dollars is charged, one dollar for each license, when less than five dollars of charged, fifty cents; and shall also receive in addition to the fees above named, when acting and performing the duties of clerk shall receive as his compensation the sum of one hundred dollars per annum, payable semi-annually.

Police magistrate.

SECTION 28. In addition to taking the oath of office the Police Magistrate shall before assuming the duties of his office, give bond to the Town of Sugar City, with good and sufficient sureties to be approved by the Board of Trustees, in the sum of five hundred dollars, conditioned that he will honestly and faithfully discharge the duties of his office, as required by the ordinances of the Town of Sugar City and at the end of his term of office turn over to his successor all moneys, books, papers, vouchers and other property belonging to the town which may be in his hands, and said bond shall be filed in the office of the town clerk.

SECTION 29. All proceedings in the court of the Police Magistrate shall be conducted in accordance with the statutes and laws of the State of Colorado regulating the proceedings before justice of the peace and justice courts so far as the same are applicable, and in accordance with the ordinances of the Town of Sugar City.

SECTION 30. The Police Magistrate shall keep a docket to be furnished him by the Board of Trustees, in which he shall enter all cases brought in his court, and which shall show the title of the case, the nature of the offense, the date of filing any papers therein, a brief statement of the proceedings had, the judgment and amount of fine, if any, and the costs, the separate items of which must be stated; and when such judgments are satisfied said docket must show the date and manner of payment thereof.

SECTION 31. In all cases in the court of the Police Magistrate in which any person or persons shall be convicted of any violation of any town ordinance, and (in) which the Town Attorney shall have conducted the prosecution in behalf of the town, it shall be the duty of the Police Magistrate to tax a fee which may be allowed by ordinance of the Town Attorney as a part of the costs in such case against the defendants.

SECTION 32. The Police Magistrate shall have exclusive jurisdiction of all violations of town ordinances, but in case of the absence

or inability of the Police Magistrate to act any justice of the peace within the corporate limits of the Town of Sugar City shall have the power to try any and all cases of violation of said ordinances. And the Police Magistrate shall enforce such provisions in regard to the collection of fines and costs due therein to the town as the Board of Trustees may by ordinance provide.

SECTION 33. The Police Magistrate shall monthly certify to the town clerk and recorder all fines imposed by him against any person or persons for violation of any ordinances of the town which have been paid, and which have been paid by him to the town treasurer, and the Treasurer shall be charged therewith.

SECTION 34. The Police Magistrate shall when required by the Board of Trustees make report of such matters in his office as may be mentioned and required in the notice or demand served on him requiring the same.

SECTION 35. The Board of Trustees may appoint a legally qualified justice of the peace, or any other person who is an elector of said town as Police Magistrate, and he shall receive the same fees in like cases as justices of the peace of the county in which said town is situated, but in cases unlike those of which justices of the peace have jurisdiction the Police Magistrate shall receive for his services the sum of three dollars in every case where a conviction is had, to be paid in all cases by the defendant.

Town Health Officer.

SECTION 36. Whereas the office of Town Health Officer has heretofore been created by the Board of Trustees of the Town of Sugar City, it is hereby ordained, that:

It shall be the duty of the Health Officer to, at least, once in every calendar month inspect the streets and alleys and buildings in the town of Sugar City and see that they are kept in good sanitary condition and to establish and maintain quarantine against contagious diseases whenever in his opinion the public safety and welfare demand the same.

SECTION 37. Whenever in the opinion of the Health Officer any building, streets, alleys or grounds are in an unsanitary condition, it shall be the duty of said Health Officer to immediately notify the party or parties maintaining the building, street, alley or grounds in said unsanitary condition, in writing, to immediately place such street, alley, building or ground in a sanitary condition and if said party or parties fail to comply with said notice within twenty-four hours after its service, it shall then become the duty of the Health Officer to file the complaint before the Police Magistrate of the Town of Sugar City, charging said person or persons with erecting and maintaining a nuisance.

SECTION 38. The Health Officer shall be elected by the Board of Trustees and shall serve for a term of one year from and after his election, unless sooner removed, and shall receive as full compensation for his services the sum of ten dollars per month, except in case of contagious diseases, in which case he shall receive the sum of Three dollars per case.

Town Physician.

SECTION 39. Whereas the office of Town Physician has heretofore been created by the Board of Trustees of Sugar City, it is hereby ordained, that;

It shall be the duty of the Town Physician to attend the sick or injured residing within the corporate limits of Sugar City whenever ordered so to do by the Mayor or Board of Trustees of said town.

SECTION 40. The Town Physician shall be elected by the Board of Trustees and shall serve for a term of one year from and after his election, unless sooner removed, and shall receive as full compensation for his services the sum of one dollar for each visit to said sick or injured person. All medicines, bandages, etc. to be furnished by said Town Physician.

SECTION 41. Provided that nothing in this ordinance shall be so construed to conflict with the duties of the Health Officer

of said Town of Sugar City, or prevent the Health Officer and Town Physician from being one and the same person.

SECTION 4.2 That the following ordinances of the Town of Sugar City, to-wit:-Ordinance Number Six, passed and approved June 25th, 1900, Ordinance Number Seven, passed and approved June 25th, 1900, Ordinance Number Eight, passed and approved June 25th, 1900, Ordinance Number Nine, passed and approved June 25th, 1900, Ordinance Number Ten, passed and approved June 25th, 1900, Ordinance Number Eleven, passed and approved June 25th, 1900, Ordinance Number Forty-nine, passed and approved April 3rd, 1905, Ordinance Number Fifty-one, passed and approved April 10th, 1905, Ordinance Number Twenty-six, passed and approved May 20th, 1901, And Ordinance Number Twenty-seven, passed and approved January 20th, 1902, be, and the same are each and all of them hereby repealed.

Passed this .24th day of April A. D. 1916, at a regular meeting of the Board of Trustees of the incorporated Town of Sugar City, Colorado, a majority of the whole being present. Yeas and Nays called and recorded.

Yeas-Trustees: Butler Cravens Fluke. Neef. Walker. Workman.

Nays-Trustees. None

Absent-Trustees. None.

Signed and approved this 24 th day of April
A. D. 1916.

W. F. Farber

may or.

ATTEST.

J. M. Ballou

Town Clerk And Recorder.