

ORDINANCE NO. 104

Ordinance Concerning Public Scales.
Repealing ordinance numbered 62 entitled an ordinance authorizing the construct-

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 -ion of town scales and establishing the office of town weigher, passed February 11th A. D. 1889.

Be it ordained by the Board of Trustees of the incorporated town of Las Animas.

Section 1

The Board of Trustees of the incorporated town of Las Animas shall provide and maintain at the expense of the town, public scales of sufficient capacity for weighing all articles that may be brought to be weighted, and shall be constructed in such manner as they may direct. Said public platform scales shall be located on Bent Avenue in front of the City Hall.

Section 2

The Board of Trustees shall appoint a suitable person to be town weigher, who shall, unless sooner removed, continue in office during the term of service of the Trustees appointing him and until his successor shall be appointed and qualified.

Section 3

The town weigher shall execute a good and sufficient Bond to the town in the penal sum of five hundred conditioned; for the full and faithful discharge and performance of the duties imposed upon him by the ordinance of the town.

Section 4

Provided that the Board of Trustees may appoint the Librarian of the public library to hold the office of the town weigher as well as that of Librarian of the public library, or may appoint any other officer of the town to hold the office of town weigher in addition to any office he may have been appointed to fill, and such person so appointed shall have all the authority and be subject to the same liability as if holding no other office of the town. Provided that the Board of Trustees in case they appoint the Librarian of the public library or other town official to hold the office of town weigher may by resolution fix the amount of compensation such person shall receive for holding both offices.

Section 5

The town weigher so appointed shall have power to appoint a deputy in case he may not be able for any reason to attend to the duties of his office temporarily and the officials Bonds of said weigher shall be held and answerable for all acts of said deputy. Said town weigher in person or by his deputy shall be present and attend to the duties of weighing as herein set forth between the hours of 7 to 12 A.M. and 1 to 6 and 7 to 8 P.M. Jundays excepted, and during this time the register herein required to be kept shall be open for inspection.

Section 6

It shall be the duty of the town weigher so appointed to have such scales properly and correctly regulated at all times and cause the same to be repaired when needed at the expense of the town. It shall be the duty of the town weigher to require the vendors of coal, hay and like articles of merchandise when requested to do so by the purchaser of such articles, weight the same upon the public scales before delivering the same to their customer or vendors.

Section 7

The said weigher shall be allowed to charge and receive ten cents for every load or part of a load or any article of any kind or nature whatsoever weighted by him and shall keep and account of the weight of every load, part of a load or other article by him weighted and shall furnish to persons having such load, part of a load or article weighted a certificate for the same which certificate shall contain the gross and net weight of each load, part of a load or article so weighed; and keep an account of all moneys received and pay the same in to the town treasurer at least once a month; and oftener if so ordered by the Board of Trustees taking the Treasurers receipt for the same and shall report his doings to the Board of Trustees once a month unless required oftener by the said Board of Trustees.

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Section 8

The town weigher shall provide himself with and keep a register in which he shall enter the amount of each load, part of a load or article weighted and the name of each person for whom, and the date when the same was weighted, and when the vehicle and load or part of a load or article, shall be weighted together, the town weigher's certificate shall state the gross weight thereof and upon the delivery of a load, part of a load or article, the vehicle shall again be weighted without charge by the weigher, who weighted the original load, part of a load or article and that the net weight of a load ascertained.

Section 9

Any person who shall exercise the office of town weigher without first having been authorized so to do as is by this ordinance, provided, shall upon conviction thereof be fined in a sum of not less than five dollars nor more than fifty dollars for each and every offense.

Section 10

Any town weigher who shall falsely certify to the weight of any load or part of a load or other article whatsoever by him weighted, or who shall practice any deceit in weighing, shall, upon conviction, be fined in a sum of not less than five dollars nor more than fifty dollars for each and every offense.

Section 11

The register required to be kept by the town weigher under the provisions of this ordinance shall at all times be open to the inspection of any person interested in weighing done by the town weigher, and the said register shall also be open at all times to the inspection of any officer of the town.

Section 12

In the sale of coal the Hundred weight shall consist of one hundred pounds, avoirdupois, and twenty such hundred weight shall constitute a ton.

Section 13.

Every person or persons or corporation engaged in the business of selling coal in the town of Las Animas, where requested by the purchaser of any such coal cause the same to be weighed upon the public scales of the town and deliver or cause to be delivered to such purchaser at the time of the delivery of the coal purchased, a certificate signed by the weigher, showing the weight of the coal so delivered, and the weight of the wagon conveying the same or the gross weight of the coal.

Section 14

Any person engaged in selling coal in the town of Las Animas, shall have his wagon or vehicle used in delivering Coal weighed by the town weigher not less than once a day and it is hereby made the duty of the town weigher to require such wagon or vehicle to be weighed as often and whenever he may suspect a change in the weight of such wagon or vehicle; but no fees shall be charged for the weighing of such wagon or vehicle as in this section provided.

Section 15

Any person violating any of the provisions of this ordinance for which a penalty is not otherwise specially provided shall upon conviction be fined in any sum not less than five dollars nor exceeding one hundred dollars or imprisonment in the town Jail not less than five days nor more than thirty days.

Section 16

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Note - Passed at a regular meeting of the Board of Trustees of the incorporated town of Las Animas a majority of the whole number of the members elected to said Board Concurring by the following vote, Yeas Geo. J. Kramer,

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Geo. E. McCauley, Wm. B. Peart, Benjamin Neher. Nays none.
March 2nd 1896.

Attest
H. J. Jacquart
Clerk & Recorder

Jno. E. Donlon
Mayor