

ORDINANCE NO. 105
Concerning Poll Tax

Levying a poll tax upon the inhabitants of the incorporated Town of Las Animas and repealing all ordinances and parts of ordinances inconsistent therewith.

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

Section 1

That each able bodied man residing within the incorporated limits of the Town of Las Animas or claiming his residence therein between the ages of twenty-one and forty-five, shall annually between the first day of April and the first day of September, in each year, pay to the Street Commissioner a poll tax of two dollars (\$2), or in lieu thereof, perform two days work, of eight hours each, or eight hours work with team, on the streets and alleys of the Town under the supervision and direction of the Street Commissioner.

Section 2

The Street Commissioner shall as soon as required by the Board of Trustees after the first day of April of each year prepare a list of persons subject to a road tax and submit the same to the Board for revision and correction. A copy of the list so revised shall be certified by the Recorder to the Street Commissioner who shall proceed to collect said poll tax of two dollars (\$2) or in lieu thereof perform two days work of eight hours each, or eight hours with team on the streets and alleys of the town under the instruction of Street Commissioner Provided however at any time prior to the first day of August the Board of Trustees may order additional names to be certified to the Street Commissioner as subject to a poll tax or strike off any names previously certified or refund for error any tax certified as paid in money.

Section 3

The Street Commissioner shall keep the streets of the Town in repair and good condition for travel. The Street Commissioner shall from time to time, by written notice, postage prepaid and mailed at least ten (10) days previous to the time set for such work or by written or verbal notice personally at least ten (10) days previous to the time set for such work, notify persons required to pay poll tax under this ordinance, of the time when the work may be done. The Street Commissioner shall pay all moneys received by him to the Town Treasurer, taking his receipt for the same, and the funds so collected shall be used for road purposes upon the streets and alleys of the Town.

Section 4

Any person subject to a road tax, after due notice has been given, and refusing or neglecting to pay the same, and failing to perform the work in lieu thereof, for a period of ten days after being notified, according to the provisions of the preceding section shall be considered delinquent. It shall be the duty of the Street Commissioner to report to the Board of Trustees a list of all such delinquents under his jurisdiction. Every such delinquent shall be subject to a penalty of five dollars for such delinquency; which penalty, together with the tax added, shall be recoverable in a civil action before the police magistrate as in other civil actions such penalty and tax, and every part thereof collected upon any such judgement shall be paid by the police magistrate, when collected, into the Town Treasury to be expended on the streets and alleys of the Town.

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Section 5

The Street Commissioner shall immediately after the first day of September in every year return said certified list to the Board of Trustees; and specify opposite the names of all persons who have paid in money; those who have performed the work in lieu thereof; and the list of the delinquents; the amount of money collected; and paid out by him, from whom received, to whom and for what it was paid.

Section 6

Active members of any hose or fire company, regularly organized under the ordinances of the town, who shall on or before the first day of April in every year be a member of said company or a member who has been retired from said company for having served continuously five years and having received for such service a certificate, shall be exempted from said poll tax or labor in lieu thereof, provided that the Foreman of such company shall on or before the first day of April in each year certify to the Board of Trustees, a list of active members and retired members for services rendered, of his company and provided further that not more than twenty-one active members shall be so exempted and if the company have more than twenty-one members, then the twenty-one members of longest continuously standing shall be exempted.

Section 7

The Board of Trustees may appoint the Town Marshal to hold the office of Street Commissioner as well as that of the Town Marshal or may appoint any officer of the Town to hold the office of Street Commissioner in addition to any other 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.

Section 8

The Street Commissioner before entering upon the duties of his office shall give a bond to the Town in the penal sum of five hundred dollars (\$500) conditioned for the faithful performance of his duties as set forth in this ordinance and shall receive for his compensation for his services as the Board of Trustees may by resolution provide. Provided that the Board of Trustees, in case they appoint the Town Marshal or other town officer to hold the office of Street Commissioner may by resolution fix the compensation such person shall receive for holding both offices.

Section 9

All ordinances and parts of ordinances relating to road or poll tax in conflict and inconsistent herewith are hereby repealed.

Section 10

This ordinance shall take effect five days after its publication in the Bent County Democrat.

Note

Passed at a regular meeting of the Board of Trustees of the incorporated Town of Las Animas a majority of the whole of the members elected to said Board concurring by the following vote, Yeas; Geo. J. Kramer, Geo. E McCauley, Wm. B. Peart, Benjamin Neher. Nays none.

March 10th 1896
Attest
H.J. Jacquart
Clerk & Recorder

Approved
W.H. Stone
Mayor Pro Tem