

Ordinance No. 118
Concerning Licenses

Repealing all ordinances and parts of ordinances in conflict herewith.

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

Section 1.

That licenses may be issued in this town subject to the ordinances in force at the time of issuance, or which may thereafter be passed by the Board of trustees and if any person licensed shall violate any provisions of his license, he shall be liable to be proceeded against in manner hereinafter provided.

Section 2

All licenses shall be issued by the town clerk and Recorder and Mayor, upon the payment of the proper fees and the sum assessed for such license by the town ordinance; nor shall the same be transferable without the permission of the Board of Trustees.

Section 3

The town Clerk and Recorder shall keep a license register, in which shall be entered the name of each person licensed by him the date of the license, the purpose for which granted, the sum paid therefor and the date the same will expire.

Section 4

All licenses shall be issuable yearly as follows; quarterly, semiannually or yearly as the case may be and the ordinance now in force and which may hereafter be passed contemplate excepting those issued to peddlers, showman and for business of like transient character, but commencing yearly on the first day of April, and to that purpose the fiscal year of the town of Las Animas, shall commence on the first day of April and end on the last day of March of each and every year, the first quarter of said fiscal year ending on the last day of June and the second, third, and fourth quarters respectively on the last days of September, December, and March; provided however that nothing herein contained shall prevent the financial affairs of said town to be settled on the close of each fiscal years.

Section 5

When applicants for a license request that the license may issue for three months, six months, or any fractional part of a year, such license may be issued for the period of time applied for upon the payment of a prorato sum for such fractional part, unless herein otherwise provided.

Peddlers.

Section 6.

The Clerk and Recorder in his discretion may issue a peddler's license to any applicant upon payment of ten dollars for a day or eighteen dollars per week. The applicant for such license shall state the kind and aggregate value as near as may be of the goods, merchandise or articles to be peddled and also the mode of conveyance and the time for which it is granted. Any such license may be revoked by order of the Board of trustees for any improper

Oral
118
192

conduct on the part of the person so licensed and any such person who shall be guilty of any fraud, cheat or imposition while acting in such capacity, or who shall peddle any other kinds of goods, merchandise or articles, or use any other kind of conveyance than that specified in his license, shall on conviction thereof, be fined not less than twenty dollars nor more than fifty dollars.

Section 7

Any person who shall pursue the occupation of a hawkie or peddler within the town without having first obtained a license therefor, as provided by ordinance shall forfeit and pay to the town for such offense not less than five dollars nor more than twenty five dollars.

Section 8

Any itinerant person who shall "hawk," vend or peddle goods, wares and merchandise, or any thing or who shall under a color or pretense of bona fide merchants take up a temporary residence in the town for the purpose of disposing of these goods, wares or merchandise of whatever kind whether at auction or retail shall be deemed peddlers within the meaning of this ordinance; provided however, this ordinance shall not apply to selling only of religious works, and not include the class of men known as "drummers" who solicit orders from men of business nor shall this ordinance apply to persons coming into this town with teams or otherwise for the purpose of selling produce of his own raising.

Saloons and Liquor Dealers.

Section 9

The Board of Trustees of the town of Las Animas may grant a license for the retail sale of spirituous, vinous, fermented or intoxication liquors within the incorporated limits of said town or within one mile of the outer boundaries of the same in less quantities than one gallon, to such person or persons who shall execute to the town of Las Animas, a bond with at least two sureties to be approved by the Recorder in the penal sum of three thousand (\$3000) dollars conditioned that the party a licensed shall faithfully keep and observe all ordinance in force during the period of such license and that he shall keep an orderly house. Any license so granted shall authorize the person therein named to sell, carter, five away and deliver spirituous, fermented or intoxicating liquors at a place or house to be specified in said license in quantities less than one gallon.

Section 10

Such bond shall have attached thereto a written justification of the surities sworn to before some officers authorized to administer oaths to the effect that they the said sureties, are worth double the penalty of the bond in real estate situated in the County of Bent and exempt from execution and over and above all liens debts or other liabilities of said sureties. The Board of Trustees by the Majority vote, shall have from to approve such Bond and may examine such surities or either of these as to the character, value and amount of the property of said sureties and concerning such other matters as may be germane thereof. No application shall be considered by the Board of trustees, unless the same shall bear the endorsement of the Clerk and Recorder that applicant has deposited with him the license fee for at least three months. Application for license may be rejected where it shall appear to a majority of the numbers of the Board of Trustees elect that applicant is an unfit or improper person to carry on such business, and in case application is refused the money so deposited, as aforesaid, shall be returned to applicant. If applicant desires license to issue before the first day of April, July, October, and January he shall in addition to the license fee for three months, deposit with the Clerk and Recorder sufficient money to pay excess of time over three months asked for.

Section 11

Transfers of such license may be granted by a majority of the Board of Trustees elect upon a written application therefor at a name and place of carrying on the business provided that in all cases where license or transferred to a new person or persons a new bond as provided for in this ordinance

shall be approved and filed.

Section 12

The License fee for license issued under this ordinance to saloons shall be five hundred dollars (\$500.00) per annum or one hundred and twenty five dollars (\$125.00) for three months.

Section 13

The Board of trustees by a majority vote of the Board elect may revoke any license for the violation of any of the provisions of the license or when it may appear to a majority of the Board of Trustees that the license is running a disorderly house.

Section 14

Any person who shall violate any of the provisions of this ordinance or who shall sell give away intoxicating vinous or malt liquors in quantities less than one gallon or ever excepting under the authority of a license as herein provided for unexpired and unrevoked shall for such offense be fined not less than five dollars nor more than fifty dollars provided that druggists shall not be deemed within the provisions of this ordinance in selling any such liquors for purposes purely medicinal, upon the written prescription of a physician, and not to be drunk upon the premises.

Section 15

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

Section 16

This ordinance shall take effect five days after its publication in the Bent County Democrat, the official paper of the town of Las Animas, Colorado.

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 concerning by the following vote, yeas; T.H.Marshall, Wm.H.Stone, Wm.B.Peart, G.E.McCauley, Nays; None .

April 1, 1896

Attest

H.J.Jacquart
Clark & Recorder

Approved

W.H.Stone

Mayor Pro-Tem

Ord
118
Pg 3