

ORDINANCE NO. 3.

Concerning offences in the nature of misdemeanors.

Be it ordained by the Board of Trustees of the Town of Fleming, State of Colorado.

Article 1.

Offence against good morals and decency.

Section 1. If any person shall appear in public within the Town of Fleming in a state of nudity; or in a dress not belonging to his or her sex; or in an indecent or lewd dress or shall make an indecent exposure of his or her person; or be guilty of any lewd or indecent act or behavior; or shall exhibit, sell or offer to sell any indecent or lewd book or picture or other thing or shall exhibit or perform any indecent, immoral or lewd play or other representation - every such person, on conviction shall be fined in a sum not less than five dollars nor more than one hundred dollars.

Section 2. If any person shall inhumanly, unnecessarily or cruelly beat, injure or otherwise abuse any dumb animal - every such person shall, on conviction be fined in a sum not less than five dollars nor more than fifty dollars.

X Section 3. If any person shall be drunk or shall be in a state of intoxication or in any way disorderly in any highway, street or thoroughfare or other public place within this town or in any private house or place - every such person shall be deemed guilty of an offence and on conviction, shall be fined in a sum not less than two dollars nor more than fifty dollars, and the Town Marshal and police officers of said town are hereby authorized and empowered and it is hereby made their duty to arrest or cause to be arrested, with or without process, any person found violating the provisions of this section and commit such person to the town jail or other safe place in said town until

sober, at which time or as soon thereafter as may be, such person shall be taken before the police magistrate for trial.

Section 4. If any person shall set up, have or keep any kind of keno-table, fare bank, shuffle-board, bagatello, playing cards or other instrument, device or thing whatever or with which any money shall in any manner be played for or if any person or persons shall play for money at any game of cards, dice or with any article, device or thing whatever which may be used for the purpose of playing or betting upon, or winning or losing money or property, or shall bet money or property on any game others may be playing - every person or persons so offending shall, on conviction be fined in a sum not less than ten dollars and not exceeding one hundred dollars for each offence. <

Section 5. If any person or persons shall keep a disorderly house, or shall permit or suffer any fare bank, keno-table, or other instrument or device whatever used for the purpose of playing games of chance, to be set up and used whereby any game of chance shall be played for money or other articles of value in any building or tenement in his or their possession or under his or their control - every such person or persons shall, on conviction be fined in a sum not less than ten nor more than one hundred dollars for each offense.

Section 6. If the owner or keeper of or any person within any gambling house or room, any disorderly house, or house of ill-fame within this town shall refuse to permit any member of the Board of Trustees, the Town Marshal or any other police officer to enter the same, it shall be lawful for the officers, in this section before named, to enter the same or cause the same to be entered by force, by breaking the doors or otherwise and to arrest with or without warrant all suspicious persons found therein.

Any person obstructing or resisting the Town Marshal or other police officers in the performance of any act authorized by this section, shall be fined in a sum not less than five dollars nor more than one hundred dollars.

Section 7. No bawdy house, house of ill-fame, house of assignation or place for the practice of fornication or common ill governed or disorderly house shall be kept or maintained within the limits of the Town of Fleming; and every person who shall be an inmate or in any way connected with any such house or contribute to its support - any person who shall permit any tenant, any tenement building, premises in his or her possession or under his or her control to be used or occupied for any such purpose - and every person who shall permit any building which shall be used or occupied for any such purposes to stand upon any lot or parcel of ground within the said town owned, held possessed or controlled either as the agent of the owner or otherwise by him or her - shall be deemed guilty of an offence and shall on conviction be fined not less than ten dollars nor more than one hundred dollars for each offence.

Article 11.

OFFENCES AFFECTING PUBLIC SAFETY.

Section 1. If any person shall within the limits of the Town of Fleming fire or discharge any cannon, gun, fowling-piece, pistol or fire arm of any description or thing containing powder or other combustible or explosive material without permission in writing from the Mayor of the town (which permission shall limit the time of such firing and place and may be revoked by the Board of Trustees at any time after the same has been granted) - every such person shall, on conviction, be fined in a sum not less than one dollar and not exceeding one hundred dollars for each offence.

Section 2. If any person shall drive any automobile or other conveyance on any avenue, street, alley or lane within the limits of this town at a rate exceeding twelve (12) miles per hour, every such person shall, on conviction, be fined in a sum not less than one dollar nor more than one hundred dollars.

Section 3. If any person shall vend, give or deliver within this town, any deadly poison, knowing the same to be such, without marking the same in legible characters "Poison" - every such person shall, on conviction, be fined in a sum not exceeding one hundred dollars.

Section 4. If any person shall leave any horse or animals attached to any carriage, wagon, cart, sled or other vehicle in any street, avenue, alley or lane within this town without securely fastening the same - every such person shall on conviction, be fined not less than one dollar nor more than ten dollars.

Section 5. Any person who shall use any sport or exercise likely to scare horses, injure passengers, or embarrass the passage of vehicles, shall on conviction, be fined not less than three dollars nor more than twenty-five dollars.

> Section 6. Any person who shall have or keep open any cellar door, pit or vault or other subterraneous opening on any highway or sidewalk or shall suffer the same to be left open or to be kept in an insecure condition so that passers-by will be in danger of falling into such cellar, pit, vault, or other opening or shall suffer any sidewalk in front of the premises owned or occupied by him to become or continue so broken as to endanger life or limb shall on conviction, be fined not less than two dollars nor more than one hundred dollars.

X Article 111.

Offence affecting the public peace and quiet.

Section 1. If any person shall within the limits of this town make or countenance or assist in making any improper

X noise or disturbance or breach of the peace, by challenging any person to fight or threatening to fight or fighting any person or shall use profane, abscene or offensive language to any person - every such person shall on conviction, be fined in a sum not less than five dollars nor more than one hundred dollars.

Section 2. Any two or more persons who shall assemble together in this town with an intent to do an unlawful act or being assembled, shall mutually agree to do an unlawful act with force or violence against the property of the town or the person or property of another or against the peace or to the terror of others or shall make any movement or preparation therefor - an every person present at such meeting or assembly who shall not endeavor to prevent the commission or perpetration of such unlawful act - shall, on conviction, be fined in a sum not less than five dollars nor more than fifty dollars for every offence.

Section 3. All persons who shall collect in bodies or crowds for unlawful purposes or for any purpose to the annoyance or disturbance of citizens or travelers, shall be severally, on conviction, be subject to a fine of not less than three dollars nor more than fifty dollars. X

Section 4. If any person shall disquiet or disturb any congregation or assembly met for religious worship by making a noise or by rude and indecent behavior or profand discourse within their place of worship or so near the same as to disturb the order and solemnity of the meeting - every such person shall on conviction, be fined in a sum not less than ten dollars nor more than one hundred dollars.

Section 5. X If any person shall disturn any lawful assemblage of people by rude or indecent behavior or otherwise, every such person shall, on conviction be fined in a sum not exceeding fifty dollars.

Section 6. If any person shall wilfully give or make or cause to be given or made, a false alarm of fire - every such person on conviction, shall be fined in a sum not exceeding twenty-five dollars.

x Section 7. x Any person who shall keep any common or disorderly house or who shall suffer any Drunkenness, quarreling, fighting, unlawful games or riotous or disorderly conduct whatever on his premises shall be subject, on conviction to be fined in a sum not less than ten dollars nor more than one hundred dollars and if holding a license from the town, shall be subject to a forfeiture of his license.

Article IV.

Offences affecting Streets and Public Property.

Section 1. No Town Officer, contractor or other person in this town, shall make any excavation or dig any hole, drain or ditch in any highway or thoroughfare, without providing, during the night a temporary fence or suitable obstruction around or in front of such excavation, in order to prevent persons, animals or vehicles from falling into the same; and every person so offending against the provisions of this section, shall be fined for each and every offence, a sum not less than five dollars nor more than fifty dollars.

Section 2. If any person shall hitch or fasten any horse or other animal to any ornamental fence, railing or any ornamental or shade tree, shrub, fence or railing in or upon any public street, grounds, alley or other public place, or upon any private premises other than his own - every such person shall on conviction, be fined in a sum not less than two dollars nor more than one hundred dollars.

Section 3. Any person who shall ride or drive any animals or animal, automobile or other conveyance upon or across any of the constructed sidewalks in the Town of Fleming shall be

guilty of an offence and upon conviction shall be fined in a sum not less than two dollars nor more than ten dollars for each offence.

Section 4. If any person shall assist or aid any person confined in the town jail or place wherein persons may be confined for violating town ordinances to escape from such jail or place of confinement, the person so offending shall be deemed guilty of an offence and upon conviction thereof, he shall be fined not less than five dollars nor more than one hundred dollars.

Section 5. If any person shall without the consent of the person in charge of the town jail or place wherein persons may be confined for violating town ordinances, introduce any spirituous or malt liquors, or any tool, implement, or other thing, such person shall be deemed guilty of an offence and upon conviction thereof, he shall be fined not less than five nor more than one hundred dollars.

Section 6. If any person not an officer of the law shall within the corporate limits of the Town of Fleming, carry concealed upon his person, any pistol, bowie-knife, dagger, or any other deadly weapon, he shall on conviction thereof, be fined in a sum not less than five nor more than one hundred dollars.

Passed, approved and adopted by the Board of Trustees of Fleming this 24th day of June, A. D. 1917.

W. G. Brown
Clerk.

W. H. Cary
Mayor