

ORDINANCE NO. 8

TO PROVIDE FOR THE ISSUING OF LICENSES.

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

ARTICLE 1.

Section 1. That it shall be unlawful for any person or persons to exhibit for gain, any animal or animals, sleight of hand, or any theatrical or musical entertainment, or any street fair, show, or exhibition of any nature or kind, whatsoever, without first having obtained a license or permit therefore; and if any person so licensed shall violate any of the provisions of this ordinance, he shall be liable to be proceeded against for any penalty or fine imposed thereby and his license or permit be revoked by the Mayor of the Town of Fleming.

Section 2. It shall be the duty of the Mayor to grant licenses or permits herein provided for if, in his opinion, the exhibition will not injuriously affect the morals of the people or offend against decency and good order; and he shall, at his discretion, fix the sum to be paid for licenses or permits in all cases not herein expressly provided for.

Section 3. All licenses or permits shall be issued and signed by the Clerk of the Board of Trustees pursuant to the order of the Mayor upon the payment to the Mayor of the sum assessed therefore, and no person shall have authority to exhibit or perform until the license or permit is duly secured.

Section 4. No license or permit granted under this ordinance shall be assignable or transferable without the written

consent of the Mayor.

Section 5. The Clerk of the Board of Trustees shall keep a license register, in which shall be entered the name of each and every person licensed pursuant to this ordinance, the date of the license and the purpose for which the same was granted, the amount paid therefore, and the time the same will expire or continue in force.

Section 6. No license shall be granted for a period exceeding the term of one year.

Section 7. Any person found guilty of a violation of the provisions of this ordinance shall be fined not less than One Dollar (\$1.00) or more than Twenty-five Dollars (\$25.00) and costs of suit for each and every violation.

ARTICLE <sup>II(2)</sup> 11.  $\xi$

Auctioneers, Hawkers and Peddlers.

Section 1. Any person who shall sell, or attempt to sell, any goods, chattels or property whatsoever, at public auction, or by hawking or peddling within the limits of the town of Fleming, without first obtaining a license, or permit therefore, as hereinafter provided, shall forfeit and pay to the town of Fleming for each offense a sum not less than Two Dollars (\$2.00) nor more than Fifteen Dollars (\$15.00) and costs of suit.

Section 2. No license shall be granted to any person as auctioneer to sell goods as specified in Section one (1) of this Article, until such person shall have paid to the Clerk of the Board of Trustees of the Town of Fleming the sum of Five Dollars (\$5.00) license for one year, or the sum of Three Dollars (\$3.00) for six months; but a permit may be issued to any hawker or peddler for a sum to be fixed in each case by the Mayor, for a specified period of less than six months.

Section 3. All sales made at public auction under and by virtue of legal proceedings, or the hawking of produce by persons

raising or producing the same shall be exempt from the provisions of this Article.

Section 4. All sales of goods, wares, or merchandise, by or in the interest of transient merchants, or non-residents, by auctioneers, shall be subject to a special permit and the sum therefore shall be fixed by the mayor.

*M. O'Leary*

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M A Y O R.

Attest:

*W. A. Brown*

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C L E R K.