

ORDINANCE NO. 142

AN ORDINANCE PROVIDING FOR AN ELECTION OF THE VOTERS OF THE TOWN OF CREEDE, COLORADO, WHO ARE TAXPAYERS UNDER THE LAW, AND OF SUCH QUALIFIED PROPERTY ELECTORS OF THE TOWN OF CREEDE, COLORADO, AS SHALL IN THE NEXT YEAR PRECEDING THE YEAR OF THIS ELECTION HAVE PAID A PROPERTY TAX THEREIN, AT WHICH THERE SHALL BE SUBMITTED THE QUESTION OF THE ERECTION OF WATERWORKS TO BE OWNED AND OPERATED BY SAID TOWN, AND THE QUESTION OF APPROVING ORDINANCE NO. 141 PASSED BY THE BOARD OF TRUSTEES OF SAID TOWN ON THE 27<sup>th</sup> DAY OF February A. D. 1940, WHICH ORDINANCE ADOPTS A PLAN FOR THE ACQUISITION OF SUCH PUBLIC UTILITY, DESCRIBES THE PROPERTY TO BE ACQUIRED, THE METHOD OF PAYMENT AND THE TOTAL OBLIGATIONS TO BE INCURRED

WHEREAS, The Board of Trustees of the Town of Creede, Mineral County, Colorado, deems it advisable and to the best interests of said Town and its inhabitants to acquire a waterworks system to be owned and operated by the Town; and

WHEREAS, On the 27<sup>th</sup> day of February, A. D. 1940, said Board passed Ordinance No. 141, which Ordinance adopts a plan for the acquisition of such public utility, describes the property to be acquired, the method of payment and the total obligations to be incurred; and

WHEREAS, It is necessary that the question of the erection of such works be submitted to the voters of said Town who are taxpayers under the law, and that the question of approving such Ordinance be submitted to such qualified property electors of said Town as shall in the next year preceding said election have paid a property tax therein:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF CREEDE, COLORADO:

Section 1. That at a general election to be held at the Town Hall in the Town of Creede, Mineral County, Colorado, on the 2nd

7:00 o'clock P. M. on said day, there shall be submitted to the voters of the Town who are taxpayers under the law the following question:

"Shall the Board of Trustees of the Town of Creede, Colorado, for and on behalf of said Town, erect waterworks to be owned and operated by said Town?"

Section 2. At said election there shall also be submitted to such qualified property electors of said Town as shall in the next year preceding the year of election have paid a property tax therein the following question:

"Shall Ordinance No. 141 of the Town of Creede, Colorado, passed by the Board of Trustees of said Town on the 27 day of February, A. D. 1940, adopting a plan for the acquisition of waterworks to be owned and operated by said Town, and describing the property to be acquired, the method of payment and the total obligations to be incurred, be approved?"

Section 3. Said election shall be held and conducted, as nearly as may be, in the manner prescribed by law for an election of municipal officers.

Section 4. The ballots for said election shall be prepared and delivered to the Judges of Election by the Town Clerk. The Judges of Election shall deliver ballots to the voters severally qualified to vote on the questions submitted. There shall be a separate ballot box for ballots on each of the questions submitted in which the voters shall deposit their ballots after the same have been marked by them. Said ballots shall be in substantially the following form:



Section 5. The same Judges and Clerks who act at the general election for officers in the Town of Creede shall act as Judges and Clerks at this election.

Section 6. The vote cast at said election on the questions aforesaid shall be canvassed and returned, and the return made and the result declared in the same manner, as nearly as may be, as provided by law for the canvass, return, and the declaration of the result of votes cast at an election of municipal officers.

Section 7. A notice of the time and place of said election shall be published in the "Del Norte Prospector", a newspaper of general circulation in the Town of Creede, in the County of Mineral and State of Colorado, at least fifteen days before such election, and also a copy of such notice shall be posted at the place of voting at least fifteen days before such election, announcing the time, place and object of the election, and the Clerk of the said Town is hereby charged with the duty of effectuating this provision.

Section 8. Such notice shall be in substantially the following form:

TOWN OF CREEDE, COLORADO

GENERAL AND WATERWORKS ELECTION

April 2, 1940

PUBLIC NOTICE

Pursuant to Ordinance No. 142 of the Town of Creede, Colorado, adopted and approved on the 27<sup>th</sup> day of February

A. D. 1940, PUBLIC NOTICE IS HEREBY GIVEN That at the general election to be held on Tuesday, the 2nd day of April, A. D. 1940, at the Town Hall in the Town of Creede, between the hours of 7:00 o'clock A. M. and 7:00 o'clock P. M., there will be submitted to the voters of the Town, who are taxpayers under the law, the following question:

"Shall the Board of Trustees of the Town of Creede, Colorado, for and on behalf of said Town, erect waterworks to be owned and operated by said Town?"

Also at said election there shall be submitted to such qualified property electors of the Town as shall, in the next year preceding the year of election, have paid a property tax therein, the following question:

"Shall Ordinance No. 141 of the Town of Creede, Colorado, passed by the Board of Trustees of said Town on the 27<sup>th</sup> day of February, A. D. 1940, adopting a plan for the acquisition of waterworks to be owned and operated by said Town, and describing the property to be acquired, the method of payment and the total obligations to be incurred, be approved?"

The polls will be open from 7:00 o'clock A. M. to 7:00 o'clock

P. M.

Ballots to be used in voting upon the questions above submitted shall be prepared and furnished by the Town Clerk to the Judges of Election to be by them furnished to the voters, and the ballots on each question shall be deposited in separate ballot boxes provided by the Town

The election shall be held and conducted, as nearly as may be, in the manner prescribed by law for elections of municipal officers.

All qualified electors whose names are not included in the last official county registration list, and all qualified electors who have changed their residences in said Town since the last registration period, shall register at the office of the Town Clerk during business hours up to and including Tuesday, the 26th of March, A. D. 1940.

IN WITNESS WHEREOF, The Board of Trustees of the Town of Greede, has caused this notice to be published and posted as required by law, this 8<sup>th</sup> day of March, A. D. 1940.

H. J. Jackson  
Town Clerk

(SEAL)

Section 9. This ordinance, after its adoption and approval, shall be published in full in the "Dal Norte Prospector", a newspaper of general circulation in the Town of Creede, in its issue of March 1st, 1940, and shall be recorded in a book kept for that purpose, shall be authenticated by the signatures of the Mayor and Town Clerk and shall take effect and be in force upon the expiration of five (5) days after publication.

ADOPTED AND APPROVED THIS 27 day of February.

A. D. 1940.

(SEAL)

W. E. Wilson  
Acting Mayor

ATTEST:

H. J. Jackson  
Town Clerk

It was then moved by Trustee Oates and seconded by Trustee Hilson that all rules of this Board which might prevent, unless suspended, the final passage and adoption of this ordinance at this meeting be, and the same are hereby suspended for the purpose of permitting the final passage and adoption of said ordinance at this meeting.

The question being upon the adoption of said motion and the suspension of the rules, the roll was called with the following result:

Those voting Aye: Trustees Oates Beck Leary French Lemke Hilson

Those voting Nay: None

Six members of the Board of Trustees having voted in favor of said motion, the presiding officer declared said motion carried and the rules suspended.

Trustee Leary then moved that said ordinance be passed and adopted as read.

Trustee French seconded the motion.

The question being upon the passage and adoption of said ordinance, the roll was called with the following result:

Those voting Aye: Trustees Oates Beck Leary French Lemke Hilson

Those voting Nay: None

The presiding officer thereupon declared that Six

Trustees having voted in favor thereof, the said motion was carried and the said ordinance duly passed and adopted.



On motion duly adopted, it was ordered that said ordinance be numbered 142, and after approval by the Mayor, be published and recorded according to law.

(SEAL)

ATTEST:

W. G. Wilson  
acting Mayor

H. J. Jackson  
Town Clerk

STATE OF COLORADO )  
 )  
COUNTY OF MINERAL ) SS.  
 )  
TOWN OF CREEDE )

I, W. T. Jackson, Town Clerk of the Town of Creede, Colorado,

do hereby certify that the foregoing pages numbered one (1) to fifteen (15), inclusive, are a full and correct copy of the record of the proceedings of the Board of Trustees of said Town, taken at an adjourned meeting thereof, held on the 27<sup>th</sup> day of February, A. D. 1940, so far as said minutes relate to ordinances, copies of which are therein set forth; that said copies of said ordinances contained in said minutes are a full, true and correct copy of the original of said ordinances as passed by the Board of Trustees at said meeting; that said ordinances have been duly authenticated by the signatures of the presiding officer of said Board of Trustees and myself as Clerk and Recorder of said Town, sealed with the corporate seal of said Town, signed and approved by the Mayor thereof, and recorded in the book of ordinances of said Town kept for that purpose in my office; that said ordinances were on March 1<sup>st</sup>, 1940 published in full in the "Del Norte Prospector", a newspaper of general circulation in the Town of Creede.

I further certify that the acting Mayor and Five members of the Board of Trustees were present at said meeting and that Six members of said Board voted on the passage of said ordinances as in said minutes set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town, this 2<sup>nd</sup> day of March, A. D. 1940.