

ORDINANCE NO. 185

AN ORDINANCE FOR THE REGULATION OF SNOWMOBILE TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF CREEDE; AND REPEALING ALL OTHER ORDINANCES AND SECTIONS OF ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED by the Board of Trustees of the City of Creede, a Town in Mineral County, Colorado:

15-2-1 The laws of the State of Colorado regulating snowmobiles shall be applicable upon all streets within the City of Creede, except as this Ordinance, as authorized by State law, hereby declares and determines that certain restrictions on speed, use, travel, and markings are additionally required and regulated.

In particular, Colorado Revised Statutes 62-13-1 (1963 as amended) shall be enforced within the Corporate limits of the City of Creede.

15-2-2 Definitions. (a) As used in this Ordinance,

(b) "Person" includes an individual, partnership, corporation, the state and its agencies and subdivision, and any body of persons, whether incorporated or not.

(c) "Snowmobile" means a self-propelled vehicle primarily designed for travel on snow or ice, and supported in part by skis, belts, or cleats.

(d) "Owner" means a person, other than a lienholder, having the property in or title to a snowmobile and entitled to the use or possession thereof.

(e) "Operate" means to ride in or on and control the operation of a snowmobile.

(f) "Operator" means every person who operates or is in actual physical control of a snowmobile.

(g) "Roadway" means the portion of a highway improved, designed, or ordinarily used for vehicular travel.

(h) "Street", "road", "Freeway", or "highway" means the entire right-of-way between boundary lines of any of such public ways when any part thereof is open to the use of the public as a matter of right for the purpose of motor vehicle travel.

15-2-3 Snowmobile Use Restrictions. The use of Snowmobiles within the City of Creede shall not be allowed except as follows:

- A. Along Fifth Street, Third Street, and Wall Street, Capitol Avenue and Loma Street/as a means of entering and exiting the City limits. Travel on the above streets for any other purpose shall be illegal. All routes from residences to the above exit streets shall be the most direct route.
- B. During emergencies as declared by the Mayor, or, in his absence, the Chief of Police or Fire Chief, Snowmobiles may be used for the purposes designated by the Mayor, Chief of Police, or Fire Chief.
- C. Speed. The maximum speed of snowmobiles within the Corporate limits of the City of Creede shall be fifteen miles per hour.
- D. Right-of-Way. Snowmobiles shall yield to all other street vehicles, all of which shall have the right-of-way.
- E. Masts. All snowmobiles operating within the corporate limits of the City of Creede shall have a five-foot mast attached to the snowmobile in a vertical position with 30 square inches of fluorescent flagging at the highest point of such mast.
- F. Hours. Snowmobiles shall not be operated within the City of Creede except during daylight hours, without first obtaining permission from Chief of Police.
- G. Rallies. No rallies shall be held within the City of Creede without first obtaining written permission from

the Chief of Police.

H. Penalty. Violations of 15-2-3 A through 15-2-3 G shall be misdemeanors and punishable by a fine of not more than one hundred dollars (\$100.00).

15-2-4 Safety Clause. Each and every provision of this Ordinance is intended to be separate and severable from every other provision hereof, and shall take effect regardless of the invalidity of any other part of this Ordinance.

The Board of Trustees of the City of Creede hereby determines that this Ordinance is necessary for the immediate preservation of the public peace, health and safety, and shall be immediately effective upon publication in accordance with Colorado Law.

INTRODUCED, read in full, passed and approved this 3rd day of January, by the Board of Trustees of the City of Creede, a town.

APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Clerk



ORDINANCE NO. 185

AN ORDINANCE AUTHORIZING THE ISSUANCE OF JOINT WATER AND SEWER REVENUE BONDS OF THE TOWN OF CREEDE, COLORADO, IN THE PRINCIPAL AMOUNT OF \$355,000 FOR THE PURPOSE OF PROVIDING FUNDS FOR EXTENDING AND IMPROVING THE MUNICIPAL WATER SYSTEM AND INSTALLING THE JOINT WATER AND SEWER SYSTEM; PRESCRIBING THE FORM OF SAID BONDS AND PROVIDING FOR THE APPLICATION OF THE INCOME AND REVENUE OF THE JOINT WATER AND SEWER SYSTEM TO THE PAYMENT OF SAID BONDS AND THE INTEREST THEREON; PROVIDING OTHER DETAILS IN CONNECTION THEREWITH, AND DECLARING AN EMERGENCY.

WHEREAS, a majority of the voters of the Town of Creede, Colorado, who were taxpayers under the law, voting on the question at a municipal election heretofore held in said Town, by their vote approved and authorized the Board of Trustees of said Town to erect a system of waterworks for fire and domestic purposes, to be owned and operated by the Town; and

WHEREAS, the Town did erect and ever since said time has owned, operated and maintained a system of waterworks for fire and domestic purposes; and

WHEREAS, it is necessary to extend and improve the waterworks system in order to supply the Town and the inhabitants thereof with a proper and adequate supply of water; and

WHEREAS, the Board of Trustees has previously determined to acquire by construction a new installation a sanitary sewer collection, transmission, treatment and disposal system for the Town and its inhabitants; and

WHEREAS, there are not sufficient funds in the treasury of the Town to provide the necessary improvements and extensions, and the Board of Trustees deems it advisable to authorize the issuance of joint water and sewer revenue bonds of the Town in the principal amount of \$355,000, the principal of and interest on said bonds to be payable solely from the net income of sanitary sewer system; and

WHEREAS, the bonds have been duly advertised for sale, and the Board has determined to award said bonds to the United States Department of Agriculture, Farmers Home Administration, the highest and best bidder therefore;

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF CREEDE, MINERAL COUNTY, COLORADO:

Section 1. ACQUISITION OF SANITARY SEWER SYSTEM. The Board of Trustees has determined, and does hereby determine, that it is in the best interest of the Town and its inhabitants to acquire by construction and installation a sanitary sewer collection, transmission, treatment and disposal system for the Town, and to issue revenue bonds pursuant to Chapter 139, Article 52, Colorado Revised Statutes 1963, as amended, to pay part of the cost of such construction. All action heretofore taken by the Board and officers of the Town relating to the acquisition of the sanitary sewer system, the plans and specifications thereof and the issuance of bonds to provide part of the cost of the construction, is hereby ratified, approved and confirmed.

Section 2. JOINT WATER AND SEWER SYSTEM. The Board of Trustees has determined, and does hereby determine, that the municipal sanitary sewer system and the municipal water system shall be combined, operated and maintained as a single public utility, (hereafter referred to as the "joint system").

Section 3. AUTHORIZATION. That for the purpose of providing funds to extend and improve the municipal water system and to acquire by construction a new installation a sanitary sewer system, together with necessary appurtenances and incidentals, there are hereby authorized Joint Water and Sewer Revenue Bonds, Series 1971

Amount	Maturity
\$ 2,000	1973
3,000	1974
4,000	1975 to 1979, incl.
5,000	1980 to 1983, incl.
6,000	1984 to 1986, incl.
7,000	1987 to 1989, incl.
8,000	1990 and 1991
9,000	1992 to 1994, incl.
10,000	1995 and 1996
11,000	1997 and 1998
12,000	1999
13,000	2000 and 2001
14,000	2002
15,000	2003 and 2004
16,000	2005
17,000	2006
18,000	2007 to 2009, incl.
17,000	2010

Bonds of this issue maturing on or before January 1, 1982 shall not be redeemable prior to their respective maturity dates. Bonds maturing in the years 1983 and thereafter, shall be redeemable at the option of the Town on January 1, 1982, and on any interest payment date thereafter, in inverse numerical order, upon payment of par and accrued interest, if however, all of the bonds are held by the Farmers Home Administration, all or any number of the bonds may be redeemed at the option of the Town at any time in inverse numerical order, upon payment of par and accrued interest to the date of redemption. Notice of prior redemption shall be given by publication at least one time in a newspaper having general circulation in the Town of Creede, not less than thirty days prior to the date of redemption. If any of the bonds to be redeemed are registered as to principal and interest, then notice shall also be given by mailing a copy of the notice by registered, first class mail, to the registered owner or owners of such bonds, at least thirty days prior to the date of redemption.

The principal of and interest on said bonds shall be payable at the office of the Town Treasurer in Creede, Colorado, or as to any bond or interest coupon owned by the United States Department of Agriculture, Farmers Home Administration, at the local county office of the Farmers Home Administration, in Mineral or Rio Grande County, Colorado.

Section 5. REGISTRATION AS TO PRINCIPAL AND INTEREST. Each of the bonds of this issue may be registered for payment as to both principal and interest (but not as to principal only or to interest only) and any bond so registered may be discharged from registration as hereafter provided in this Ordinance. At the option of the bearer, any bond or this issue may be registered as to both principal and interest upon presenting the same to the Town Treasurer, (designated as and referred to herein as the Registrar, for purposes of registration) accompanied by all unmaturing coupons. The Registrar shall make a notation of such registration thereon and detach and cancel all unmaturing interest coupons. Any bond so registered may thereafter be transferred only upon a duly executed assignment of the registered owner or his legal representative in such form as shall be satisfactory to the Registrar. Such transfer shall be made on the registration books kept by the Registrar and shall be endorsed on the bond.

The principal of and interest on any bond registered as to both principal and interest shall be payable only to, or upon the order of, the registered owner or his legal representative.

Section 6. CONVERSION OF REGISTERED BONDS. Any bond registered as to both principal and interest may be converted into a coupon bond payable to bearer upon presentation thereof to the Registrar accompanied by an instrument duly executed by the registered owner or his legal representative, in such form as is acceptable to the Registrar. The Registrar shall attach thereto new coupons representing the interest to become due thereafter on the bond to the date of maturity and shall make notation thereon that the bond is payable to bearer. Such new coupons shall bear the facsimile signature of the officer signing the coupons as herein provided at the time of the execution of the bond; the Treasurer of the Town. Upon converting this ordinance the Registrar shall require the payment of all expenses incurred by it in connection with such conversion, payment of which together with any tax or other governmental charge required to be paid, shall be made

in substantially the following form:

(Form of Bond)  
 UNITED STATES OF AMERICA  
 State of Colorado  
 County of Mineral  
 TOWN OF CREEDE  
 Joint Water and Sewer Revenue Bond, Series 1971  
 No. .... \$ .....

The Town of Creede, in the County of Mineral and State of Colorado, hereby promises to pay to the bearer hereof, or if this bond be registered, then to the registered owner hereof, out of the special fund hereinafter designated, but not otherwise, the principal sum of

ONE THOUSAND DOLLARS

on the 1st day of January, 19 .....

with interest thereon at the rate of five per centum (5%) per annum, payable on January 1, 1972 and annually thereafter on the 1st day of January each year, as evidenced by interest coupons attached hereto, upon presentation and surrender of the annexed coupons and this Bond as they severally become due, or if this bond be registered, then to the registered owner hereof, both principal and interest being payable in lawful money of the United States of America, at the office of the Town Treasurer in Creede, Colorado, or as to any bond or coupon owned by the United States Department of Agriculture, Farmers Home Administration, at the local county office of the Farmers Home Administration, in Mineral or Rio Grande County, Colorado.

Bonds of this issue maturing on or before January 1, 1982, shall not be redeemable prior to their respective maturity dates. Bonds maturing in the years 1983 and thereafter, are redeemable in inverse numerical order, at the option of the Town, on January 1, 1982, and on interest payment dates thereafter, upon payment of par and accrued interest. If, however, all of the bonds are held by the Farmers Home Administration, then all or any number of the bonds may be redeemed at the option of the Town at any time in inverse numerical order, upon payment of par and accrued interest to the date of redemption.

This Bond is issued by the Board of Trustees of the Town of Creede, Colorado, for the purpose of providing funds to extend and improve the municipal water system and to acquire by construction and installation a sanitary sewer system for the Town and its inhabitants, under the authority of and in full conformity with the Constitution and Laws of the State of Colorado, particularly the provisions of Chapter 139, Article 52, Colorado Revised Statutes 1963, as amended, and all other laws thereunto enabling, and pursuant to Ordinance No. 185 of said Town, adopted and approved by the Board of Trustees of the Town on the eighth day of October, 1971. Pursuant to Section 139-52-13 of said Article 52, such recital shall conclusively impart full compliance with all of the provisions of said article, and this bond issued containing such recital is incontestable for any cause whatsoever after its delivery for value.

Both the principal of and the interest on this Bond are payable solely out of a special fund created in full conformity with law and designated as the "Joint Water and Sewer Revenue Bond Fund", of the Town, which Fund shall contain the net income and revenue derived by the Town from the joint operation of the municipal sanitary sewer system and the municipal water system, after payment of the necessary and reasonable costs and expenses of the operation and maintenance of the joint system, all as is more particularly set forth in the ordinance authorizing the issuance of this Bond. The bonds of this issue are equitably and ratably secured by a lien on the net income and revenue of said joint system, and constitute an irrevocable and first lien (but not necessarily an exclusive first lien) on said net revenues and Fund.

It is hereby recited, certified and warranted that for the payment of this Bond, the Town of Creede has created and will maintain said Fund and will deposit therein out of the income and revenue of the joint system, the amounts and revenue specified in said ordinance, and out of said Fund, as an irrevocable charge and the interest thereon

in substantially the following form:

(Form of Bond)  
 UNITED STATES OF AMERICA  
 State of Colorado  
 County of Mineral  
 TOWN OF CREEDE  
 Joint Water and Sewer Revenue Bond, Series 1971  
 No. .... \$ .....

The Town of Creede, in the County of Mineral and State of Colorado, hereby promises to pay to the bearer hereof, or if this bond be registered, then to the registered owner hereof, out of the special fund hereinafter designated, but not otherwise, the principal sum of

ONE THOUSAND DOLLARS

on the 1st day of January, 19 .....

with interest thereon at the rate of five per centum (5%) per annum, payable on January 1, 1972 and annually thereafter on the 1st day of January each year, as evidenced by interest coupons attached hereto, upon presentation and surrender of the annexed coupons and this Bond as they severally become due, or if this bond be registered, then to the registered owner hereof, both principal and interest being payable in lawful money of the United States of America, at the office of the Town Treasurer in Creede, Colorado, or as to any bond or coupon owned by the United States Department of Agriculture, Farmers Home Administration, at the local county office of the Farmers Home Administration, in Mineral or Rio Grande County, Colorado.

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It is hereby recited, certified and warranted that for the payment of this Bond, the Town of Creede has created and will maintain said Fund and will deposit therein out of the income and revenue of the joint system, the amounts and revenue specified in said ordinance, and out of said Fund, as an irrevocable charge and the interest thereon