

TOWN OF GEORGETOWN
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An Act to Incorporate the Town of Georgetown

Be it enacted by the Council and House of Representatives of Colorado Territory:

**ARTICLE I
Incorporation**

Section 1.1. Town established. That the inhabitants of Georgetown, in Clear Creek County, and territory of Colorado, be and are hereby constituted a body politic and corporate, by the name and style of Georgetown, and by that name shall have perpetual succession, and sue and be sued, plead and be impleaded in all courts of law and equity, and may have and use a common seal, and alter the same at pleasure.

Section 1.2. Territory defined. All the territory embraced within the following limits, to-wit: Commencing at a point 530 feet due east (magnetic) from the south-east corner of the south-east block in Georgetown (marked "4" on the plat), and running thence due north for a distance of 5000 feet; thence due west 425 feet; thence due north again 6275 feet to the south and east corner of the town; thence due west for a distance of 2275 feet to the north-west corner of town; thence due south 11275 feet to the south-west corner; thence due east 2700 feet, to the point of beginning, thus including 637 acres, 2 roods, 22 rods, 12 yards, and the same is hereby declared to be within the limits of Georgetown.

Section 1.3. Annexation. Whenever any tract adjoining Georgetown be laid off into town-lots and duly recorded, as may be required by law, the same may be annexed to and become a part of Georgetown.

Section 1.4. Powers. The inhabitants of Georgetown, by the name and style aforesaid, shall have power to sue and be sued, to plead and be impleaded, defend and be defended in all courts of law and equity, and in all actions whatsoever to purchase and receive and hold property, both real and personal, either in or beyond the corporation, for burial grounds and for other purposes, for the use of the inhabitants of Georgetown.

ARTICLE II

Board of Selectmen

Section 2.1. Composition. There shall be a board of selectmen, to consist of a police judge and two selectmen from each ward.

Section 2.2. Term of office. The board of selectman shall consist of two members from each ward in Georgetown, to be chosen by the qualified voters, for two years, and until others shall be legally qualified, save the first election, as hereinafter specified.

Section 2.3. Qualifications. No person shall be a selectman unless at the time of his election he shall have resided within the limits of the corporation one year immediately preceding his election and shall have the requisite qualifications to vote for members of the legislature, and a citizen of the United States.

Section 2.4. Removal from office, compensation restrictions. If any selectman shall, after his election, remove from the corporation, his office shall be declared vacated. The selectmen shall serve without compensation from the corporation funds until there shall be five hundred inhabitants in said corporation.

Section 2.5. Staggered terms established. At the first meeting of the board, the selectmen shall be divided into two classes. The seats of those of the first class shall terminate at the expiration of the first year, and of the second class at the expiration of the second year, so that one half of the board shall be elected annually.

Section 2.6. Judges over membership. The board of selectmen shall judge of the qualifications, elections and returns of their own members, and shall determine all contested elections under this act.

Section 2.7. Quorum, attendance. A majority of the board of selectmen shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and compel the attendance of absent members under such penalties as may be prescribed by ordinance.

Section 2.8. Discipline of members, procedural rules. The board shall have power to determine the rules of its proceedings, punish its members for disorderly conduct, and with the concurrence of two thirds of the members elected, expel a member.

Section 2.9. Journal of proceedings. The board shall keep a journal of its proceedings, and from time to time publish the same, and the ayes and nays when demanded by any member present, shall be entered on the journal.

Section 2.10. No appointments to office, emoluments not to be increased. No selectmen shall be appointed to any office under the authority of the corporation, which shall have been created, or the emoluments of which shall have been increased during the time for which he shall have been elected.

Section 2.11. Vacancies. All vacancies that shall occur in the board of selectmen, shall be filled by election.

Section 2.12. Oath. The police judge and selectmen, before entering upon the duties of their offices, shall take and subscribe an oath or affirmation that they will support the constitution of the

United States, and the organic act of this territory, and that they will well and truly perform the duties of their office to the best of their skill and ability.

Section 2.13. Election tie determinations. Whenever there shall be a tie in the election of selectmen, the judges of election shall certify the facts to the police judge, who shall determine the same by lot, in such manner as shall be provided by ordinance.

ARTICLE III

Office of Police Judge

Section 3.1. Office created, term. The chief executive office of Georgetown shall be a police judge, who shall be elected by the qualified voters of the corporation, and hold his office for one year, and until his successor shall be elected and qualified.

Section 3.2. Police Judge qualifications. No person shall be eligible to the office of police judge, who shall not have been a resident of Georgetown for one year next preceding his election, or who shall be under twenty-five years of age, or who shall not at the time of his election be a citizen of the United States.

Section 3.3. Police Judge removal. If any police judge, during the term for which he shall have been elected, removed from, or shall be absent from the corporation for the space of three months, his office shall be declared vacant.

ARTICLE IV

Elections

Section 4.1. Election day; wards; tie votes. On the fourth Tuesday of January, A.D. 1868, an election shall be held in each ward of said corporation for one justice of the peace, to be nominated police judge for Georgetown, one marshal, two selectmen for each ward, and forever thereafter on the first Monday of April, of each year (except the first Monday of April, A.D. 1868), there shall be an election for one police judge, one marshal, two selectmen from each ward. The probate judge of Clear Creek County shall, on or before the fourth Tuesday of January A.D. 1868, proceed to lay out the territory embraced within the limits of said corporation of Georgetown, into two wards, and fix the boundaries of the same, and shall also provide for holding the first election herein apportioned in the several wards of said corporation, shall fix the place for holding said election in said wards, shall appoint three persons to act as judges of elections, in each of said wards, who shall be sworn, and whose places may be filled in case they do not serve as provided by law in other elections. Said elections shall be held, and returns thereof made, and certificate, in all respects as may be provided by law, in elections for members of the legislature. A copy of said returns of said election shall also be delivered to the probate judge of Clear Creek County, and he shall canvass the same within three days from the time they shall be received, and the person receiving the highest number of votes for the several offices of police judge, marshal, two selectmen from each of said wards, shall be declared by the probate judge of Clear Creek County duly elected to said several offices.

If two or more persons shall, at said election, receive the same number of votes for either of said offices, the probate judge shall decide the same by lot. This shall only apply for the first election to be held on the fourth Tuesday of January, A.D. 1868, and forever after the first election the returns of the

election shall be made to the board of selectmen, who shall determine the election between them by lot.

Section 4.2. Elector qualifications. All male inhabitants over the age of twenty-one years, who are entitled to vote for members of the legislature, and who shall have been actual residents of said corporation ten days next preceding said election, shall be entitled to vote for town officers: Provided, That said voters shall vote in the wards in which they shall respectively reside.

ARTICLE V

Powers of the Board of Selectmen

Section 5.1. Levy, collect taxes. The board of selectmen shall have power and authority to levy and collect taxes for corporate purposes, upon all taxable property, real, mixed and personal, except as hereinafter excepted, within the limits of the corporation, not exceeding one percent per annum upon the assessed value thereof, and may enforce the payment of the same in any manner that may be prescribed by ordinance, not repugnant to the constitution of the United States or the organic act of this territory.

Section 5.2. Bonds, borrowing. The board of selectmen shall have power to require of all officers appointed or elected in pursuance of this act, bonds, with penalty and security for the faithful performance of their respective duties, as may be deemed expedient, and, also, to require of all officers appointed or elected, as aforesaid, to take such oaths or make such affirmations as the board may prescribe, for the faithful performance of the duties of their respective offices, before entering upon the discharge of the same, to establish support and regulate common schools, and to borrow money on the credit of the corporation: Provided, That no sum of money shall be borrowed at a greater interest than twenty percent per annum, nor shall any sum or sums be borrowed as aforesaid, until after the subject shall have been submitted to the legal voters of the corporation, for which purpose a specified election shall be called by the police judge, after giving ten days' notice thereof, and if a majority of the legal voters of said corporation shall be in favor of any such loan, the same may be negotiated, and not otherwise: Provided, further, That the annual interest on the loan effected by the corporation shall not exceed one half the revenue annually derived from the tax levied by said corporation upon the real estate within the limits of said corporation.

Section 5.3. Appropriate funds. To appropriate money, and to provide for the payment of the debts and expenses of said corporation.

Section 5.4. Health regulations. To make regulations to prevent the introduction of contagious diseases within the limits of said corporation, to make quarantine laws for that purpose, and to enforce the same within five miles of the limits of Georgetown.

Section 5.5. Establish, regulate hospitals. To establish hospitals, and make regulations for the government of the same.

Section 5.6. Determine nuisances. To make regulations to secure the general health of the inhabitants: to declare what shall be a nuisance, and prevent and remove the same.

Section 5.7. Water supply. To provide the corporation with water, to erect hydrants and pumps, build cisterns and dig wells in the street for the supply of engines and buckets.

Section 5.8. Provide for streets. To open, alter, abolish, widen, extend, establish, grade, pave, or otherwise improve and keep in repair streets, avenues, lanes and alleys, sidewalks, drains and sewers.

Section 5.9. Establish bridges. To establish, erect, and keep in repair, bridges.

Section 5.10. Establish wards. To divide the corporation into wards, alter the boundaries thereof, and make additional wards, as the occasion may require.

Section 5.11. Establish night police. To establish, support and regulate night police.

Section 5.12. Street lights, lampposts. To provide for lighting the streets, and to erect lampposts.

Section 5.13. Regulate markets, market places. To erect market-houses, to establish markets and marketplaces, and to provide for the regulation thereof.

Section 5.14. Provide buildings for Town use. To provide all needful buildings for the use of the corporation.

Section 5.15. Maintain public property. To provide for enclosing, improving and regulating all public grounds belonging to the corporation.

Section 5.16. License, tax merchants, peddlers. To license, tax and regulate auctioneers, merchants, peddlers, retailers, grocers, taverns, ordinaries, hawkers, brokers, pawnbrokers and money-changers.

Section 5.17. License, tax carriages and wagons. To license, tax and regulate hackneys, carriages, wagons, carts, drays, and fix the rates to be charged for the conveyance of persons, and for wagonage, cartage and drayage of property.

Section 5.18. License, regulate porters. To license and regulate porters' rates of portage.

Section 5.19. License, tax theatrical exhibitions, shows. To license, tax and regulate theatrical and other exhibitions, shows and amusements.

Section 5.20. License, regulate tippling houses, alcohol sales. To license, restrain, regulate, prohibit and suppress tippling houses, dram hops, gambling houses, bawdy houses and other disorderly houses, and the selling and giving away any intoxicating or malt liquors, by any person, within the limits of the corporation, except duly licensed.

Section 5.21. Fire prevention policies, fire companies. To provide for the prevention and extinguishment of fires, to arrange and establish fire companies, and to regulate or prohibit wooden buildings in any part of the corporation.

Section 5.22. Chimney, flue regulation. To regulate the construction of chimneys, and regulate the flues thereof.

Section 5.23. Storage of gunpowder, combustible materials. To regulate the storage of gunpowder, tar, pitch, resin, and other combustible materials.

Section 5.24. Animal restraint, fences, walls. To regulate parapet wells and partition fences, and restrain cattle, hogs, horses, sheep and dogs from running at large.

Section 5.25. Establish weights and measures, fines for violation. To establish standard weights and measures, and to regulate the weights and measures to be used within the limits of the corporation, in all cases not otherwise provided for by law, and to enforce all laws affecting the same, and to determine and enforce the payment of fines for non-compliance or violations of same.

Section 5.26. Measure, inspect building materials. To provide for the measuring and inspection of lumber and other building materials, and for the measurement of all kinds of mechanical labor.

Section 5.27. Regulate inspection of food and whiskey barrels. To provide for and regulate the inspection of beef, pork, flour, meal and whiskey, in barrels.

Section 5.28. Inspect, weigh fuels. To provide for the inspection and weighing of hay, stone-coal, the measurement of charcoal, firewood, and other fuel to be sold and used within the limits of the corporation.

Section 5.29. Inspect butter, lard, provisions. To regulate the inspection of butter, lard and other provisions.

Section 5.30. Census of inhabitants. To provide for taking the number of inhabitants of said corporation.

Section 5.31. Regulate election and removal of officers. To regulate the election of corporate officers, and to provide for removing from office any person holding office created by ordinance, in certain cases.

Section 5.32. Compensation of officers, juror and witness fees. To fix the compensation of all corporate officers, and regulate the fees of jurors, witnesses and others for services rendered under this or any ordinance made in pursuance thereof.

Section 5.33. Establish penalties, fines, regulate police. To regulate the police of Georgetown, to impose fines, forfeitures and penalties for the breach of any ordinance, and to provide for the recovery and appropriation of such fines and forfeitures, and the enforcement of such penalties, and all moneys collected by or under authority of any corporate ordinance, shall be deemed and taken to belong to said corporation, and disposed of by the board of selectmen, under the ordinance of said corporation, for the general use and benefit of the inhabitants thereof.

Section 5.34. Regulate billiard tables, bowling alleys. The board of selectmen shall have exclusive powers within the corporation of Georgetown, by ordinance to license, suppress and restrain billiard tables and bowling alleys.

Section 5.35. Power to pass ordinances. The board of selectmen shall have power to make all ordinances which shall be necessary and proper for carrying into execution, the powers specified in this act, so that such ordinances be not repugnant or inconsistent with the constitution of the United States, or the organic act of this territory.

Section 5.36. Style of ordinances. The style of the corporate ordinances shall be, Be it ordained by the board of selectmen of Georgetown.

Section 5.37. Publication and posting of ordinances. All ordinances of the board of selectmen, shall, within one month after they shall have been passed, be published in some newspaper in the corporation, or posted up in three public places within the limits of said corporation, and shall not be in force until they have been published or posted as aforesaid.

Section 5.38. Print, prove ordinances. All ordinances of the board of selectmen may be proved by the seal of the corporation, and, when printed in book-form or pamphlet-form, and purporting to be printed and published by authority of the corporation, the same shall be read, in evidence, in all courts and places without further proof.

ARTICLE VI

Powers of the Police Judge

Section 6.1. Duties. The police judge shall preside at all meetings of the board of selectmen, and, in cases of a tie, shall have a casting vote, and in no other. in cases of absence of the police judge at any meeting the board of selectmen shall appoint one of their number as chairman, who shall preside at the meeting, but shall not thereby lose his right to vote on any question before the board.

Section 6.2. Calling special meetings. The police judge or any two selectmen may call special meetings of the board of selectmen.

Section 6.3. Management of subordinates, enforcement of ordinances. The police judge shall, at all times, be vigilant and active in enforcing the laws and ordinances for the government of the corporation. He shall inspect the conduct of all subordinate officers of said corporation, and cause negligence or positive violation of duty to be prosecuted and punished. He shall, from time to time, communicate to the selectmen, such information and recommend all such measures as, in his opinion, may tend to the improvement of the finances, the public health, comfort and ornament of Georgetown.

Section 6.4. Call for citizen assistance. He is hereby authorized to call on every male inhabitant of said corporation, over the age of eighteen years, to aid in enforcing the laws and ordinances; and in case of riots, to call out the militia to aid him in suppressing the same, or other disorderly conduct; preventing extinguishing fires, for securing the peace and safety of the inhabitants of the corporation, or carrying into effect any law or ordinance, and any person who shall not obey such call, shall forfeit a fine to said corporation, not exceeding twenty dollars.

Section 6.5. Officers to exhibit records. He shall have power, whenever he shall deem necessary, to require of any of the officers of said corporation an exhibit of his books and papers.

Section 6.6. Executive power. He shall have power to execute all acts that may be required of him by any ordinance made pursuant to this act.

Section 6.7. Powers within 5 miles of Town limits. He shall also have such powers as may be vested in him by ordinance of the corporation in and over all places within five miles of said corporation, for the purpose of enforcing the health and quarantine ordinances and regulations thereof.

Section 6.8. Compensation authorized. He shall receive for his services outside of the corporation, such compensation as shall be fixed by ordinance.

Section 6.9. Indictment for misconduct. In case the police judge shall at any time, be guilty of a palpable omission of duty, or shall wilfully and corruptly be guilty of oppression, misconduct, or

partiality in the discharge of the duties of his office, he shall be liable to be indicted in the district court of the proper county, and, on conviction, he shall be fined not more than one thousand dollars, and the court shall have power, upon the recommendation of the jury, to add to the judgment of the court, that he be removed from office.

ARTICLE VII

Proceedings in Special Cases

Section 7.1. Opening, widening streets by Town, eminent domain. When it shall be necessary to take private property for opening, widening, or altering any public street, lane, avenue or alley, the corporation shall make a just compensation to the person or persons from whom the property is so taken, and when the amount of such compensation cannot be agreed upon, the police judge, shall cause the same to be ascertained by a jury of six disinterested persons, free holders of the corporation.

Section 7.2. Opening, widening streets on owners' petition. When the owners of all the property on a street, lane, avenue, or alley, proposed to be opened, widened, or altered, shall petition therefor, the board of selectmen may open, widen, or alter such street, lane, avenue, or alley, upon conditions to be prescribed by ordinance, but no compensation shall, in such cases, be made to those whose property shall be taken, their tenants, or others, nor shall there be any assessment of damages that may accrue thereby, to any of the petitioners.

Section 7.3. Jury determination of compensation at trials. All jurors impanelled to inquire into, and access the damages to the owner of the property proposed to be taken for opening, widening, or altering any street, lane, avenue, or alley shall first be sworn to well and truly assess such damages, if any, and shall return to the police judge their verdict in writing, signed by such jurors.

Section 7.4. Jury determination of damage. In ascertaining the amount of damages for the property proposed to be taken as aforesaid, the jury shall take into consideration the benefits arising to the owner thereof, by reason of such improvements, as the damages that may accrue by such widening, opening or altering such street, lane, avenue, or alley.

Section 7.5. Verdict set aside. The police judge shall have power for good cause shown within ten days after the verdict shall have been submitted to him as aforesaid, to set aside the same, and cause another jury to be impanelled, who shall, in like manner, assess the damages, if any, and make their return in writing, to the police judge.

Section 7.6. Special improvements tax. The board of selectmen shall have power by ordinance, to levy a special tax on the holders of lots in any street, lane, avenue, or alley, according to their respective fronts, for the purpose of paving, gravelling, or planking sidewalks, and lighting such streets, lanes, avenues, or alleys: Provided, such tax shall not exceed the actual costs of such sidewalks, and lighting, respectively, which tax shall be collected in the same manner as other corporation taxes.

ARTICLE VIII

Miscellaneous Provisions

Section 8.1. Streets maintained by citizens. The board of selectmen shall have power for the purpose of keeping the streets, lanes, avenues and alleys in repair, to require of every male in said

corporation (except clergymen), over the age of twenty-one years, to labor on said streets, lanes, avenues, and alleys, not exceeding three days in each and every year, and every person failing to perform such labor when duly notified by the street commissioners, shall forfeit and pay to said corporation, two dollars for each day so neglected and refused.

Section 8.2. Exempted persons for maintenance. The members of the board of selectmen and firemen, shall, during the terms of office as such, be exempt from working out any road or street tax, and shall likewise be exempt from serving on juries and in the militia of the territory.

Section 8.3. Punishment by imprisonment authority. The board of selectmen shall have power to provide for the punishment of offenders by imprisonment in all cases when such offenders shall fail or refuse to pay the fines and forfeitures that may be assessed against them.

Section 8.4. Fines, penalties to treasury. All fines and forfeitures collected for offenses committed, or penalties incurred within the corporate limits of Georgetown, shall be paid into the treasury of said corporation by the officers collecting the same.

Section 8.5. Annual fiscal report. The board of selectmen shall cause to be published annually, a full and complete statement of all moneys received and expended by the corporation during the preceding year, and on what account received and expended.

Section 8.6. Suits and actions in Town name. All suits, actions and prosecutions instituted, commenced or brought by the corporation hereby created, shall be prosecuted in the name of Georgetown.

Section 8.7. Appeals. Appeals shall be allowed from decisions in all cases arising under the provisions of this act or any ordinance passed in pursuance thereof in the district court, and every such appeal shall be granted in the same manner and with like effect as appeals are taken from and granted by justices of the peace under the laws of the territory.

Section 8.8. Charter a public act, evidence in court. This act is hereby declared to be a public act and may be read in evidence in all courts of law and equity within this territory without proof.

Section 8.9. Repeal of certain ordinances. All acts or parts of acts coming within the provisions of this charter, or contrary to, or inconsistent with its provisions, are hereby repealed.

Section 8.10. Marshal authority to act. The marshal and constables within the corporation of Georgetown, shall be authorized and have power to execute anywhere within the limits of the county wherein said corporation may be located, all process issued by the police judge or other magistrate within the corporation, and the marshal shall have power to do all acts that a constable may lawfully do, and shall receive the same fees that are allowed to constables for similar cases, and shall give bonds as constables are required by law to give.

Section 8.11. Actions for penalties brought in Town name. All actions brought to recover penalties or forfeitures under this act, or any ordinance, by-law or police regulation, made in pursuance thereof, shall be brought in the corporate name, and it shall be lawful to declare in debts for such penalty, fine, or forfeiture, stating the clause of this act, or the by-law, or ordinance under which the penalty or forfeiture is claimed to give the special matter in evidence under it.

Section 8.12. Service by summons. In all prosecutions for violation of any ordinance, by-law, or other regulation, the first process shall be by summons, unless oath or affirmation shall be made for a warrant as in other cases.

Section 8.13. Judgment collection. Execution may issue immediately upon rendition of judgment, and if the defendant has no goods or chattels or real estate within the county whereof the judgment can be collected, the officer rendering such judgment may require the defendant to be confined in jail for a term not exceeding six months; and all persons so committed shall be confined one day for each one dollar of such judgment and costs.

Section 8.14. Jurisdiction of police judge, ordinance violations. The police judge shall have jurisdiction in all cases of violation of the city ordinances, and shall have the same jurisdiction in all civil and criminal proceedings, as is now or shall hereafter be conferred upon other justices of the peace of this territory, and in all courts of this territory, said police judge shall be held to be a justice of the peace, but no change of venue shall be allowed from said police judge to any other justice of the peace for hearing and determination in any case where proceedings shall be commenced against any person or persons for the violation of any corporate ordinance.

Section 8.15. Charter effective date. This act shall take effect and be in force from and after its passage.

Approved January 10, A.D. 1868.

AN ACT

To amend an Act entitled "An Act to Incorporate the Town of Georgetown."

Be it enacted by the Council and House of Representatives of Colorado Territory:

Section 1. That section one of article four, of the act entitled "An act to incorporate the town of Georgetown," approved January 10th, A.D. 1868, be amended by striking out the words "two selectmen," after the word "marshal" and before the word "for," on the fourth line of said section, and inserting in lieu thereof the words "one selectman."

Section 2. The board of selectmen of the said town of Georgetown, shall be authorized and empowered to fill any vacancy in the office of police judge of said town, by appointment; and the person so appointed shall hold said office until the next regular election for said office, and until his successor shall be fully elected and qualified.

Section 3. In case said police judge shall be absent for the space of sixty days or more, from said town of Georgetown, it shall be lawful for said board of selectmen to declare said office vacant, and to fill said vacancy by appointment as aforesaid.

Approved Feb. 11th, A.D. 1870.

AN ACT

To Amend an Act entitled "An Act to Incorporate the Town of Georgetown," Approved January 10th, A.D. 1868.

Be it enacted by the Council and House of Representatives of Colorado Territory:

Section 1. That an act entitled "An Act to Incorporate the Town of Georgetown," approved January 10th, A.D. 1868, be, and the same is hereby amended, as follows, to-wit: That the board of selectmen of Georgetown shall have power, and are hereby authorized, to make all reasonable and prudential ordinances and police regulations for the government of said corporation.

Section 2. To declare by ordinance what shall be a misdemeanor, and punish the same by a fine and imprisonment.

Section 3. That all laws which may be passed by the Legislative Assembly of the Territory of Colorado, in relation to the registration and qualifications of electors, shall be taken and held to apply to the electors, and all elections held under the charter of Georgetown, or any ordinance made in pursuance thereof.

Section 4. That the word "police", be stricken out of section eleven (11) of article five (5) of said act, and the word "watchers" inserted in lieu thereof.

Section 5. That the board of selectmen of Georgetown, shall have power to provide by ordinance for the appointment of a town clerk, town attorney, town treasurer, town collector, town assessor, town surveyor, police officers and all other officers necessary to enforce and carry into effect the provisions of this act, and the act to which this is an amendment, and the ordinances of said Georgetown, and to provide for their compensation and duties, and the time for which they shall hold their respective offices, and their removal from office; also to provide by ordinance, for the removal from office of the town marshal for any omission or neglect of his duty, and to fill all vacancies which may occur by reason of such removal, until the next general election.

Section 6. That the police judge of Georgetown, is hereby authorized to make appointments of special police officers.

Section 7. To provide the corporation with water, to erect hydrants and pumps, build cisterns and dig wells in the streets for the supply of engines and buckets; to provide for and regulate the manner or introducing water into Georgetown, and to regulate and provide for constructing ditches, canals, gutters, and the laying of water pipes for conducting and distributing water through the corporation, and to regulate the use of water by the inhabitants thereof for any and all purposes.

Section 8. That the board of selectmen of Georgetown, shall have power to license all dogs owned or kept within the corporation, not to exceed ten dollars upon each and every dog, whether male or female, and for the purpose of enforcing the collection of the same are hereby authorized to prosecute the owners and keepers of dogs, and kill and destroy dogs in such manner as they may determine by ordinance.

Section 9. To provide for the removal of buildings when erected or allowed to remain in any locality contrary to the ordinances of said Georgetown; to regulate and prevent the carrying on of manufactures dangerous in causing or producing fires, or dangerous or injurious to health; to appoint fire wardens and property guards, with power to remove and keep away from the vicinity of the fire, all idle and suspicious persons lurking near the same, and compel any person or persons present to aid in extinguishing such fire, or in the preservation of property exposed to the damage of the same, and in

preventing goods or property from being purloined thereat, and with such other powers and duties as may be prescribed by ordinance.

Section 10. That the board of selectmen of Georgetown shall have power to provide by ordinance for the punishment of offenders by imprisonment, in all cases where said offenders shall fail or refuse to pay the fines or forfeitures which may be recovered against them, and also to provide by ordinance for all persons so fined to work out the said fines and costs, on the streets of said Georgetown, or in such other way or manner as they may provide.

Section 11. To remove all obstructions from the streets, lanes, alleys and avenues of Georgetown, and from the sidewalks and curbstones in said corporation.

Section 12. To provide for the construction and repair of all sidewalks, and for clearing the same, and of the gutters, at the expense of the owners of the ground fronting the same.

Section 13. That the board of selectmen of Georgetown shall have power to prohibit gambling, and gambling houses, bawdy houses, and all disorderly houses, and houses wherein lewd persons assemble for dancing.

Section 14. That the board of selectmen of Georgetown shall have power to license, restrain, regulate, prohibit and suppress saloons, tippling houses, dram shops and all places wherein vinous, spirituous, malt or fermented liquors are vended, and all places of amusement; and to prohibit the selling and giving away any vinous, spirituous, malt or fermented liquors by any person or persons, in said corporation except duly licensed.

Section 15. To prohibit and suppress saloons, tippling houses, dram shops, and all places where vinous, spirituous, malt or fermented liquors are vended, and all disorderly houses, and all places of amusement on the Sabbath and on days of election; and the selling and giving away of any vinous, spirituous, malt or fermented liquors on said Sabbath and days of elections, within said corporation by any person or persons whether licensed to vend vinous, spirituous, malt or fermented liquors or not.

Section 16. That all ordinances of the board of selectmen of Georgetown heretofore passed, and in accordance with and agreeable to the provisions of this act, are hereby declared to be legal and valid and in full force and effect.

Section 17. That this act is hereby declared to be a public act, and may be taken in evidence in all courts of law and equity within the Territory without proof.

Section 18. That all acts or parts of acts coming within the provisions of this act or contrary to, or inconsistent with its provisions, are hereby repealed; but nothing contained in this act shall in any manner affect or impair any proceeding had or done and now pending under the acts to which it is an amendment, or any right or privileges acquired under said acts, and this act may be repealed, altered or amended by the Legislature at any time hereafter.

Approved January 30th, 1872.

TOWN OF GEORGETOWN

(S.B. 26)

A N A C T

To Amend Section 8, Article V of an Act to Incorporate the Town of Georgetown, Approved January 10, 1868.

Be It enacted by the General Assembly of the State of Colorado:

Section 1. That Section 8, of Article V, of "An Act to incorporate the town of Georgetown," approved January 10, 1868, be, and the same is hereby amended so as to read as follows:

Sec. 8. To open, alter, abolish, widen, extend, establish, grade, pave or otherwise improve and keep in repair streets, avenues, lanes, alleys, sidewalks, drains, and sewers.

Section 2. That whenever the owner of two-thirds of the lot frontage upon any street, alley or block or any specified part thereof shall petition the board of selectmen for the construction of any sidewalk or when the board of selectmen shall order any sidewalk fronting any lot or block or specified portion thereof to be constructed, reconstructed, or repaired the board of selectmen shall have power to have such work done and shall cause the same to be done in the following manner: Upon being so petitioned the board of selectmen shall or at any other time may by resolution, order the construction, reconstruction or repair of any sidewalk, or sidewalks in Georgetown upon any street or streets and upon the passage of any such resolution the town clerk shall, by advertisement for ten successive days or two successive weeks, in some newspaper published in the town of Georgetown notify the owners of property adjacent to and abutting upon the sidewalk so ordered to be constructed, reconstructed or repaired as the case may be to construct, reconstruct, or repair the same in accordance with the requirements of and in the time provided by the ordinance concerning sidewalks. Provided, that the owner of such property shall have not less than thirty days in which to construct nor less than ten days in which to repair any sidewalk. If the owner of such property shall fail within the time specified by the ordinance concerning sidewalks to so construct, reconstruct or repair the same then as soon as practicable the same shall be constructed, reconstructed or repaired by the street commissioner of Georgetown. An accurate account shall be kept by the street commissioner of the cost of construction, reconstruction or repair of any such sidewalk and a full report made by him as soon as the same is completed, to the board of selectmen of Georgetown, setting out each lot, piece or parcel of land in front of which he has constructed, reconstructed or repaired the same together with the cost of the same and the name of the owner. If the cost for constructing such sidewalk be not paid by the owner of the lot so improved within thirty days after the report of the street commissioner the board of selectmen upon a notice to the owner of the lot so improved by publication for ten successive days, or two successive weeks in some newspaper published in Georgetown, and after hearings shall assess the respective amounts due to each lot for such construction, reconstruction or repair of the sidewalk adjacent to the same and interest at 20 percent, as penalty thereon to defray the cost of collection upon the lot which assessment shall be certified by the clerk of Georgetown to the county clerk of Clear Creek County Colorado and by him placed upon the tax list for the current year as a special assessment against each of the lots named which assessment shall be collected in the same manner as general taxes are now collected and the assessment upon each lot shall be a lien upon the same until it shall be paid.

Section 3. That Section 12 of "An act to amend an act entitled 'An act to incorporate the town of Georgetown' approved January 10, 1868, approved January 30, 1872," be and the same is hereby repealed.

Approved March 30th, 1891.

Chapter 163

TOWNS AND CITIES

Georgetown

(H. B. No. 266, by Mr. Crist.)

A N A C T

TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF GEORGETOWN," APPROVED JANUARY 10th, 1868, AND AMENDED BY AN ACT, APPROVED FEBRUARY 11th, 1870.

Be It Enacted by the General Assembly of the State of Colorado:

Sec. 1. That section 2 of article 2 of an act entitled "An Act to Incorporate the Town of Georgetown," approved January 10th, 1868, be and the same is hereby amended to read as follows:

Section 2. The board of selectmen shall consist of two members from each ward in Georgetown, to be chosen by the qualified voters for four years, and until their successors shall be legally qualified.

Sec. 2. That section 5 of article 2 of the aforesaid act be and the same is hereby amended to read as follows:

Section 5. The selectmen shall be divided into two classes. The seats of those of the first class shall terminate on the first Monday of April, 1917, and on the first Monday of April every fourth year thereafter, and of the second class, on the First Monday of April, 1919; and, on the first Monday in April every fourth year thereafter, so that one-half of the board shall be elected every two years.

Sec. 3. That section 1 of article 3, of the aforesaid act, be, and the same is hereby amended to read as follows:

Section 1. The chief executive officer of Georgetown shall be a police judge, who shall be elected by the qualified voters of the corporation, and hold his office for two years, and until his successor shall be elected and qualified.

Sec. 4. That section 1 of article 4, of the aforesaid act, as amended by section 1 of an act, approved February 11th, 1870, be, and the same is hereby amended to read as follows:

Section 1. On the first Monday of April, 1915, and on the same day every two years thereafter, an election shall be held in each ward of said corporation, for one police judge for

Georgetown, and one selectman from each ward. The term of selectman elected on the first Monday of April, 1914, is hereby extended and shall continue to the first Monday of April, 1917. If two or more persons shall, at an election, receive the same number of votes for either of said offices, the board of selectmen shall determine the election between them by lot. The returns of the elections shall be made by the board of selectmen.

Sec. 5. The General Assembly hereby finds, determines and declares that this act is necessary for the immediate preservation of the public health and safety.

Sec. 6. In the opinion of the General Assembly, an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved: March 3, 1915.

Town of Georgetown

(H. B. No. 315)

A N A C T

To Amend an Act to Incorporate the Town of Georgetown, Approved January 10, 1868.

Be It Enacted by the General Assembly of the State of Colorado:

Section 1. That all sections or clauses of the charter of Georgetown, or of the amendments thereto which confer power upon its Board of Selectmen, to levy taxes for corporate purposes, be and the same are hereby repealed; and said town of Georgetown, by its Board of Selectmen, shall in the year 1919, and every year thereafter, levy taxes for corporate purposes in the same manner, form, at the time, and the levy shall be for the amount, as is now provided, or maybe hereafter provided, by the General Laws of the State of Colorado governing the levying of taxes by cities and towns in this state.

Provided, however, that the tax levy for city purposes shall not exceed twenty mills on each dollar of assessed valuation.

Approved: March 19, 1919.

TOWN OF GEORGETOWN

(S.B. 283)

A N A C T

To Amend Section 2, Article V of an Act to Incorporate the Town of Georgetown, Approved January 10, 1868.

Be It enacted by the General Assembly of the State of Colorado:

Section 1. That the charter of the Town of Georgetown is hereby amended by the addition of the following subsections to Article V, Section 2:

(a) The Board of Selectmen of the Town of Georgetown are authorized to acquire, improve and extend a municipal waterworks system, a sewer system, or both a waterworks and a sewer system, the cost to be defrayed by the issuance of bonds payable from the revenues of either or both of said systems, said bonds to be issued in accordance with the provisions of Article 52, Chapter 139, Colorado Revised Statutes 1953, as from time to time amended.

(b) The bonds so authorized may be issued without submitting the question of their approval to the electors, may be sold at public or private sale, and the amount thereof shall not be included in the computation of any limitation on indebtedness otherwise applicable.

Approved: April 11, 1963

TOWN OF GEORGETOWN

(S.B. 329)

A N A C T

To Amend an Act to Incorporate the Town of Georgetown, Approved January 10, 1868.

Be It enacted by the General Assembly of the State of Colorado:

Section 1. Section 2 of Article IV of "An Act to Incorporate the Town of Georgetown", approved January 10, 1868, is amended to read:

Section 2. Any person who on the day of election is at least eighteen years of age, a citizen of the United States and a resident of the town is an elector of the town as further provided for cities and towns organized under the general laws of the state of Colorado by the "Colorado Municipal Election Code of 1965", as from time to time amended and supplemented, and the Colorado and United States Constitutions, as from time to time amended and supplemented, and shall be entitled to vote for town officers and at other town elections.

Section 2. Section 2 of Article V of "An Act to Incorporate the Town of Georgetown", approved January 10, 1868, as amended by section 1 of chapter 146, Session Laws of Colorado 1963, is repealed and reenacted, with amendments, to read:

Section 2. (a) The board of selectmen shall have power to require of all officers appointed or elected in pursuance of this act, bonds, with penalty and security for the faithful performance of their respective duties as may be deemed expedient, and, also, to require of all officers appointed or elected as aforesaid, to take such oaths or make such affirmations as the board may prescribe for the faithful performance of the duties of their respective offices, before entering upon the discharge of the same.

(b) The board of selectmen shall have the power to contract any indebtedness on behalf of Georgetown and upon the credit thereof by borrowing money or issuing the bonds of Georgetown for any public purpose of Georgetown in like manner and upon like terms, prerequisites, conditions, and limitations applicable to cities and towns organized under the general laws of the State of Colorado pertaining to municipalities, as set forth in Section 139-32-1 (7), C.R.S. 1963, as from time to time amended and supplemented, except as may be otherwise provided in this Section 2; provided, that the board of selectmen specifically may pledge to the payment of such

indebtedness any or all of the proceeds derived from any sales tax, use tax and gross receipts tax imposed by Georgetown pursuant to any general or special statute. As used in this paragraph (b) "public purpose" includes but is not necessarily limited to: Supplying gas, water and electricity and sanitary and storm sewer service; the purchase, construction, extension and improvement of public street, buildings, facilities and equipment; and supplying a temporary deficiency in the revenue for defraying the current expenses of Georgetown.

(c) The board of selectmen shall have the power to contract any indebtedness on behalf of Georgetown and upon the credit thereof by issuing refunding bonds of Georgetown for the purpose of refunding any of the bonded indebtedness of Georgetown, whether due or not, in like manner and upon like terms, prerequisites, conditions, and limitations applicable to cities and towns organized under the general laws of the state of Colorado pertaining to municipalities set forth in Article 44 of Chapter 139, C.R.S. 1963, as from time to time amended and supplemented, including but not necessarily limited to the provisions for establishment of an escrow for payment of the refunded indebtedness as provided in Section 139-44-10, C.R.S. 1963, as from time to time amended and supplemented, except as may be otherwise provided in this Section 2; provided, that there may be pledged to such refunding bonds any of the sales tax, use tax and gross receipts tax as permitted by subsection (b) of this Section 2.

(d)(i) The board of selectmen of the Town of Georgetown are authorized to acquire, purchase, improve and extend a municipal water system, a sewer system, or both a water and a sewer system, or a joint water and sewer system, the cost to be defrayed by the issuance of bonds payable from the revenues of either or both of said systems, said systems, said bonds to be issued in like manner, and upon like terms, prerequisites, conditions, and limitations applicable to cities and towns organized under the general laws of the State of Colorado pertaining to municipalities as set forth in Article 52 of Chapter 139, C.R.S. 1963, as from time to time amended and supplemented, except as may be otherwise provided in this Section 2.

(ii) The board of selectmen are authorized to issue water, or sewer or joint water and sewer refunding revenue bonds to refund, pay or discharge all or any part of Georgetown's water, sewer or joint water and sewer revenue bonds or general obligation bonds which are secured by a pledge of revenues of Georgetown's water, sewer or water and sewer systems, heretofore or hereafter issued pursuant to the charter of Georgetown or under any other law, including interest thereon in arrears or about to become due or for the purpose of reducing interest costs or effecting other economics or of eliminating restrictive contractual limitations appertaining to the issuance of additional bonds or to the water system, sewer system or both water and sewer systems or the joint water and sewer system. Such revenue refunding bonds may be payable from the revenues of either or both of such systems or the joint water and sewer system and except as may be otherwise provided in this Section 2 may be issued in like manner and upon like terms, prerequisites, conditions and limitations applicable to cities and towns organized under the general laws of the State of Colorado pertaining to municipalities, as set forth in Article 52 of Chapter 139, C.R.S. 1963, as from time to time amended and supplemented, including but not limited to the establishment of an escrow for payment of the refunded bonds as provided in Section 139-52-12, C.R.S. 1963, as from time to time amended and supplemented.

(iii) Such revenue bonds authorized for original purposes under paragraph (i) of this subsection (d) and such revenue bonds issued for refunding purposes under paragraph (ii) of this subsection (d) may be issued without submitting the question of their approval to the electors, and the amount

thereof shall not be included in the computation of any limitation of indebtedness otherwise applicable.

(e) Any bonds issued or obligations incurred pursuant to this Section 2 of Article V of the charter of Georgetown may be sold at public or private sale and at, above or below par at a net effective interest rate which shall not exceed the net effective interest rate specified in the ordinance authorizing such bonds or obligations or, in the case of new indebtedness which requires an election, in the resolution submitting the question of incurring the indebtedness.

Section 3. Section 3 of the Act, approved January 30, 1872, which is entitled "An Act to Amend 'An Act to Incorporate the Town of Georgetown'. Approved January 10th. A.D. 1868", is amended to read:

Section 3. That the "Colorado Municipal Election Code of 1965", as from time to time amended and supplemented, and the Colorado and United States Constitutions, as from time to time amended and supplemented, in relation to the registration and the terms, prerequisites, conditions and limitations applicable to calling, giving notice of, conducting and canvassing municipal elections shall be taken and held to apply to the electors, and all elections held under the charter of Georgetown, or any ordinance made in pursuance thereof.

Section 4. "An Act to Incorporate the Town of Georgetown", approved January 10, 1868, is amended by the addition of the following Section 39 to Article v of the charter of Georgetown to read:

Section 39. The Board of selectmen may impose a sales and use tax and other excise taxes in like manner and subject to same terms, prerequisites, conditions and limitations applicable to cities and towns organized under the general laws of the State of Colorado, as set forth in Article 10 of Chapter 138, C.R.S. 1963, as hereafter amended and supplemented from time to time, and as set forth in any other appropriate general legislation whether heretofore or hereafter enacted.

Section 5. Section 1 of chapter 94, Session Laws of Colorado 1919, which amended the "Act to Incorporate the Town of Georgetown", approved January 10, 1868, is amended to read as follows:

Section 1. That all sections or clauses of the charter of Georgetown, or of the amendments thereto, which confer power upon its Board of Selectmen, to levy general ad valorem taxes for corporate purposes in the same manner, form, at the time, and the levy shall be for the amount, as is now provided, or may be hereafter provided, by the General Laws of the State of Colorado governing the levying of such taxes by cities and towns in this state.

Provided, however, that the tax levy for city purposes shall not exceed twenty mills on each dollar of assessed valuation; except that such general ad valorem taxes may be levied without limitation as to rate or amount for the payment of the principal, interest or any prior redemption premium in connection with the debt or indebtedness of Georgetown.

Section 6. Validation. All bonds of Georgetown issued prior to the effective date of this date of this act as. validated, ratified, approved, and confirmed.

Approved: June 22, 1973

TOWN OF GEORGETOWN

(S.B. 290)

A N A C T

To Amend an Act to Incorporate the Town of Georgetown, Approved January 10, 1868.

Be It enacted by the General Assembly of the State of Colorado:

**ARTICLE VIII
SPECIAL IMPROVEMENT DISTRICTS**

Section 1. Notwithstanding any other provision of law or this Charter to the contrary, the provisions of Part 5 of Article 25 of Title 31, Colorado Revised Statutes 1973, as from time to time amended and supplemented, concerning the creation and operation of special improvement districts within municipalities, shall apply to the Town of Georgetown, and the governing body of the Town of Georgetown shall have all the rights, powers, and obligations as set forth in said statutes; except that:

(a) Special assessment bonds issued by the Town of Georgetown pursuant to said statutes may be in registered or bearer form, with or without interest coupons, be subject to such conditions for transfer, be subject to such provisions for conversion as to denomination or to bearer or registered form, be made registrable or payable, or both, by the treasurer or other officer of the Town, or by a trustee, registrar, paying agent, or transfer agent within the United States, be issued, transferred, and registered by such book entry, be in such denomination or denominations, bear such dates, signatures, and authentications, and be held in custody by a depository within the United States, all as may be determined by the Town in the ordinance authorizing issuance of such special assessment bonds;

(b) Payment at designated due dates or in installments may be required by the authorizing proceedings to be by check, draft, or other medium of payment, and need not be conditioned upon presentation of any bond or coupon; and

(c) Signatures may be manual or facsimile, but each bond shall bear at least one manual signature, which may be that of an official of the Town or of the trustee, registrar, or transfer agent.

Approved: May 26, 1983