

Ordinance

An Ordinance, Concerning Weights and Measures, Vendors of Meats, Fish, Poultry, Grain, Wood, &c. Also providing for Inspectors and for Sealers of Weights and Measures;

Be it enacted by the Board of Trustees of the Town of Brunswick, Section I: To regulate the vending of hay, straw, fodder and other feed of animals; To regulate the vending of meats, poultry, vegetables, fruits, fish, flour, oats, milk and all other food or food products, and all kinds of provisions sold at wholesale or retail, in packages or otherwise; To prohibit the sale of every kind of transverse, uncooked or uncooked meat, poultry, vegetables, fruit, fish, flour, oats, milk and all other food or food products and all kinds of provisions sold by wholesale or retail; To direct and regulate the inspecting and receipting of all meats, poultry, vegetables, fruits, fish, flour, meat, oats, milk and all other food products and all kinds of provisions and provisions sold at wholesale or retail, in packages or otherwise; To direct and regulate the measuring, gauging or receipting of all provisions, food or other products, liquid or solid, sold by measure or weight at wholesale or retail in packages or otherwise; To regulate the Weights and measures used in said Town, and compel every merchant, retailer, trader and dealer in merchandise, provisions or articles of every description which are sold by measure or weight, to use measures and weights to be sealed by the Town Sealer and to be subject to his inspection and alteration, so as to be made conformable to the standards of Weights and Measures established by the General Laws of the State of Colorado. To direct and regulate the inspecting and measuring of wood, lumber, shingles, timber, posts, staves and all building material, the inspecting, receipting and measuring of coals and all kinds of coal, and the inspecting of hay, straw, fodder and all other feed products for animals; To impose a reasonable license fee upon the persons, firms, corporations or associations engaged in any of the aforesaid lines of business, Provided: That nothing herein contained, shall restrain in any way or license the sale of fresh or refrigerated meats by the quarter within the Town limits, nor to prohibit any Farmer, Fruit Grower, or Rancher from selling without a license a product of his own farm, Fruit garden or ranch within said Corporate limits, or any person, firm, corporation or association, from selling articles or products of his, its, or their own growth or manufacture. Nothing herein contained shall be construed to authorize the inspecting, receipting or gauging of any articles or products which is to be shipped beyond the limits of the State.

Section II. The office of the Sealer of Weights and measures of the Town of Brunswick, is hereby created and established. The said Sealer of Weights and measures shall derive his title to the duties of said office, and Fees and force all scales, beams, weights and measures used in said Town for the purpose of buying and selling, and shall perform all of the duties required of him by the Ordinances of the Town. It shall be the duty of said Sealer of Weights and Measures, to receive complaints and prosecute for each

and every violation of the Ordinance of the Town of Brunswick, or of the laws of the State of Virginia, relative to weights and measures, and to appear to the said Board of Trustees at each and every regular meeting of said Trustees, in writing, in person, his wife and family for the month next preceding.

Section III. The Board of Trustees of the Town of Brunswick, shall, as soon as practicable after the passage of this Ordinance, and at the first regular meeting of the Board of Trustees, after the commencement of the fiscal year April 1st, each and every year, or as soon thereafter as may be practicable, designate, elect and appoint the Sealer of Weights and Measures whose tenure of office shall be for the year next ensuing, or during his good behavior, and until his successor shall be elected and qualified. The salary of said Sealer of Weights and Measures shall be determined upon by the Board of Trustees at the time of his election, said salary to be paid by the Town Recorder, authorized by the Mayor, upon warrants drawn by the Town Recorder, countersigned by the Mayor, upon the General Fund of said Town.

Section IV. The said Board of Trustees shall establish and maintain public scales and require the vendors of real and other articles of merchandise, sold in bulk, to bring the same upon said public scales before delivering the same to their customers or vendees.

Section V. That the weights and measures accepted and used by the Government of the United States and the State of Virginia, at the present time, shall be deemed the lawful standard of weights and measures of the Town of Brunswick.

Section VI. It shall be the duty of the Sealer of Weights and Measures, after entering upon the duties of his office, to procure as soon as possible from the Townsman of the City, copies or duplicates of said weights and measures.

Section VII. That all vendors and Traders in goods, wares and merchandise and other articles of traffic, necessaries and commodities, shall within thirty (30) days after the establishment of public scales of the said Town of Brunswick, have their balances, weights and measures compared with the standards of the said Town scales and approved and marked thereon, to be sealed with the initial letter of the Town visited thereon or condemned by him if found incorrect.

Section VIII. That the Sealer of Weights and Measures shall before entering upon the duties of office, enter into a Bond to the Town of Brunswick in the sum of Two Thousand (\$2000) dollars to be approved by the Board of Trustees for the faithful performance of the duties of his office.

Section IX. That the Board of Trustees shall make out a list of fees to be charged by said Sealer of Weights and Measures, and which said fees shall be as follows:

Section X. That it shall be the duty of the Board of Trustees of said Town, to furnish the Sealer with an office or weighing station, necessary office equipment, furniture, tools, scales and weights which he may require

in the performance of his duties, to be paid for out of the General Fund of said Town.

Section VI That all persons engaged in the retailing of coal or coke, within the corporate limits of the Town of Brunswick, shall furnish the consumer or purchaser, if an inhabitant of the said Town of Brunswick, of coal or coke to the amount of one half of a ton or more, a certificate of weight signed by the Sealer of Weights and Measures.

Section VII The certificate of weight provided for in section eleven of this ordinance shall plainly state, The net weight of the wagon, sled or cart on which the coal or coke is loaded, The net weight of the coal or coke on the said cart, sled or wagon, The total weight of the coal or coke and wagon, sled or cart. The license number or name of the Driver delivering the coal or coke, The name of the Dealer, The name of the Weight Master, The date of the certificate, and official seal of Town inscription.

Section VIII Any Dealer or Driver of any wagon, sled or cart delivering coal or coke without the official certificate of the Town Weightmaster of the public scales of said Town of Brunswick, shall upon conviction be fined not less than Five (\$5.00) dollars and not over Forty five (\$45.00) dollars together with costs of suit for each and every offense.

Section IX Any Driver of a wagon, sled or cart, who may be found delivering coal or coke, of a less weight than the certificate calls for shall upon conviction, be fined not less than Twenty five (\$25.00) dollars and cost of suit or confined in the Town jail for a period of thirty days, or both in the discretion of the Court.

Section X Any Sealer of Weights and Measures who may be found giving a false certificate shall, on conviction, be fined not less than fifty (\$50.00) dollars and not more than One hundred (\$100.00) dollars together with costs of suit for each and every offense.

Section XI After this Ordinance shall take effect, a load of wood shall be one cord, or in multiples thereof, and if any delivery of wood shall be more or less than one cord, the purchaser thereof, shall pay for same according to the number of cubic feet actually delivered, and not by the load.

Section XII That all persons engaged in the retailing of wood, within the corporate limits of the Town of Brunswick, shall furnish the consumer or purchaser, if an inhabitant of said Town of Brunswick, to the amount of a half of one cord or more, a certificate of measure, which certificate shall plainly state, The number of cubic feet in the cart, wagon or sleigh, The license number or name of the Driver of said wagon, cart or sleigh, The name of the Dealer, The name of the Town Sealer of Weights and Measures, The date of the certificate, The official seal of the office of Town Sealer of Weights and Measures.

Section XIII Any person or persons who shall violate the provisions of this Ordinance relating to the vending of wood shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than \$5.00 nor more than \$25.00 for each and every offense committed together with costs of suit.

Section XIX It shall be the duty of the Police Magistrate of the Town of Broadwindege, if complaint be made to him, of any violation of this Ordinance, to direct the Town Attorney to institute and prosecute any and all suits for any violation of this ordinance.

Section XX All fines imposed and collected for the violation of the provisions of this ordinance shall be paid into the Town Treasurer for the use of the people of said Town.

Section XXI All ordinances or parts of ordinances, of a general character, passed by the Board of Trustees of the Town of Broadwindege, as well as ordinances of a special character, which may be inconsistent with the provisions of this Ordinance, are hereby repealed.

Provided: That all rights acquired and all suits, actions or proceedings pending, or founded in point of time prior to the date hereof, shall be maintained and prosecuted unaffected and unimpaired by the provisions of this Ordinance.

Section XXII This Ordinance shall take effect and be in force from and after the 24th day of September A.D. 1910.

Passed by the Board of Trustees at their regular meeting held September 17th A.D. 1910.

(Seal) W. F. Neuge
Town Clerk & Recorder

S. H. Hall
Mayor