

ORDINANCE NO. 1, 1931

BEING AN EMERGENCY ORDINANCE CALLING AND PROVIDING FOR A SPECIAL ELECTION TO BE HELD IN THE CITY OF FORT COLLINS, COLORADO, ON TUESDAY, THE 21ST DAY OF APRIL, A. D. 1931, FOR THE SUBMISSION TO A VOTE OF THE QUALIFIED ELECTORS OF THE CITY OF FORT COLLINS FOR ADOPTION OR REJECTION, A PROPOSED INITIATED ORDINANCE, BEING AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 13 OF 1927, WHICH ORDINANCE AMENDED SECTION 2 OF ORDINANCE NO. 10 OF 1905, BEING AN ORDINANCE IN RELATION TO THE OBSERVANCE OF SUNDAY.

WHEREAS, a petition has heretofore on March 5, 1931, been filed with the City Clerk under and by virtue of Article XV of the Charter of the City of Fort Collins, requesting the City Council to adopt an Ordinance amending Section 2 of Ordinance No. 13 of 1927, being an ordinance amending Section 2 of Ordinance No. 10 of 1905, the latter being an ordinance in relation to the observance of Sunday, so as to permit on said day the operation of swimming pools, tennis courts, golf and croquet grounds and similar places of recreation, concerts and similar musical entertainment and theatres and motion picture shows between the hours of 1:00 P. M. and 11:30 P. M.; and

WHEREAS, pursuant to the said Charter of the City of Fort Collins, the City Clerk made a careful check of said petition and filed his certificate on March 10, 1931, finding that said petition was signed by twelve hundred ninety-two (1292) qualified electors of the said City, the same being more than twenty-five per centum of all the votes cast in the said City for Governor of the State of Colorado at the general election held November 4th, 1930, which total vote was certified by the County Clerk of Larimer County as forty-two hundred forty-six (4246); and

WHEREAS, on March 13, 1931, the certificate and report of the said City Clerk was transmitted to the City Council; and

WHEREAS, after due consideration on the 20th day of March, 1931, of said petition, together with the report and certificate of the said City Clerk thereon, the Council deemed it advisable to submit said proposed initiated ordinance to the vote of the qualified electors of said City of Fort Collins at a special election.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT COLLINS

Section 1. That the Commissioner of Safety and Ex-Officio Mayor and the City Clerk are hereby authorized and directed to call a special election of the qualified electors of the City of Fort Collins pursuant to authority contained in Section 3 of Article XV of the Charter of the City of Fort Collins, which said election shall be called to be held in all wards and voting precincts of the said City, on the 21st day of April, 1931 as provided by law, and that there be submitted to the vote of said qualified electors the matter of the adoption or rejection of said proposed initiated ordinance, amending Section 2 of Ordinance No 13 of 1927, being an ordinance amending Section 2 of Ordinance No. 10 of 1905, the latter being an ordinance in relation to the observance of Sunday, and is in words and figures as follows, to-wit

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

Section 1. That Section 2 of Ordinance No. 13 of 1927 being an ordinance amending Section 2 of Ordinance No. 10 of 1905, being an ordinance in relation to the observance of Sunday be, and the same is hereby amended to read as follows.

"Section 2 It shall be unlawful for any person or persons, on said day, Sunday, to keep open any public billiard hall, pool room, bowling alley, or other public place of recreation or amusement, excepting museums, art exhibitions, libraries, swimming pools, tennis courts, golf and croquet grounds and similar place of recreation, concerts and similar musical entertainments, and excepting further theatres and motion picture shows, which shall be permitted between the hours of 1 00 P M and 11 30 P M "

Section 2 The form of the ballot at said election shall be as follows

INSTRUCTIONS TO VOTERS-- A voter wishing to vote in favor of the adoption of the following proposed ordinance shall place a cross (X) mark in the space opposite the words "For the Ordinance " A voter wishing to vote against the adoption of the following proposed ordinance shall place a cross (X) mark in the space opposite the words "Against the Ordinance " If you wrongly mark, tear or deface this ballot, return it to the Judge of Election and obtain another.

People's Ordinance No. 2,	
being an initiated ordinance,	For the
amending Section 2 of Ordinance	Ordinance
No. 13 of 1927, which Ordinance	.
amended Section 2 of Ordinance No.	
10 of 1905, being an Ordinance in	Against the
relation to the observance of Sunday	Ordinance

The proposed Ordinance upon which you are voting amends Section 2 of the former Ordinance, so as to read

"Section 2 It shall be unlawful for any person or persons, on said day, Sunday, to keep open any public billiard hall, pool room, bowling alley, or other public place of recreation or amusement, excepting museums, art exhibitions, libraries, swimming pools, tennis courts, golf and croquet grounds and similar places of recreation, concerts and similar musical entertainments, and excepting further theatres and motion picture shows, which shall be permitted between the hours of 1 00 P M and 11 30 P M "

Section 3 Said special election shall be held in the following precincts and wards in said City at the following places, to-wit

Precinct 1, Ward 1,	City Hall
Precinct 1, Ward 2,	Dodge Garage, 218 W Mountain Avenue
Precinct 2, Ward 2,	LaPorte Avenue School
Precinct 1, Ward 3,	Court House
Precinct 2, Ward 3,	Junior High School
Precinct 3, Ward 3,	Washington School.
Precinct 1, Ward 4,	First Christian Church
Precinct 2, Ward 4,	Bethlehem Evangelical Lutheran Church, 300 Whedbee Street
Precinct 1, Ward 5,	State Armory
Precinct 2, Ward 5,	Lincoln School

and the City Council is hereby authorized and directed to appoint the necessary Judges and Clerks for each of said precincts and wards as required by law and the City Charter to conduct said election in said precincts and wards

Section 4 The polls shall be open at the hour of 7 00 A M and shall be open continuously during the day of the election, and shall close at 7 00 P M. of said day

Section 5. The City Clerk of the City of Fort Collins is hereby authorized and directed to provide the necessary ballots, registration lists, poll books, all blanks and supplies required for the proper conduct of said election and to secure the necessary voting places in which to hold said election and shall do and perform all other duties required by the laws of Colorado and the City Charter in a general election of City officers so far as the same are applicable in the conduct of this special election.

Section 6. The said special election shall be held and conducted as provided by the laws of the State of

Colorado and the City Charter and registration for said election may be had as provided by law and request shall be made upon the County Clerk and Recorder of Larimer County, Colorado to give notice by publication in a daily newspaper in said City of registration at his office at the Court House in the City of Fort Collins for a period of ten (10) days prior to the beginning of said registration, and said period of registration shall extend at least from the 8th to the 17th, both inclusive, of April, 1931, provided nothing herein shall limit or abridge the right of the citizens of Fort Collins to register at other times as provided by law than that stated in the notice, prior to the close of the office of the County Clerk and Recorder of Larimer County, Colorado, on the 17th of April, 1931.

Section 7. The judges of election in the several precincts and wards shall make a canvass of the returns from said election, and shall sign and return a certificate of the votes cast in their several precincts and wards, which shall be duly returned and filed in the office of the City Clerk as provided by law and the City Charter

Section 8. The City Council shall meet on the 3rd day after said special election and proceed to canvass the certificates of votes cast at said election in the several precincts and wards in said City and enter upon its Journal of ~~the~~ proceedings a declaration of the result of said election upon the proposed initiated ordinance submitted, and if said proposed initiated ordinance is so found to have been adopted, then the same shall become an ordinance of the City of Fort Collins as provided by the said City Charter.


Section 9. In the opinion of the City Council
an emergency exists for the preservation of public health,
peace and safety, and this ordinance shall take effect upon
its passage under and by virtue of the authority contained in
Sections 6 and 7 of Article IV of the City Charter

Introduced, read at length and adopted by the
unanimous vote of all members of the City Council at a regular adjourned
meeting held this 20th day of March, A D 1931.

ATTEST



City Clerk.



Commissioner of Safety and Ex-Officio
Mayor

