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ORDINANCES

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OF THE.

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CITY OF BURLINGTON:

WITH

HEAD NOTES AND AN ANALYTIC INDEX.

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REVISED AND CORRECTED BY CHAS. BEN. DARWIN, ESQ.  
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PUBLISHED BY ORDER OF THE CITY COUNCIL.

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BURLINGTON:

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1856.

assessed to the lot or lots or part of a lot in front of which said work was done, and said assessment so made as aforesaid, shall be placed in the hands of the City Collector, who shall proceed to collect the same by sale of such lot or part of a lot, if not otherwise paid, in such manner and under such restrictions and regulations as are prescribed by an ordinance entitled "An Ordinance to provide for improving the Streets, Lanes, Alleys, Market Spaces, and Public Landings of the City of Burlington, and for raising, filling up and draining all Grounds therein where Water shall at any time become stagnant, and to provide for levying and collecting a special Tax to defray the expense of the same: Provided, the proprietor or proprietors shall have the right to redeem such property within one year after sale by paying to the purchaser the amount paid by him, together with ten per cent interest. thereon.

PASSED Oct. 10, 1853.

LYMAN COOK, Mayor.

Attest J. TRACY, City Recorder.

NUMBER XXXV.

SHOOTING BATTERIES.

SECTION.

1. How obtain leave to erect one.
2. How to be kept.

SECTION.

3. Restrictions upon.

Be it ordained by the Mayor and Aldermen of the City of Burlington,

SEC. 1. That when application shall be made to the Mayor and Aldermen of the city of Burlington in council assembled, by any gunsmith conducting a gun shop in said city, it may be lawful for said Council to authorize the committee on internal improvements to instruct the applicant in what manner and of what materials he shall erect a shooting battery within said city, and said committee are required in all cases when such application is made, to judge of the propriety of erecting such battery upon the ground of the applicant, having special regard to the location.

SEC. 2. And be it further ordained, that every shooting battery in said city shall be kept in good and safe condition by the owner or occupant, and upon complaint being made of the insecurity of any shooting battery in said city, it may be lawful to deprive such owner or occupant of the right to use such battery, and subject him to all the penalties applicable to the case of firing guns, etc., under the ordinance on misdemeanors.

SEC. 3. That no person other than the gunsmith for whose special benefit this privilege is granted, shall be permitted to shoot at a mark or fire any gun at said battery, and shooting at said battery by said gunsmith shall be allowed by law.

PASSED NOV. 11, 1841.

JOHN JOHNSON, Mayor.

Attest, P. F. BROWN, City Recorder.

NUMBER XXXVI.

AUCTIONS AND AUCTIONEERS.

SECTION.

1. License and bond.
2. Application.
3. Penalty for violation.
4. Duty on sales, account, etc.
5. Account to be sworn to.

SECTION.

6. When the auctioneer becomes the purchaser.
7. When price is fixed by exposing a part.
8. Sales under legal process exempt.
9. Recorders fee, etc.

Be it ordained by the city Council of the city of Burlington,

SEC. 1. That all sales at public auction within said city shall be made by an auctioneer who shall first have obtained a license under the hand of the Recorder and seal of the city, and shall have also paid therefor to the City Treasurer, the sum of fifty dollars, and shall have executed a bond to said city, with security to the satisfaction of the Mayor, in the penal sum of one thousand dollars, conditioned for the payment of all duties that are or may be imposed by this or any subsequent ordinance on sales made by him, said license to be in force until the first day of April, from and after the date thereof.

SEC. 2. Every person who may wish to obtain a license as above mentioned shall apply in writing for the same to the Mayor, setting forth therein the proposed place of business, and the names of his securities, and in no case shall said license be transferable, or place of business changed, except by leave of the Mayor.

SEC. 3. Any persons who shall sell or attempt to sell at public auction in said city, any property without having first obtained a license therefor, as above required, shall forfeit and pay for each offence, the sum of fifty dollars.

SEC. 4. A duty of two-and-a-half per cent. shall be assessed and paid to the Treasurer of the city, at least once a quarter, upon all sales of personal property of nonresidents of said city, made by an auctioneer as aforesaid, and upon any sales of personal property of any other persons made by an auctioneer as aforesaid, one per cent., and upon all sales of real estate made by an auctioneer as aforesaid, one fourth of one per cent. And it shall be the duty of each auctioneer to render on the first day of January, April, July, and October of each year accounts dating from the date of his license, to the City Recorder, exhibiting the amount of sales made by him and the duties that have accrued thereon, the first account dating from the date of his license, and subsequent accounts from the date of the last preceding, and for a failure so to do for the space of ten days after the expiration of the quarter, his license may be declared forfeit, and he shall be subject to a further penalty of five dollars for every day such duties and accounts shall be withheld.

SEC. 5. Every account rendered shall have an oath or affirmation attached thereto, signed by said auctioneer before some person empowered to administer an oath, setting forth in substance that the same contains a true and accurate statement of the amount of sales at public auction, made by such auctioneer with the duties thereon imposed by the city of Burlington, and that no misrepresentation, subterfuges or deceits have been used by him whereby to defraud the said city, either in sales made, or in the accounts rendered.

SEC. 6. In all cases when the auctioneer or owner of the property sold shall become the purchaser, such sales shall be subject to the duties herein mentioned, as if any other person had become the purchaser.

SEC. 7. All sales at auction, of any part or parcel of property on which duties are herein charged, sold with a design to ascertain and

fix a price for the whole or any part thereof, without exposing the whole or such other part to public sale, shall be deemed a sale at auction of the whole or such parts of the property, the price of which sales designated to be fixed by such public sale of the whole, and duties shall be paid thereon accordingly.

SEC. 8. All sales made at public auction, by virtue of, and under legal process, shall be exempted from the operation of the provisions of this Ordinance.

SEC. 9. The City Recorder shall be entitled to fifty cents from each auctioneer for each license issued, and shall file and examine each quarterly return, and shall report said returns at the next meeting of the Council after such return, and shall furnish the names of delinquents for each quarter to the city attorney for prosecution.

PASSED April 16, 1855.

SILAS A. HUDSON, Mayor.

Attest J. TRACY, City Recorder.

NUMBER XXXVII.

FIRE DEPARTMENT.

SECTION.

1. Fire department how composed.
2. Duties of Chief Engineer.
3. Assistant Engineer.
4. Duties of Fire Wardens.
5. Fire department how divided.
6. Duty of each company at fire.
7. Apparatus how kept.
8. Fine for applying to private use.
9. Refusal to obey orders.
10. When to cut down or blow up buildings in fire.
11. The laws of any company are enforced by this ordinance by fine for disobedience.

SECTION.

12. Enjoiner to see this ordinance enforced.
13. Power to arrest suspicious persons.
14. Wilful hinderance or injury.
15. Marshal has power to exclude all save firemen from certain space.
16. Election and term of Engineer and Fire Wardens.
17. The mode of forming a fire company.
18. Excused from poll tax.

Be it ordained by the city Council of the city of Burlington,

SEC. 1. That the fire department of the city of Burlington shall consist of a Chief Engineer and Assistant Engineer, one Fire Warden in each ward in addition to the aldermen, who shall be *ex officio*

Fire Wardens, and such engine companies and hook and ladder companies as may be from time to time organized by the City Council.

SEC. 2. The Chief Engineer, and in his absence the Assistant Engineer shall have the sole and absolute control over all the members of the fire department. It shall be the duty of the Chief Engineer to report quarterly on the first Monday of December, March, June and September to the City Council in writing, the condition of the engines, hose, hooks and ladders, buckets, and other fire apparatus belonging to the city, as also of the buildings in which such apparatus are kept, and also to recommend such improvements as may seem to him desirable. It shall also be his duty to examine and report as aforesaid, whether the records of the several fire companies are properly kept, and whether the by-laws of such companies are observed by the members thereof; whenever the fire apparatus shall need repairing, he shall cause the same to be done without delay.

SEC. 3. The Assistant Engineer shall assist the Chief Engineer and obey his orders, and in his absence shall be vested with his powers and obligated by his duties, and in the absence at a fire of both engineers, the Mayor shall command as such Engineer.

SEC. 4. Every fire warden (except those who are *ex officio* wardens) shall report himself at such fire to the person in command, and it shall be the duty of the said wardens immediately on an alarm of fire, to repair to the place of fire and assist in procuring supplies of water for such engines as the engineer in command may direct, prevent the hose from being trodden upon, and to keep all idle and suspicious persons from the vicinity of the fire.

SEC. 5. The firemen shall be divided into companies of engine men hose-men, and hook and ladder men, each company to consist of as many members as the City Council shall from time to time direct and sanction the organization of, and it shall be their duty to attend to the fire apparatus of the city, which may be committed to their charge, and the buildings wherein the same are kept, and use the same as required by ordinance, and by the provisions of their charters and by-laws duly approved by the City Council, and each company may adopt such an organization and such constitution subject to the approval of the City Council, and such by-laws, subordinate to the ordinances of the city, as it may deem best calculated to accomplish the objects hereby contemplated.