

PARK CITY MUNICIPAL CHARTER

MARCH 1, 1884. BOUNDARIES. CORPORATION FORMED; SEAL.

Section 1611. s 1. So much of the county of Summit in the Territory of Utah, included in sections nine, ten, fifteen, sixteen, and the north half of sections twenty-one and twenty-two in township two south of range four east of Salt Lake meridian, shall be, and the same is, hereby organized and incorporated into a city by the name of Park City.

POWERS OF CORPORATION

Section 1612. s 2. The inhabitants of said city are hereby constituted a body politic and corporate under the name and style aforesaid, and by that name it shall be known in law, and shall be capable of suing and being sued in all courts of law or equity; it may have and use a common seal, and alter it at pleasure; and shall be capable of leasing, purchasing, holding and disposing of, real and personal property, for the use of the corporation, and to improve and protect said property; and to do all things necessary or proper to be done in relation thereto, as natural persons.

CITY DIVIDED INTO WARDS

Section 1613. s 3. The said city shall be divided into three wards, as follows, using the amended plat of Park city as a guide, said plat being of record in the recorder's office of said county of Summit, namely: All that portion of said city lying northerly of a line commencing at a point on the west boundary line of said section sixteen due west of the westerly terminus of Second street, thence east to center of the westerly terminus of second street, thence easterly along the centre of Second street to the centre of Main street, thence northerly along the centre of Main street to the centre of Heber avenue, thence easterly along the centre of Heber avenue to the east boundary line of section sixteen, thence east to the east boundary of said city, shall be known as, and called the First ward. All that portion of said city lying south of the First ward and northerly of a line commencing at a point on the west boundary line of said section sixteen, three hundred and

fifty feet north of the southwest corner of said section and running thence easterly to the centre of the westerly terminus of Sixth street, thence easterly along the centre of said street to the east boundary line of said section sixteen, thence due east to the east boundary of said city, shall be known as, and called the Second ward. All that portion of said city lying south of the Second ward of said city shall be known as, and called the Third ward. And each ward shall be a voting precinct.

COUNCIL TO BE COMPOSED OF MAYOR AND SIX ALDERMEN.

Section 1614. s 4. The municipal government of said city shall be vested in a common council, to be composed of a mayor and six aldermen, a majority of whom shall constitute a quorum for the transaction of business.

ELECTIONS, WHEN HELD AND WHAT OFFICERS ELECTED.

Section 1615. s 5. An election shall be held on the first Monday in May, 1884, and annually thereafter. At the first election there shall be elected a mayor who shall be an elector and freeholder within said city, and who shall hold his office for one year, and until his successor is elected and qualified. Also two aldermen from each ward who shall be electors and freeholders in the ward from which they are elected. Also one justice of the peace, who shall be known as police justice, who shall possess the qualifications of an elector in said city, whose term of office shall be one year, and until his successor shall be elected and shall have duly qualified. One of said aldermen, from each ward, shall hold his office for two years and until his successor shall be elected and qualified, and one of said aldermen, from each ward, shall hold office for one year and until his successor shall be elected and qualified. And at each annual election thereafter there shall be elected one alderman from each ward, whose term of office shall be two years, and until his successor shall be elected and shall have duly qualified. There shall also be elected at said election and annually thereafter, one treasurer who shall also be

an elector and freeholder in said city, and whose term of office shall be one year and until his successor shall have been duly elected and qualified.

ELECTIONS, HOW CONDUCTED.      QUALIFICATIONS OF ELECTORS.

Section 1616. s 6. The first and all subsequent elections shall be held and conducted in each ward in the same manner as now provided by law for precinct elections; and every legally qualified voter residing within the limits of said city shall be entitled to vote at the polls within the ward where he resides.

STATED MEETINGS OF COUNCIL.

Section 1617. s 7. The common council shall hold stated meetings, at such times as they may by ordinance provide.

MAYOR TO PRESIDE AND HAVE CASTING VOTE.

COUNCIL TO ELECT A PRESIDENT FROM ITS MEMBERS.

Section 1618. s 8. The mayor shall preside at all meetings of the common council, when present, and shall have a casting vote. The common council at its first meeting after the newly elected aldermen or a majority of them shall have qualified, shall elect from its members a president, who shall possess the same powers, and perform the same duties as the mayor during the absence or inability of the mayor or during a vacancy in that office.

MAYORS DUTIES

Section 1619. s 9. The mayor shall be the chief executive officer of said city. He shall sign and approve all ordinances or by-laws passed by a majority of the council. It shall be his duty to see that all officers of said city shall faithfully perform and discharge their official duties; to see that all laws pertaining to the municipal government of said city, and all ordinances and resolutions of the common council be faithfully observed and executed; and he shall in his discretion report to the common council any violations thereof; he shall, from time to time, give to

the council such information and recommend such measures as he shall deem necessary and expedient.

COUNCIL TO APPOINT CERTAIN OFFICERS.

IN CASE OF ABSENCE, ETC., OF JUSTICE, MAYOR TO DESIGNATE.

VACANCIES HOW FILLED.

Section 1620. s 10. The common council shall appoint a recorder, an assessor and a marshal, and may appoint a city attorney, a street commissioner, and such other officers whose election is not herein specially provided for, as they may deem necessary to carry into effect the powers granted by this act, prescribe the duties and qualifications of such officers, and remove the same at pleasure. And in case of the absence, inability, or other disqualification of the police justice of said city, the mayor is hereby authorized and empowered to designate and appoint one of the justices of the peace of the precinct of which said city is a part, to act as police justice during such absence, inability or other disqualification of said police justice. And in case of vacancy in any office made elective by this act, the common council shall fill such vacancy by appointment, until the next annual election, and until the person elected to fill such vacancy shall have duly qualified.

COUNCIL HAS POWER TO LEVY TAXES.

Section 1621. s 11. The common council shall have power to annually assess, levy and collect taxes on all real and personal property in said city, taxable by the laws of this Territory, which taxes, when so levied, shall be and remain a lien upon the property so assessed until the same shall be paid; Provided, The said council shall not levy a tax for city purposes, in any one year, to exceed one cent on the dollar of the assessed valuation.

COUNCIL TO PRESCRIBE FORM OF ASSESSMENT ROLL

Section 1622. s 12. The common council shall have power, by ordinance and enforcement thereof, to prescribe and regulate the

form of assessment rolls, and the duties and powers of assessors, not inconsistent with the laws of this Territory.

COUNCIL TO DETERMINE THE AMOUNT OF TAX

Section 1623. s 13. The common council shall, on or before the first Monday in June, of each year, determine the amount of money necessary to be raised by tax for the current year, and shall at once notify the assessor of said amount.

COUNCIL TO FIX A DAY FOR HEARING OBJECTIONS.  
ASSESSOR TO MAKE ASSESSMENT, WHEN TO BE RETURNED.

Section 1624. s 14. The assessor shall, immediately on receipt of the notice prescribed in section thirteen, proceed to make said assessment; and shall return the assessment rolls on or before the first Monday in July of each year, but the time may be extended, by order of the council, not exceeding thirty days. On return thereof the common council shall fix a day, of which at least ten days' public notice shall be given, for hearing objections thereto, and any person feeling aggrieved by the assessment of his property, may appear at the time specified and make his objections, which shall be heard and determined by the common council; and the council shall have power to alter, add to, take from, and otherwise correct and revise said assessment roll; Provided, That if the common council shall find it necessary to add to the assessed valuation of any property on the assessment roll, or list other property liable to taxation, not upon said roll, it shall direct the recorder to send to the person interested a written notice naming therein the time and place when it will act on said case, and allowing a reasonable time for such party to appear.

TREASURER TO BE FURNISHED LIST OF TAXES AND MUST COLLECT HOW.

Section 1625. s 15. The treasurer shall be furnished, within ten days after the assessment roll is corrected, with a list of the taxes to be collected; and if said taxes are not paid on or before the first day of October next after they are assessed, the

treasurer shall have power, and it is hereby made his duty to collect said taxes with interest and cost, by suit in the corporate name, or by distress, seizure and sale of any property belonging to any person so indebted.

#### ASSESSOR'S ROLL TO BE EVIDENCE

Section 1626. s 16. The assessor's roll shall in all cases be evidence on the part of the corporation.

#### POWERS OF COUNCIL.

Section 1627. s 17. The common council shall have authority to make all by-laws and ordinances relative to the powers, duties and compensation of the officers of said corporation, subject to the restrictions as to compensation mentioned in this act. To make all such general regulations for the prevention and extinguishment of fires, fixing of chimneys, flues and stove-pipes, as they may deem proper; to procure fire engines, and other apparatus; to organize fire, hose and hook and ladder companies, appoint foremen therefor and prescribe their duties and make rules and regulations for their government. And shall have power to prohibit and prevent the construction of any wooden or frame houses, store, shop, or other building on such streets, alleys and places, and within such limits in said city as they may from time to time prescribe; to prohibit and prevent the removing of wooden or frame buildings from any part of said city to any lot on such street, alley and places within said limits.

Section 1628. s 18. To exclusively control, regulate, repair and clear streets, alleys, bridges, sidewalks, and cross walks, and open, widen, straighten, or vacate streets and alleys, and put drains and ditches therein; and prevent the encumbering or obstructing of the streets, lanes, alleys, sidewalks or public grounds with lumber, timber, posts, awnings, signs, or any other thing, material or substance whatever.

Section 1629. s 19. To cause the expense of grading or paving of streets and sidewalks, of making drains and sewers, and all

other local improvements to be assessed against the owners of the premises the value of which is increased by such improvement and in proportion to which such premises are improved thereby, or cause the expense thereof to be paid out of the city treasury, as they may deem just and proper.

POWERS OF COUNCIL (continued)  
ORDINANCES TO BE PUBLISHED.

Section 1630. s 20. The council shall have exclusive authority to establish and regulate the police of the city, and to make all such by-laws and ordinances for the preservation of the public peace; for the suppression of riots and riote; for the apprehension and punishment of vagrants, drunkards and disorderly persons; and to suppress disorderly houses and houses of ill-fame, and to punish the keepers and inmates thereof; to prohibit every species of gaming, and to punish all persons indulging in any species of gaming or gambling; to define and declare what are nuisances and provide for the prevention and abatement of the same; to regulate the keeping or storing of gun or blasting powder or other high explosives; to prohibit the violation of Sunday; the discharge of any species of firearms; and the disturbance of any religious congregation or any other public meeting assembled for any lawful purpose; to provide against and punish fast or immoderate riding or driving; to license, tax and regulate the manufacturing, selling, or giving away of any vinous, spiritous or fermented liquors; to license, tax, and regulate billiard and pool tables, nine or ten pin alleys; to regulate and license all exhibitions of common showmen, shows of every kind, concerts, circuses, theatrical performances, and all other exhibitions and amusements; to license and regulate peddlers, auctioneers and traveling salesmen; to restrain, regulate or prohibit the running at large of cattle, horses, mules, swine, sheep, goats, and poultry, and to authorize the distraining or impounding and sale of the same, and to regulate and control the distribution of the proceeds of such sale; to tax, prevent or regulate the keeping of dogs and to authorize the

destruction of the same when at large contrary to ordinance; to license, tax, and regulate merchants, butchers, traders and dealers in merchandise and property of every description; to license and regulate banks, hotels, restaurants, livery stables, barber shops, bath houses, and laundries. To make all needful rules to prevent the spreading of all contagious or infectious diseases; and all needful rules to regulate the health and cleanliness of said city. To establish and maintain a system of water works for fire, domestic, and other purposes, together with necessary reservoirs, pipes and hydrants. To erect street lamps and regulate the lighting thereof. To regulate all public graveyards and the burial of the dead in said city. And to make all other by-laws, ordinances and regulations, for the purpose of carrying into effect the powers conferred by this act, which they deem necessary for the safety and good government of said city, and to preserve the health and protect the property of the inhabitants thereof, and to repeal, alter, or amend the same at pleasure. And to this end the common council may impose fines and penalties for any violation of the by-laws or ordinances which may be made by them as aforesaid and may provide that any offender refusing to pay such fine or penalty be compelled to labor on the streets or public works of said city; Provided, That no by-law or ordinance shall impose a fine exceeding two hundred dollars, nor subject the offender to imprisonment in the city jail exceeding ninety days, or both; And provided further, That no by-law or ordinance imposing a penalty or punishment shall be of any effect until the same shall have been published for two weeks successively in a newspaper published in said city or by posting up certified copies of said by-laws or ordinances in two public places in each ward of said city.

ORDINANCES NOW PROVEN.

Section 1631. s 21. All ordinances or by-laws of the city may be proven by the seal of the corporation; and when published in book or pamphlet form purporting to be printed or published by



the authority of the city, the same shall be received in evidence in all courts or places without further proof.

#### SALARY OF MAYOR AND ALDERMEN.

Section 1632. s 22. The salary of the mayor and aldermen of said city shall not exceed the sum of one dollar each per annum.

#### RECORDER'S DUTIES

Section 1633. s 23. The recorder shall be the clerk of the common council and keep the corporate seal and the books and papers of the corporation entrusted to him by the council; he shall attend all meetings of the council and record all their proceedings. He shall attest all ordinances or by-laws of the corporation and affix the seal of the corporation thereto. He shall sign all warrants drawn on the treasurer; he shall also perform other duties which may be required of him by ordinance of said city or the order of said council.

#### POLICE JUSTICE, JURISDICTION OF.

#### PRACTICE IN JUSTICE'S COURT.

#### APPEALS.

Section 1634. s 24. The police justice of said city shall have exclusive original jurisdiction of all cases arising under or by reason of the violation of any ordinance or by-law of said city, and shall have the same jurisdiction within the limits of the city as other justices of the peace in cases arising under the laws of the Territory. The practice in said police justice's court shall be the same, and governed by the same rules, and provided by law for justices' courts. From all final judgments of said police justice's court, whether civil or for violation of any ordinance of said city, an appeal shall be allowed by either party, against whom the judgment is rendered, to the district or other appellate court provided by law, in the same manner and upon the same terms as provided by law for appeals from justices' courts in similar cases.

#### PROCESS NOW DIRECTED.

Section 1635. s 25. All process issued by said police justice's court in all cases arising under the ordinances of said city, shall be directed to the marshal or any of his deputies.

POLICE JUSTICE TO PAY OVER MONEYS.

Section 1636. s 26. The police justice shall account for and pay over all moneys coming into his hands belonging to said city, whether from fines, penalties, forfeitures, recoveries on execution or otherwise, into the city treasury as often as the council may direct.

POLICE JUSTICE SHALL KEEP A DOCKET.

Section 1637. s 27. He shall keep a docket in which shall be entered all cases commenced before him, and all his proceedings thereunder in such manner as may be required by the council, which docket at the expiration of his term of office, with all papers in his possession pertaining to said office, he shall turn over to his successor.

TREASURER'S DUTIES.

Section 1638. s 28. The treasurer shall by virtue of his office be collector of taxes, and shall receive and safely keep, and pursuant to the warrant of the recorder, disburse all the moneys of the corporation. He shall keep proper books of account which shall be open to inspection by any elector of the city at all reasonable hours. He shall furnish to the common council as often as required a full, fair and correct account of all receipts and disbursements and also the state of the treasury. He shall perform such other duties as shall be required of him by ordinance or by-laws of said city or by order of the common council.

MARSHAL'S DUTIES.

Section 1639. s 29. The marshal shall be chief of police; it shall be his duty to serve all process that may lawfully be directed and delivered to him for service; to see that all by-laws and ordinances of the common council are promptly and effectually enforced;

he shall obey all lawful commands of the mayor, and may command the aid and assistance of all other citizens of said city in the discharge of his duties; he may appoint such number of deputies as the common council may direct and approve, who shall perform the same duties as the marshal, and for whose official acts he shall be responsible.

#### MARSHAL'S POWERS.

Section 1640. s 30. The marshal and deputies shall have power to serve and execute all process in behalf of the city as sheriffs and constables have by law to execute similar processes.

#### MAYOR AND ALDERMEN HOW TO QUALIFY.

Section 1641. s 31. The mayor and aldermen before entering upon the duties of their respective offices shall take and subscribe an oath that they will support the Constitution of the United States, and the laws of this Territory, and that they will faithfully perform the duties of the office to which they have been elected, to the best of their skill and abilities, which oath shall be filed with the secretary of the Territory, and they shall be commissioned by the Governor.

#### TREASURER, RECORDER, ASSESSOR, POLICE JUSTICE AND MARSHALL SHALL QUALIFY HOW.

Section 1642. s 32. The treasurer, recorder, assessor, police justice and marshal of said city, before entering upon the duties of their respective offices shall enter into an undertaking with said city and whomsoever it may concern, in such sum, not less than five hundred dollars, as the common council may require, conditioned for the faithful performance of the duties of their respective offices; they shall also take and subscribe an oath to support the Constitution of the United States and the laws of this Territory, and that they will faithfully perform the duties of their respective offices to the best of their skill and abilities; said undertaking shall be approved by the common council and together with said oath of office filed in the office of the recorder of said city; Provided, That

the undertaking and oath of the recorder be filed with the mayor. The police justice shall be commissioned by the Governor upon presentation of the certificate of his election or appointment, and his qualification as hereinbefore required.

#### CLAIMS HOW AUDITED.

Section 1643. s 33. All claims against the city shall be audited by the council and, when allowed, paid by a warrant on the treasurer signed by the recorder and countersigned by the mayor.

#### JUSTICE AND CONSTABLE OF THE PRECINCT; JURISDICTION NOT IMPAIRED.

Section 1644. s 34. Nothing in this act shall be so construed as to impair the jurisdiction of the justices of the peace and constables in the precincts of which said city is a part, in such matters as may come under their jurisdiction under the laws of this Territory. Nor to deprive the citizens of said city, properly qualified to vote, from voting at all precinct elections.

#### FEES OF JUSTICE AND MARSHAL.

Section 1645. s 35. The police justice and marshal of said city shall receive, and they are hereby authorized to tax, the same fees which are allowed by law to justices of the peace and constables in similar cases, which fees when collected shall be paid into the city treasury; and said police justice and said marshal and his deputies shall receive no other compensation, for services rendered for, or in behalf of said city, than the salary fixed and allowed them by the common council.

#### ALDERMAN REMOVING VACATES OFFICE.

Section 1646. s 36. If any alderman shall during his term of office remove from the ward from which he shall have been elected, his office shall at once become vacant.

#### REPEALING CLAUSE.

Section 1647. s 37. That an act entitled "An Act Incorporating Park City," approved March 9, 1882, be and the same is hereby repealed.

ACT TAKES EFFECT WHEN.

Section 1648. s 38. This act shall be in force from and after the fifteenth day of March, A. D. 1884.

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An Act

Incorporating Park City, in Summit County, Utah Territory.

Section 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That so much of the County of Summit in the Territory of Utah, included in sections nine (9), ten (10), fifteen (15), sixteen (16) and the north half (1/2) of sections twenty-one (21) and twenty-two (22), in Township two (2) south of Range four (4) east of the Salt Lake Meridian, shall be, and the same is, hereby organized and incorporated into a City by the name of Park City.

Sec. 2. The inhabitants of said city are hereby constituted a body politic and corporate under the name and style aforesaid, and by that name, it shall be known in law, and shall be capable of suing and being sued in all courts of law or equity; it may have and use a common seal, and alter it at pleasure; and shall be capable of leasing, purchasing, holding and disposing of real and personal property, for the use of the corporation, and to improve and protect said property.

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and to do all things necessary or proper to be done in relation thereto as natural persons.

Sec. 3. The said city shall be divided into three wards, as follows using the amended Plat of Park City as a guide, said Plat being of record in the Recorder's office of said County of Summit, namely: All that portion of said city lying northerly of a line, commencing at a point on the west boundary line of said section sixteen due west of the westerly terminus of Second Street, thence east to the center of the westerly terminus of Second Street, thence easterly along the center of Second Street to the center of Main Street thence northerly along the center of Main Street to the center of Geber Avenue, thence easterly along the center of Geber Avenue to the east boundary line of Section sixteen, thence east to the east boundary of said city, shall be known as and called the First Ward. All that portion of said city lying south of the First Ward, and northerly of a line commencing at a point on the west boundary line of said section sixteen, thence

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1 hundred-and fifty feet north  
2 of the southwest corner of said  
3 section and running thence east-  
4 erly to the center of the westerly  
5 terminus of Sixth Street, thence east-  
6 erly along the center of said street  
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18 Sec. 4. The Municipal Government  
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22 men, a majority of whom shall  
23 constitute a quorum for the trans-  
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25 Sec. 5. An election shall be held  
26 on the first Monday in May,  
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28 At the first election there shall be  
29 elected a Mayor who shall be  
30 an elector and freeholder within  
31 said city, and who shall hold  
32 his office for one year, and in-

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til his successor is elected and qualified.

Also two Aldermen from each ward who shall be electors and freeholders in the ward from which they are elected.

Also one Justice of the Peace who shall be known as Police Justice, who shall possess the qualifications of an elector in said city, whose term of office shall be one year and until his successor shall be elected and shall have duly qualified.

One of said Aldermen, from each ward, shall hold his office for two years and until his successor shall be elected and qualified, and one of said Aldermen from each ward, shall hold his office for one year and until his successor shall be elected and qualified. And at each annual election thereafter there shall be elected one Alderman from each ward, whose term of office shall be two years, and until his successor shall be elected and shall have duly qualified.

There shall also be elected at said election, and annually thereafter, one Treasurer who shall be an elect-

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Sec. 9. The Mayor shall be the chief executive officer of said city. He shall sign and approve all ordinances or by-laws passed by a majority of the Council. It shall be his duty, to see that all officers of said city shall faithfully perform and discharge their official duties, to see that all laws pertaining to the municipal government of said city, and all ordinances and resolutions of the Common Council be faithfully observed and executed, and he shall in his discretion report to the Common Council any violations thereof; he shall from time to time, give to the Council such information and recommend such measures as he shall deem necessary and expedient.

Sec. 10. The Common Council shall appoint a Recorder, an Assessor and a Marshal, and may appoint a City Attorney, a street Commissioner, and such other officers whose election is not herein specially provided for, as they may deem necessary to carry into effect the powers granted by this act, prescribe the duties and qualifications of such officers,

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and remove the same at pleasure. And in case of the absence, inability, or other disqualification of the Police Justice of said city, the Mayor is hereby authorized and empowered to designate and appoint one of the justices of the Peace of the Precinct of which said city is a part, to act as Police Justice during such absence, inability, or other disqualification of said Police Justice.

And in case of vacancy in any office made elective by this Act, the Common Council shall fill such vacancy by appointment, until the next annual election, and until the person elected to fill such vacancy shall have duly qualified.

Sec 11. The Common Council shall have power, to annually assess, levy and collect taxes on all real and personal property in said city, taxable by the laws of this Territory, which taxes, when so levied, shall be and remain a lien upon the property so assessed until the same shall be paid: Provided, the said council shall not levy a tax for city purposes, in any one year, to exceed one cent on the dollar.

of the assessed valuation.

Sec. 12. The Common Council shall have power, by ordinance and enforcement thereof, to prescribe and regulate the form of assessment rolls, and the duties and powers of assessors, not inconsistent with the laws of this Territory.

Sec. 13. The Common Council shall on or before the first Monday in June of each year, determine the amount of money necessary to be raised by tax for the current year and shall at once notify the Assessor of said amount.

Sec. 14. The Assessor shall, immediately on receipt of the notice prescribed in Section 13, proceed to make said assessment; and shall return the assessment rolls on or before the first Monday in July of each year, but the time may be extended, by order of the Council, not exceeding thirty days. On return thereof the Common Council shall fix a day of which at least ten days public notice shall be given for hearing objections thereto, and any person feeling aggrieved by the assessment of his property, may appear at the time specified and make his objections, which shall

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Sec. 18. To exclusively control, regulate, repair and clear streets, alleys, bridges, sidewalks and cross-walks and open, widen, straighten or vacate streets and alleys, and put drains and ditches therein, and prevent the encumbering or obstructing of the streets, lanes, alleys, sidewalks or public grounds with lumber, timber, posts, awnings, signs or any other thing, material or substance whatever.

Sec. 19. To cause the expense of grading or paving of streets and sidewalks, of making drains and sewers and all other local improvements to be assessed against the owners of the premises the value of which is increased by such improvement and in proportion to which such premises are improved thereby, or cause the expense thereof to be paid out of the city treasury as they may deem just and proper.

Sec. 20. The Council shall have exclusive authority to establish and regulate the police of the city, and to make all such by-laws and ordinances for the preservation of the public peace, for the suppression of riots and mobs; for the apprehen-

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1 sion and punishment of vagrants  
 2 drunkards, and disorderly persons,  
 3 and to suppress disorderly houses  
 4 and houses of ill-fame, and to  
 5 punish the keepers and inmates  
 6 thereof; to prohibit every species of  
 7 gaming, and to punish all per-  
 8 sons indulging in any species  
 9 of gaming or gambling; to de-  
 10 fine and declare what are nus-  
 11 sances and provide for the preven-  
 12 tion and abatement of the same; to  
 13 regulate the keeping or storing of gun-  
 14 or blasting powder or other high  
 15 explosives; to prohibit the violation of  
 16 Sunday; the discharge of any spe-  
 17 cies of firearms, and the disturb-  
 18 ance of any religious congrega-  
 19 tion or any other public meeting  
 20 assembled for any lawful purpose;  
 21 to provide against and punish  
 22 fast or immoderate riding or  
 23 driving; to license, tax, and regu-  
 24 late the manufacturing, selling  
 25 or giving away of any wines  
 26 spirituous or fermented liquors; to  
 27 license, tax and regulate billiard  
 28 and pool tables, wine or ten pin  
 29 alleys; to regulate and license  
 30 all exhibitions of common showmen  
 31 shows of every kind, concerts, cir-  
 32 cuses, theatrical

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performances, and all other exhibitions and amusements; to license, and regulate peddlers, auctioneers and travelling salesmen; to restrain, regulate or prohibit the running at large of cattle, horses, mules, swine, sheep, goats and poultry, and to authorize the distraining or impounding and sale of the same, and to regulate and control the distribution of the proceeds of such sale; to tax, prevent or regulate the keeping of dogs and to authorize the destruction of the same when at large contrary to ordinance; to license, tax and regulate merchants, butchers, traders and dealers in merchandize and property of every description; to license and regulate banks, hotels, restaurants, livery stables, barber shops, bath-houses and laundries.

To make all needful rules to prevent the spreading of all contagious or infectious diseases; and all needful rules to regulate the health and cleanliness of said city. To establish and maintain a system of water works for fire, domestic, and other purposes, together with necessary reservoirs, pipes and

hydrants.

To erect street lamps and regulate the lighting thereof.

To regulate all public graveyards and the burial of the dead in said city.

And to make all other by-laws or ordinances, and regulations, for the purpose of carrying into effect the powers conferred by this Act, which they deem necessary for the safety and good government of said city, and to preserve the health and protect the property of the inhabitants thereof, and to repeal, alter or amend the same at pleasure.

And to this end the common council may impose fines and penalties for any violation of the by-laws or ordinances which may be made by them as aforesaid, and may provide that any offender refusing to pay such fine or penalty be compelled to labor on the streets or public works of said city.

Provided, That no by-law or ordinance shall impose a fine exceeding two hundred dollars, nor subject the offender to imprisonment in the city jail exceeding ninety days, or both. And provided further,

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1 That no by-law or ordinance im-  
2 posing a penalty or punishment  
3 shall be of any effect until the  
4 same shall have been published for  
5 two weeks successively in a newspa-  
6 per published in said city; or by  
7 posting up certified copies of said  
8 by-laws or ordinances in two pub-  
9 lic places in each ward of said  
10 city. Sec. 21. All ordinances or  
11 by-laws of the city may be prov-  
12 en by the seal of the corporation;  
13 and when published in book or  
14 pamphlet form purporting to be  
15 printed or published by the author-  
16 ity of the city, the same shall be  
17 received in evidence in all courts  
18 or places without further proof.

19 Sec. 22. The salary of the Mayor and  
20 Aldermen of said city shall not  
21 exceed the sum of one dollar each  
22 per annum. Sec. 23. The Recorder  
23 shall be the clerk of the common  
24 council and keep the corporate seal  
25 and the books and papers of the  
26 corporation entrusted to him by the  
27 council; he shall attend all meet-  
28 ings of the council and record all  
29 their proceedings. He shall attest all  
30 ordinances and by-laws of the corpo-  
31 ration and affix the seal of the corpo-  
32 ration thereto. He shall sign all war-

1 wants drawn on the Treasurer, he shall  
2 also perform other duties which may be  
3 required of him by ordinance of said  
4 city or the order of said council.

5 Sec. 24. The Police Justice of said city shall  
6 have exclusive original jurisdiction of  
7 all cases arising under, or by reason  
8 of the violation of any ordinance or by-  
9 law of said city and shall have the  
10 same jurisdiction within the limits of  
11 the city as other Justices of the Peace in  
12 cases arising under the laws of the  
13 Territory. The practice in said Police  
14 Justice's court shall be the same and  
15 governed by the same rules, as provided  
16 by law for justice's courts. From all  
17 final judgments of said Police Jus-  
18 tice's court whether civil or for viola-  
19 tion of any ordinance of said city,  
20 an appeal shall be allowed by  
21 either party, against whom the  
22 judgment is rendered to the dis-  
23 trict or other appellate court provi-  
24 ded by law, in the same man-  
25 ner and upon the same terms  
26 as provided by law for appeals  
27 from justice's courts in similar  
28 cases.

29 Sec. 25. All process issued by said  
30 Police Justice's court in all cases  
31 arising under the ordinances

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of said city shall be directed to the Marshal or any of his deputies.

Sec. 26. The Police Justice shall account for and pay over all moneys coming into his hands belonging to said city, whether from fines, penalties, forfeitures, recoveries on execution or otherwise, into the city treasury as often as the Council may direct.

Sec. 27. He shall keep a docket in which shall be entered all cases commenced before him, and all his proceedings thereunder in such manner as may be required by the Council, which docket at the expiration of his term of office with all papers in his possession pertaining to said office he shall turn over to his successor.

Sec. 28. The Treasurer shall by virtue of his office be collector of taxes and shall receive and safely keep, and pursuant to the warrant of the Recorder, disburse all the moneys of the corporation. He shall keep proper books of account which shall be open to inspection by any elector of the city at all reasonable hours.

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1 He shall furnish to the Common  
2 Council as often as required a  
3 full, fair and correct account of  
4 all receipts and disbursements  
5 and also the state of the treasury.  
6 He shall perform such other du-  
7 ties as shall be required of him  
8 by the ordinances or by laws of  
9 said city or by order of the Com-  
10 mon Council.

11 Sec. 29. The Marshal shall be chief  
12 of police: it shall be his duty to  
13 serve all process that may law-  
14 fully be directed and delivered  
15 to him for service; to see that all  
16 by-laws and ordinances of the  
17 Common Council are promptly  
18 and effectually enforced; he shall  
19 obey all lawful commands of the  
20 Mayor, and may command the  
21 aid and assistance of all other  
22 citizens of said city in the dis-  
23 charge of his duties; he may ap-  
24 point such number of deputies  
25 as the common council may di-  
26 rect and approve, who shall perform  
27 the same duties as the Marshal, and  
28 for whose official acts he shall  
29 be responsible.

30 Sec. 30. The Marshal and deputies  
31 shall have power to serve and ex-  
32 ecute all process in behalf of the

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city as sheriffs and constables have by law to execute similar process.

Sec. 31. The Mayor and aldermen before entering upon the duties of their respective offices shall each take and subscribe an oath that they will support the Constitution of the United States, and the laws of this Territory, and that they will faithfully perform the duties of the office to which they have been elected, to the best of their skill and ability, which oath shall be filed with the Secretary of the Territory and they shall be commissioned by the Governor.

Sec. 32. The Treasurer, Recorder, assessor, Police Justice, and Marshal of said city, before entering upon the duties of their respective offices, shall each enter into an undertaking with said city and whomsoever it may concern, in such sum, not less than five hundred dollars as the Common Council may require, conditioned for the faithful performance of the duties of their respective offices; they shall also take and subscribe an oath to support the Constitution of the United States and the laws of this Territory, and that they will



faithfully perform the duties of their respective offices to the best of their skill and ability; said undertakings shall be approved by the common council and together with said oath of office filed in the office of the Recorder of said city. Provided, that the undertaking and oath of the Recorder be filed with the Mayor.

The Police Justice shall be commissioned by the Governor upon presentation of the certificate of his election or appointment and his qualification as hereinbefore required.

Sec. 33. All claims against the city shall be audited by the council and when allowed, paid by a warrant on the Treasurer signed by the Recorder and countersigned by the Mayor.

Sec. 34. Nothing in this act shall be so construed as to impair the jurisdiction of the justices of the Peace and constables in the precincts of which said city is a part, in such matters as may come under their jurisdiction under the laws of this Territory, nor to deprive the citizens of said city, properly qualified to vote, from voting at all

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precinct elections.

Sec. 35. The Police Justice and Marshal of said city shall receive, and they are hereby authorized to tax the same fees which are allowed by law to Justices of the Peace and Constables in similar cases, which fees when collected shall be paid into the city treasury: and said Police Justice and said Marshal and his deputies shall receive no other compensation for services rendered for, or in behalf of said city, than the salary fixed and allowed them by the Common Council.

Sec. 36. If any alderman shall during his term of office remove from the ward from which he shall have been elected, his office shall at once become vacant.

Sec. 37. That an act entitled An Act Incorporating Park City, approved March 9, 1882, be and the same is hereby repealed.

Sec. 38. This act shall be in force from and after the fifteenth day of March, A. D. 1884.

James Sharp  
 Speaker of the House  
 W. W. Keuff

Approved Mch. 1,  
 1884

President of the Council  
 E. H. Linn  
 Governor of P

No. T. J. 36.

I hereby certify that  
the within Act originated  
in the House of Repre-  
sentatives, Twenty Sixth  
Session Legislative Assembly  
of the Territory of Utah.

James D. Wells  
Chief Clerk.

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1 A bill amending Section 20 ~~and 27~~  
2 of Chapter VII of the laws of 1884 an Act  
3 incorporating Park City, in Summit County  
4 Utah Territory.

5 Section 1. Be it enacted by the  
6 Governor and Legislative Assembly of the  
7 Territory of Utah: That Section 20 ~~and~~  
8 ~~27~~ of Chapter VII of the Laws of Utah  
9 of 1884 "An act incorporating Park City  
10 in Summit County, Utah Territory" and is  
11 hereby amended as follows:

12 Section 2. Said section thirty is  
13 hereby amended by inserting between  
14 the words "riots" and "for" in line four  
15 the following: "to provide against and  
16 punish for assault and battery and  
17 petit larceny" also by inserting  
18 between the words "description" and "to"  
19 in line thirty four the following "to  
20 regulate, license and tax hackmen  
21 and draymen and the carriage of pass-  
22 engers in said City: and also further  
23 amended by striking out all of the first  
24 proviso and inserting in lieu the  
25 following: Provided the penalty  
26 imposed for violations of any by-  
27 law or ordinance shall be by a  
28 fine in any sum less than three  
29 hundred dollars or by imprisonment  
30 in the City jail not exceeding six months  
31 or by both of said penalties.

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McLaughlin

N. F. 61

Accounting of the

estate of Ben Kelly

met Mrs. M. M. Kelly

Read 1st time of the

" 2<sup>nd</sup> " by the

rules suspended

Read 3<sup>rd</sup> time of the

Rules of the

House

in

The above

met 2<sup>nd</sup> afternoon

" from 10:30

Read 1st and

placed on report

of the committee

on the

Report

of the

committee

on the

met 2<sup>nd</sup> afternoon met on

Enrollment

2<sup>nd</sup> Enrollment

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