

ORDINANCE NO. 11.

An Ordinance Concerning City Officers.

Be it ordained by the City Council of the City of Grand Junction.

ARTICLE I. GENERAL PROVISIONS.

SECTION 1. Unless otherwise provided there shall be appointed by the city council at the second Monday after the election in each year, or as soon thereafter as practicable, one Attorney, one Clerk, one Marshal, one Street Commissioner, one Surveyor, one Police Magistrate, one Physician, one Chief Engineer of the Fire Department, and as many Policemen as may be necessary for the good government of the city, who shall hold their offices respectively, during the pleasure of the city council.

SEC. 2. Any of the above named officers, save and except the police magistrate, policemen and chief engineer of the fire department, may, with the consent of the mayor, appoint one or more deputies, who shall, at the time of their appointment, have the same qualifications as their principals: Provided however, that any deputy or deputies so appointed shall receive no salary from the city, nor shall the city be responsible to such deputy for any salary or compensation whatever. Such appointment shall be in writing, filed with the city clerk revocable at the pleasure of the principal, and shall authorize the performance of ministerial acts only. Every deputy so appointed shall, before entering upon the discharge of his duties, take and subscribe the oath of office and give bond in the amount, and with the conditions required of the principal; but in all cases, the principal shall be liable for the acts of his deputy as if they were his own.

SEC. 3. Before entering upon the duties of their respective offices, each of said officers shall take and subscribe the following oath, viz: "I, _____ do solemnly swear that I will support the constitution of the United States and of the State of Colorado, and that I will well and faithfully discharge and perform the duties of the office of _____ of the City of Grand Junction, to the best of my skill and ability; so help me God."

Except as otherwise provided by law, each of said officers shall give a bond to the city of Grand Junction, with sureties to be approved by the city council, in the penal sums hereinafter named, conditioned that they will well and faithfully perform the duties of their respective offices and that they will,

when required by the city council, pay over all monies and deliver up all property in their custody belonging to the city. The penalties in the bonds required by this section shall be as follows:

- City attorney, \$500.00.
- City clerk, \$3000.00.
- City marshal, \$3000.00.
- Street commissioner, \$1000.00.
- City surveyor, \$3000.00.
- Police magistrate, \$2000.00.
- City physician, \$500.00.
- Chief engineer of fire department, \$500.00.

Each policeman, \$500.00.
And the city treasurer shall also make and file said official oath, and shall give a bond to the city with good and sufficient sureties, conditioned as required by law, in the penal sum of fifteen thousand dollars. All of said oaths and bonds shall be filed with the city clerk, except the oath and bond of the city clerk, which shall be filed with the city treasurer.

SEC. 4. Every officer of the city shall, upon going out of his office, deliver to his successor all money, books, papers, furniture and other things appertaining to his office, and shall, at all times when required, submit the books and papers of his office to the inspection of the mayor or any member of the city council.

ARTICLE II. SALARIES.

SEC. 1. The several officers of the city of Grand Junction shall receive the following salaries per annum, payable monthly, and compensation as follows, to-wit:

- SEC. 2. The mayor, \$60.00.
- SEC. 3. Each alderman, \$60.00.
- SEC. 4. The city attorney \$600.00 and there shall be allowed to him and taxed with the costs in the justices' or police magistrates' court, a fee of five dollars, and in a court of record, a fee of ten dollars for each day that he appears in any case in such courts respectively; provided, that in the prosecution of suits for fines and penalties, such fees shall not be paid by the city.

SEC. 5. The city clerk, \$420 00.
SEC. 6. The city marshal, \$1200 00, together with all legal fees, due by virtue of arrests made or process served, by him under any ordinance of the city, and other fees due him by virtue of any proceeding thereunder, such fees to be the same as now are or may hereafter be provided by law for constables for like services in the county of Mesa. Provided, that no such fees shall be paid by the city.

SEC. 7. Each policeman \$900.00, together with the same fees as those of the city marshal for like services.

SEC. 8. The street commissioner \$900.00, and such fees as may be provided by ordinance, provided no such fees shall be paid by the city.

SEC. 9. The city surveyor, a reasonable compensation for services actually performed, in accordance with any order, resolution or ordinance of the city council, and such further fees as are prescribed by ordinance

SEC. 10. The police magistrate, such fees or compensation as are now or may hereafter be provided by law for justices of the peace, for like services in the county of Mesa; provided, no such fees shall be paid by the city.

SEC. 11. The city physician, \$480 00.

SEC. 12. The chief engineer of the fire department, \$100.00

SEC. 13. The city treasurer, \$300.00.

ARTICLE III. CITY ATTORNEY.

SEC. 1. It shall be the duty of the city attorney to appear in behalf of the city in all suits and proceedings, which may be pending in any court wherein the city is a party, or in which it may have an interest, and to commence suits and institute proceedings in the name of the city; provided, that without the order of the city council, he shall commence no action in the interests of the city, except for the violation of an ordinance.

SEC. 2. Said attorney shall, at his discretion, prosecute an appeal, writ of error, or any other legal writ in any case in which the city shall be concerned, shall make the necessary affidavits therefor, and prepare and execute the necessary bond or bonds in the name of the city or otherwise as the law may require, and shall prepare all other necessary papers in such case, and sign his name as city attorney when necessary for the execution of his said authority.

SEC. 3. When required by order of the city council, or any committee thereof, said attorney shall draw up any ordinance, contract, conveyance or other instrument in writing in relation to the execution of corporate powers or corporate business.

SEC. 4. Said attorney shall act as the legal adviser of the city council, of the committees of said council, and of other city officers, in all matters relating to the official powers or duties of any such officer or officers or to the corporate business of the city. It shall be the duty of the city attorney to attend the meetings of the city council, of which he shall be entitled to notice in like manner as members of the city council.

SEC. 5. Said attorney shall have the right to be heard upon all questions or motions before the city council.

ARTICLE IV. CITY CLERK.

SECTION 1. The city clerk shall in addition to the duties prescribed by statute furnish to the city attorney any record or document in his office that he may call for, and take a receipt therefor; and shall furnish any necessary transcripts of the records of his office duly certified.

SEC. 2. Said clerk shall cause the ordinances of the city to be recorded and published as required by law, shall superintend the printing thereof, and examine the proof-sheets and compare them with the original rolls; and said clerk shall receive and file all papers proper to be filed among the records of the city.

SEC. 3. Said clerk shall keep an account with each fund, to which appropriations are made, by the city council, in such manner as to show at all times the state of each fund; and shall debit each fund with the amount of each appropriation, as well as all moneys, from time to time, coming into it by payments, transfers, or otherwise, and he shall credit each fund with all warrants drawn on it or for its use; and shall report monthly to the city council, the state of the account of each fund.

SEC. 4. Said clerk shall keep separate books in which he shall register all births and deaths occurring within the city limits. Under births shall be given the sex and color of child, names of parents and date of birth. Under deaths shall be given the person's name, age, color, sex, date of death, place of residence and cause of death. Said books shall always be open to inspection w

out fee. Said clerk shall supply to physicians printed forms for such returns.

SEC. 5. Said clerk shall attend all meetings of the city council, and at the close of each fiscal year make and lay before the city council a full and explicit statement of all the fiscal affairs of the city during the year.

ARTICLE V.—STREET COMMISSIONER.

SECTION 1. The street commissioner shall superintend any and all work upon the streets, avenues, alleys and public grounds of the city, and shall regulate and determine the supply of water for irrigation in all the ditches within the corporate limits. He shall also superintend the planting of all trees upon the streets, avenues, alleys and public grounds, and shall see that all such trees are properly irrigated, trimmed and cared for, and that the grass, shrubbery and trees growing in the public parks are also irrigated, trimmed and cared for.

SEC. 2. Said street commissioner shall keep a full and complete record, in a book to be furnished him by the committee on streets, of all tools, hardware, lumber or other materials purchased by him for the use of the city, together with a full and complete record of all such property turned over to him by his predecessor. He shall also, whenever any of such property has been used up or destroyed, for or on behalf of the city enter in said record book accurately what disposition has been made of said property, and he shall be held personally responsible for all such property which he shall be unable to satisfactorily account for to the committee on streets.

SEC. 3. Laborers and other persons employed by the street commissioner shall receive the following amount as compensation for their services:

- Street laborers, \$2.25 per day.
- Carpenters, \$3.25 per day.
- Teams with wagon or scraper and driver, \$4 per day.

SEC. 4. Said street commissioner shall keep a full and complete record of the number of day's work performed by any prisoners or other persons upon any of the streets, avenues, alleys or public grounds of the city and the names of the persons performing such work, and shall each month report the same to the city council, and shall diligently work with his own hands upon all public work under his control and management.

SEC. 5. The street commissioner is hereby authorized to arrest and confine or cause to be arrested and confined any person put under his direction for the purpose of working out any fine or penalty as aforesaid, if such person shall attempt to escape or shall refuse to obey his directions; and said street commissioner is hereby authorized to use all reasonable and proper means to secure the faithful performance of labor by persons placed under his direction as aforesaid.

ARTICLE VI.—CITY SURVEYOR.

SECTION 1. It shall be the duty of the city surveyor, from time to time, to make all necessary surveys of streets, alleys, avenues, public grounds and all other surveys required in the city, and also when required by the city council to mark the line of any lot or any public or private property, and the grade of any street, alley or avenue, and mark the same in some substantial and permanent manner; make correct levelings of the streets, alleys or avenues the grade whereof is not yet established, and report plans and estimates of any street alley or avenue the grading whereof shall be changed or altered, making such landmarks either for surveying or leveling, by planting stones or otherwise, as he shall deem necessary or useful; superintend all surveys authorized by ordinance; mark out all streets, alleys or avenues authorized by ordinance to be opened; construct and keep in his office a correct map of the city, showing thereon the several additions thereto, the streets, alleys, avenues, public squares, public buildings and city property, and generally all such conspicuous and permanent topographical objects as he shall deem necessary; and from time to time correct and alter the same as circumstances may require; shall furnish the city council with all plans and specifications for laying out, grading and regulating streets and public ways, and for bridges and culverts, and the location of inlets or other improvements, and shall superintend the erection or construction of the same; shall keep in his office certified copies of all records relating to the surveys and improvements connected with the city of Grand Junction, and an accurate record of all surveys and adjustments of party lines, and also such plans of such parts of said city and in such form and with such details as shall from time to time be required for official purposes, and all of which shall be the property of the city of Grand Junction; and he shall at the expiration of his term of office deliver to his successor in office all property belonging to said city.

SEC. 2. Before any person shall commence the erection or construction of any building or any fence upon the line of any street, alley or public way, such person shall notify the city surveyor to survey the premises upon which such building or fence is about to be constructed; and it shall be the duty of the city surveyor to furnish such person with the lines upon which such building or fence is to be constructed. If any person shall violate the provisions of this section he shall, on conviction, be fined not less than five dollars nor more than fifty dollars.

SEC. 3. Before any person shall commence the erection of any building upon the line of any street or public highway within the city of Grand Junction where the grade has been established, he shall apply to the city surveyor for the grade of such street, and thereupon it shall be the duty of the city surveyor to furnish to such person the grade of such street or public highway. Any person who shall violate any of the provisions of this section shall on conviction be fined in the sum of not less than five dollars and not more than twenty-five dollars.

SEC. 4. Said surveyor shall make such alterations upon the official profiles as may from time to time become necessary, to indicate any changes that may have been or may be made, by order of the city council, in the established grade of any street or avenue or part thereof.

SEC. 5. Said surveyor shall be allowed to charge and demand in advance the following fees from the owners of property ordering work to be done, or against whom the same is properly chargeable: For surveying any one lot, two dollars; for surveying each additional lot at the same time and owned by the same per-

son, one dollar; for furnishing street grade for each lot, two dollars.

SEC. 6. Said surveyor, while incumbent in such office, shall not become interested in any contract for any public improvement or be security for any contractor for the same; and no person shall change or move any stake or landmark fixed by said surveyor or his assistants. Any person violating any of the provisions of this section shall on conviction be fined in a sum not less than five dollars and not more than one hundred dollars.

ARTICLE VII. POLICE MAGISTRATE.

SECTION 1. The police magistrate shall at each regular meeting of the city council make a detailed report in writing, giving the name, residence and occupation, if known, of each and every person tried before him during the preceding month, for breaches of the ordinances, setting forth opposite the names, the nature of the offense with which each had been charged respectively, the disposition made of each case, the amount of fine imposed when defendant was found guilty, whether such fine had been paid, or the offender committed in default, and when any of the parties are old offenders, he shall so note it.

SEC. 2. Such reports shall be published in full from time to time, as the city council may direct.

Passed this 26th day of September, A. D. 1891.

EDWARD W. GANNON,
Temporary President.
FRANK McCLINTOCK,
City Clerk Pro Tem.

Attest:

Edward W Gannon
Temporary President
Frank McClintock, City Clerk
Pro tem