

amended by No. 21

ORDINANCE NO. 20.

An Ordinance Concerning City Weighers.

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

SECTION 1. The city council shall from time to time appoint one or more city weighers as may be deemed necessary and expedient, who shall hold his office for the period of one year; provided, that no person or persons interested in a coal yard or transacting a coal business in this city, shall be eligible to the office of city weigher.

SEC. 2. Every city weigher so appointed shall, before he enters upon the discharge of his official duties, enter into a good and sufficient bond to the city of Grand Junction, in the sum of one thousand dollars, with sureties to be approved by the city council, conditioned for the full and faithful discharge and performance of the duties imposed upon him by the ordinances of the city; and the payment of any damages that may accrue to any person, firm or corporation by reason of his using any false weight, or issuing any false or incorrect certificate.

SEC. 3. Each and every city weigher so appointed, shall provide his own scales, which shall be of the most approved pattern in use, and shall locate them and keep them properly adjusted and repaired at his own expense.

SEC. 4. The city weighers so appointed shall have the power to appoint all necessary deputies to attend said scales, and the official bond of said weigher or weighers shall be holden and answerable for the acts of said deputies.

SEC. 5. Said city weighers shall either in person or by deputy, be present at their scales during the reasonable business hours each day during the term of their said offices, Sundays and legal holidays excepted, and it shall be their duty to weigh any coal, hay or any other article when so requested by the person or persons bringing the same.

SEC. 6. The official certificate of any city weigher to the weight of any article shall be prima facie evidence of the true weight of said article in any suit arising under any of the ordinances of this city.

SEC. 7. The city weighers shall be allowed to charge and receive in advance fifteen cents for every load or draft, or part of a load, or article of any kind or nature whatsoever by them weighed, to be paid by the person or persons for whom such service shall be performed, and they shall keep an account of the weight of every load, part of a load, or other article by them weighed, and shall furnish to the person having such load, part of a load, or other article weighed, a certificate for the same which certificate shall contain the gross and net weight of each load, part of a load, or other article so weighed.

SEC. 8. Said city weighers shall severally provide themselves with and each shall keep, a register in which he shall enter the weight of each load, part of a load or article weighed, and the name of each person, for whom, and the date when the same was weighed, and when the vehicle and load, part of a load or other article shall be weighed together, the weighers' certificate shall state the gross weights thereof, and upon the delivery of a load, part of a load or other article, the vehicle shall again be weighed without further charge, by the weigher who weighed the original load, part of a load or other article, and thus the net weight be ascertained.

SEC. 9. In no case shall any city weigher state in his said certificate the weight of any vehicle which may have been weighed with any load, until said weigher shall have ascertained the weight of said vehicle by actually weighing the same on his said scales at about the time of weighing said load.

SEC. 10. The register required to be kept by the city weighers under the provisions of this ordinance, shall, at all times during business hours, be open to the inspection of any person interested in weighing done by such weigher, and the said register shall also be open at all such times to the inspection of any officer of the city.

SEC. 11. Any person who shall exercise or perform the duties of the office of city weigher within the meaning of this ordinance, without first having been authorized so to do, as herein provided, shall upon conviction thereof, be fined in a sum not less than twenty-five dollars nor more than three hundred dollars for each offense.

SEC. 12. Any city weigher who shall falsely certify to the weight of any load, part of a load, or any article whatsoever, by him weighed, or who shall practice any deceit in weighing, or who shall give any certificate of weight without having first actually weighed the load or article named in such certificate, shall, upon conviction thereof, be fined in a sum not less than twenty-five dollars nor more than three hundred dollars for each offense and shall thereafter be ineligible to appointment to said office of city weigher.

SEC. 13. It shall be unlawful for any person to alter any certificate of any city weigher, or use or attempt to use, the same for any other load, part of a load or article, than the one for which the same is given, or diminish the quantity of any load, part of a load or other article, after the sale and before the delivery thereof, under a penalty of not less than twenty-five dollars nor more than three hundred dollars for each offense.

SEC. 14. Any city weigher who shall violate any of the provisions of this ordinance for which violation no penalty has been herein provided, shall, on conviction thereof, be fined in a sum not less than five dollars nor more than one hundred dollars for each offense.

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

EDWARD W. GANNON,
Temporary President.

Attest.

FRANK McCLINTOCK,
City Clerk, Pro Tem.

Edward W Gannon
Temporary President
Frank McClintock
City Clerk Pro Tem