

ORDINANCE NO. 366.

AN EMERGENCY ORDINANCE AMENDING SECTION 5 AND SECTION 13 OF ORDINANCE NO. 14, ENTITLED "AN ORDINANCE CONCERNING PROCEEDINGS BEFORE THE POLICE MAGISTRATE", PASSED AND ADOPTED SEPTEMBER 26TH, 1891.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

Section 1. That section 5 of Ordinance No. 14, entitled "An ordinance concerning proceedings before the police magistrate," passed and adopted September 26th, 1891, be and the same is hereby amended to read as follows:

Section 5. Upon the filing of the statement or complaint mentioned above, the Police Magistrate, now known as the Municipal Judge, shall enter the case upon his docket in the usual manner required by law, and shall issue a summons returnable in not less than five nor more than fifteen days, except when the defendant is a corporation the summons shall be returnable in not less than twenty days nor more than thirty days, or issue a warrant returnable forthwith, as the case may require. Whenever any person has been arrested on view or otherwise, according to law, without a warrant, the Police Magistrate, now known as the Municipal Judge, shall enter in his docket the fact of his arrest and by whom made, and the officer making the arrest shall file a complaint on oath as above provided.

Section 2. That section 13 of Ordinance No. 14, entitled "An ordinance concerning proceedings before the Police Magistrate," passed and adopted September 26th, 1891, be and the same is hereby amended to read as follows:

Section 13. Upon the rendition of judgment against any defendant for the violation of any ordinance of this city, the Municipal Judge, formerly known as the Police Magistrate, may make an order and enter the same upon his docket that if the defendant neglect or refuse to satisfy such judgment, and costs of suit, he shall be confined in the city jail or other place of confinement provided for that purpose, until such judgment and costs shall be fully paid; provided no such imprisonment shall exceed ninety days for any one offense. Execution for such judgment and costs of suit shall be issued immediately upon the rendition of such judgment, and garnishment proceedings after judgment, in aid of execution, may be had. Levy and sale under execution by the Chief of Police, may be made in like manner, so

far as same is practicable as levy and sale under execution issued out of justice of the Peace courts, and garnishment proceedings after judgment in aid of execution may be had in like manner so far as same is practicable as garnishment proceedings after judgment, in Justice of the Peace courts.

Section 3. In the opinion of the City Council a special emergency exists for the preservation of the public peace, health and safety, and this ordinance shall take effect upon its passage.

Passed and adopted this 1st day of October, A.D. 1924.

/s/ W.G. Hirons

President of the Council

ATTEST:

/s/ Fred A. Peck

City Clerk

I HEREBY CERTIFY that the foregoing emergency ordinance, entitled "An Emergency Ordinance Amending Section 5 and Section 13 of Ordinance No. 14, Entitled "An Ordinance Concerning Proceedings Before the Police Magistrate," passed and adopted September 26, 1891, was introduced, read, passed and ordered published by the unanimous vote of all the members of the City Council of the City of Grand Junction, Colorado, at a regular meeting of said Council held on the 1st day of October A. D. 1924, and numbered 366.

IN WITNESS WHEREOF, I have set my hand and affixed the official seal of said city this 1st day of October, A. D. 1924.

/s/ Fred A. Peck

City Clerk