

## CHAPTER II.

### ORDINANCES

#### Article 1.

##### Procedure

##### 2.0101 Voting, Record of

The yeas and nays shall be taken by the governing body upon the passage of all ordinances and on all propositions to create any liability against the city or for the expenditure of appropriation of money, and, in all other cases, at the request of any member, which shall be entered on the journal of its proceedings, and the concurrence of a majority of all the members elected shall be necessary to the passage of any such ordinance or other matter which shall come before it for decision, except as otherwise provided by law or ordinance. It shall require a two-thirds vote of all the members elected to sell any city property where the value is more than \$100.00. A member of the governing body who passes his vote, or who remains silent when the roll call on the vote is taken, shall be deemed to have voted yea and a record of yea shall be entered in the journal.

##### 2.0102 Reconsideration or Rescinding Vote.

No vote of the governing body shall be reconsidered or rescinded at a special meeting unless, at such special meeting there is present as large a number of members as was present when such vote was taken.

##### 2.0103 Procedure in Passing Ordinances.

All ordinances shall be read twice, and the second reading shall not be had in less than one week after the first reading; and after such first reading, before their final passage, such ordinances may be amended, and shall then be put upon their second reading and final passage; provided such ordinance is not

enacted until it is approved by the Mayor or passed over the Mayor's veto, the ordinance shall be deposited in the office of the City Auditor for approval by the Mayor. If he approves the ordinance, he shall sign it. If he disapproves, he shall return the ordinance with his written objections to the next regular or special meeting of the council. If he fails to return the ordinance with his objections within said time, he shall be deemed to have approved the same. He may veto an entire ordinance or items thereof. An ordinance vetoed in whole or in part may be reconsidered by the council and passed over the veto by a two-thirds vote.

##### 2.0104 Publication.

The title and penalty clause of each ordinance, imposing any penalty, fine, or imprisonment for its violation, after its final adoption, shall be published in one issue of the official paper of the city.

##### 2.0105 Effective Date.

Ordinances adopted and requiring publication shall take effect and be in force from and after publication unless otherwise provided. Ordinances not requiring publication shall take effect and be in force from and after final approval unless otherwise provided.

##### 2.0106 Effect of Repeal.

When any ordinance repealing a former ordinance, clause or provision, shall be itself repealed, such repeal shall not be construed to revive such former ordinance, clause or provision, unless it shall be expressly so provided.

##### 2.0107 General Penalties for Violation.

In case no other specific penalty is prescribed for the violation of any

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section or provision of any ordinance of the City of Columbus, any person found guilty of violating the same shall be punished by a fine of not less than One Dollar (\$1.00) nor more than Five Hundred Dollars (\$500.00) or by imprisonment not to exceed thirty (30) days, or both such fine and imprisonment in the discretion of the court; the court to have power to suspend said sentence and to revoke the suspension thereof. Each day any person, firm, association or corporation shall violate any section or provision of any article shall constitute a separate offense.

### 2.0108 Costs of Prosecution.

In every case of conviction of a violation of any ordinance, or any part thereof, the cost of prosecution shall be assessed against the person convicted, as part of the punishment.

### 2.0109 Judgment on Conviction.

In all trials for offenses under the ordinances of the City of Columbus, if the defendant is found guilty, the Municipal Judge shall render judgment accordingly. It shall be a part of the judgment that the defendant stand committed until such judgment is compiled with, in no case to exceed one (1) day for every One Dollar and Twenty-five cents (\$1.25) of fine and cost assessed against said defendant.

### 2.0110 Hard Labor, Authorized.

If, in the opinion of the court, a person to be sentenced is capable of performing manual labor, such court may sentence such person to confinement at hard labor.

### 2.0111 Same: Credit For.

Any person so imprisoned and sentenced to hard labor, as provided in Section 2.0110, shall be required to work for the city under the direction of Chief of Police, not to exceed ten (10) hours each working day; and for such work the person so employed shall be

allowed, exclusive of his board, One Dollar and Twenty-five cents (\$1.25) for each day's work, to be applied on account of such fine and costs.

### 2.0112 Refusal to Work.

Any person refusing to perform manual labor in accordance with the sentence of the court, shall be deemed in contempt of court and shall be punished accordingly. No credit shall be allowed such person on account of such fine and cost for the day or days that such person refuses to perform manual labor in accordance with the sentence of the court.

### 2.0113 Fines - No Remission.

Under no circumstances shall the Municipal Judge remit fines or penalties or payment of costs.

### 2.0114 Deferring or Suspending Sentence.

The Municipal Judge may, in his discretion, upon the conviction of any person of any offense against any of the ordinances of the City of Columbus, then and there impose a sentence of imprisonment as may be regulated by such ordinances, or defer imposition of sentence or suspend the sentence imposed on such person for a period of not to exceed ninety (90) days from the date of such conviction; and may, during such period, allow the defendant to go upon his own recognizance, or upon such bail as may be regulated by law or the ordinances of said City; and may, in his discretion, at or before the expiration of such period have the defendant brought before him and commit such defendant or cause such sentence of imprisonment to be then and there imposed and executed in like manner, so far as applicable, as may be provided by law or the ordinance in cases where the commitment and imposition of the sentence of imprisonment is not deferred or suspended and may then and there forthwith commit such defendant and

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require that such sentence of imprisonment be executed and carried out.