

A BILL FOR AN ORDINANCE AMENDING ORDINANCE  
#848 and PROVIDING FOR A JURISDICTION OF  
THE TWO DEPARTMENTS OF MUNICIPAL COURT,  
AND FOR PROCEDURE FOR HANDLING BAIL MONEY  
AND FINE MONEY.

ORDINANCE BILL NO. 42  
for 1956  
ORDINANCE NO. 967

THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS:

That Section 3 of Ordinance No. 848 as passed by the Council and approved by the Mayor on the 17th day of November, 1952, be and hereby is, amended to read as follows:

Section 3 - If the Defendant pleads not guilty when brought before the Municipal Judge of Department No. 1, such Judge shall give the Defendant an opportunity to secure bail and in the event of his failure or refusal to do so, the Defendant shall be committed to a police officer of the City of Lebanon to be held in the municipal jail until trial of the case.

That Section 4 of Ordinance No. 848 be amended to read as follows:

Section 4- The Municipal Judge of Department No. 1 shall keep a docket of pleadings coming before the Court and make the proper entries therein, and upon the entry of a plea of "not guilty" and admission of the Defendant to bail or committment to a police officer pending the trial of the case, the Municipal Judge of Department No. 1 shall prepare a transcript of all proceedings which prior to that time have come before his Court, including the docket entries up to that time, and including all other records which he may have relating to the case, such as the complaint, copy of writ of arrest and deliver the same to the Municipal Judge of Department No. 2, and upon delivery of the aforesaid transcript and docket entries, the jurisdiction of the Judge of Department No. 1 over the case shall terminate, and the Judge of Department No. 2 shall thereafter have exclusive jurisdiction of the case until its final determination, or until it is appealed, and the Judge of Department No. 2 shall complete the aforementioned docket and transcript.

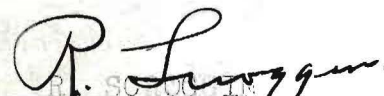
That Section 5 of Ordinance No. 848 be amended to read as follows:

Section 5 - At the time of delivery of the aforementioned transcript, the Judge of Department No. 1 shall deliver to the Recorder of the City of Lebanon all bail money that has been posted by said Defendant and the Recorder shall keep said bail money in the Recorder's account and keep and accurate record thereof, and shall deliver to the Judge of Department No. 2, a record of the amount of bail money so posted. The recorder shall hold said bail money until ordered, in writing, by the Judge of Department No. 2 to refund same to the Defendant or notified by the Judge of Department No. 2 that same has been forfeited or applied to a fine, and at such time the Recorder shall forthwith refund same to the Defendant or apply same to the fine as the case may be, or in case

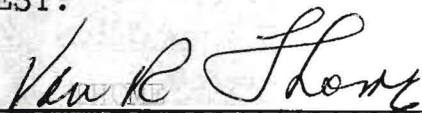
the Recorder is notified, in writing, by the Judge of Department No. 2 that the case has been appealed, the Recorder shall forthwith transmit said bail money to the Circuit Court for the State of Oregon in and for the County of Linn. All fine money collected by either Judge shall be turned over by the Judge so collecting said fine money to the Recorder not later than the close of business on the day following the collection of said fine money, or if the day following shall be a holiday, not later than the close of business of the next succeeding day, and the recorder shall issue a receipt for same forthwith, and in case the recorder should be absent from his duties, the assistant recorder is hereby empowered to collect said monies, and the recorder or assistant recorder shall issue a receipt for said money to said Judge. That both Judges shall enter in the transcript at the conclusion of each case, the amount of money collected by them and shall keep said transcripts in an orderly manner for purposes of audit.

Inasmuch as this Ordinance has been recommended by the State of Oregon for the orderly handling of the funds of the City of Lebanon and this Ordinance is required for the peace, health and safety of the City of Lebanon, therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council and approved by the Mayor on this 18th day of December, 1956.

  
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Mayor

ATTEST:

  
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City Recorder