ORDINANCE NO. 1224

AN ORDINANCE AMENDING SECTIONS 1-12 AND 1-13 OF THE CODE OF ORDINANCES OF THE CITY OF MILES CITY, MONTANA TO CONFORM TO CHANGES IN MONTANA STATUTE AND PROVIDING FOR A HEARING THEREON.

BE IT ORDAINED by the City Council of the City of Miles City, Montana as follows:

Section 1. Section 1-12 of the Code of Ordinances of the City of Miles City, Montana is amended to read as follows:

“Sec. 1-12. Prosecution where different penalties exist for same offense.
In all cases where the same offense may be made punishable or shall be created by different clauses or sections of the ordinances of the city or state law, the prosecuting officer may elect under which to proceed; but not more than one penalty shall be had against the same person for the same offense.”

Section 2. Section 1-13 of the Code of Ordinances of the City of Miles City, Montana is amended to read as follows:

If any person shall plead guilty to or be convicted of any violation of any ordinance now or hereafter enacted by the city, and does not pay the full amount of the judgment of fines and costs imposed, within the time and conditions set by the city judge, the city judge shall commit such person to the city jail until the fine is credited in full. The daily rate of credit for incarceration shall be the amount established annually by the board of county commissioners of Custer County. The person shall be released if the fine is paid sooner.”

Section 3. This amendment shall become effective thirty (30) days after its final passage.

Said ordinance read and put on its passage this 26th day of July, 2011.

ATTEST:

Joe Whalen, Mayor

Rebecca Stanton, City Clerk

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Joe Whalen, Mayor

Rebecca Stanton, City Clerk
STATE OF MONTANA  
County of Custer  

Mary Halvorson, being duly sworn on her oath, says that she has been the principal clerk of the printer of the MILES CITY STAR, a daily newspaper of general circulation, printed and published at Miles City, in said County and State. That the Ordinance 1224, second reading . A printed and true copy which, cut from the columns of said newspaper, is hereto attached, and made a part hereof, was printed and published in said newspaper, in the regular and entire issue of every number of the paper during the period, August 12 and 19, 2011.

Signed  

Subscribed and sworn to before me this 23rd day of  

2011