

ORDINANCE NO. 861

AN ORDINANCE AMENDING SECTION 17, CHAPTER 21 OF THE CODE OF THE CITY OF ROSWELL, NEW MEXICO 1962 AND, DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROSWELL, NEW MEXICO:

1. That Section 17, Chapter 21 of the Code of the City of Roswell, New Mexico 1962 be, and the same hereby is amended to read as follows, to-wit:

Section 21-17. When municipal judge is not available, the Chief of Police is authorized to accept cash deposited as bail in lieu of appearance bond and, to accept arrest bond certificate of a surety company, all as hereinafter provided.

At such times when the municipal court is not in session, or at any other such times when the municipal judge is not available to approve and accept such bonds, recognizances, including arrest bond certificates and/or cash deposits in lieu of bail bond, as provided in Section 21-16 hereof, the Chief of Police is hereby authorized and empowered to approve and accept recognizances conditioned for the appearance of all persons under arrest or held for violations of this Code or other ordinances of the city as follows:

(a) A cash deposit made in lieu of a bail bond.

(b) A guaranteed arrest bond certificate, issued by an automobile club or association to any of its members, which certificate shall be countersigned by such member and shall contain a statement that such automobile club or association and a surety company guarantee the timely appearance of the person whose signature appears on the certificate and, that they will pay to the court any fine or forfeiture imposed on such person in an amount not to exceed Two Hundred Dollars (\$200.00) in the event of the failure of such person to be and appear in court at the time of trial or, as required by the court, when such person is arrested for violation of any motor vehicle law of this state or ordinance of the city (except for the offense of driving while intoxicated, or for any felony) committed prior to the date of expiration shown on such certificate. Such arrest bond certificate shall be subject to forfeiture and enforcement provisions in the same manner as bail bonds and other appearance recognizances posted.

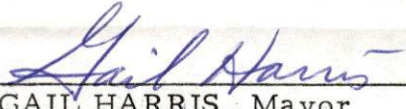
As soon thereafter as shall be practicable, the Chief of Police shall report to the municipal court any such person or persons as shall have been by him released from custody as hereinabove provided and further, he shall account for and deliver, or cause to be delivered, to the municipal court such arrest bond certificates and/or sums of cash as shall have been received or deposited pursuant to this section in lieu of bail bond.

2. That this ordinance is necessary for the preservation of the public health, peace, safety and general welfare of the inhabitants of the City of Roswell, Chaves County, New Mexico, and is hereby declared to be an emergency measure on the ground of urgent public need; and therefore, immediately upon its final passage, shall be recorded in the book of ordinances

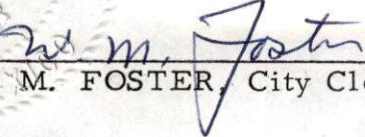
of said City kept for that purpose, authenticated by the signatures of the Mayor and the City Clerk, shall be published in the Roswell Daily Record, a legal newspaper published and of general circulation in said City, and this ordinance shall be in full force and effect five days after such publication.

PASSED, ADOPTED, SIGNED AND APPROVED this 21st day of July, 1966.

CITY SEAL

  
GAIL HARRIS, Mayor

ATTEST:

  
W. M. FOSTER, City Clerk