

AN ORDINANCE 17-113  
ENTITLED

**AN ORDINANCE ADOPTED PURSUANT TO THE PROVISIONS OF TITLE 36, CHAPTER 35 OF THE OFFICIAL CODE OF GEORGIA ANNOTATED, AS AMENDED, AMENDING SECTION 24(1) OF THE CITY CHARTER SO AS TO PROVIDE FOR A MAXIMUM FINE OF \$1,000; REPEALING PRIOR ORDINANCES AND CHARTER PROVISIONS IN CONFLICT AND FOR OTHER PURPOSES.**

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Albany, Georgia and it is hereby ordained by authority of same:

SECTION 1. Section 24(1) of the City Charter is amended so as to provide for a maximum fine of \$1,000, and accordingly, Section 24(1) shall hereinafter read as follows:

**Sec. 24. - Municipal court; officers; procedure, etc.**

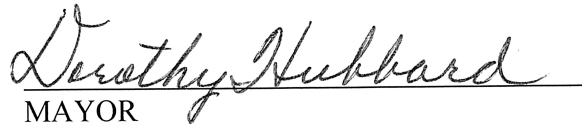
There shall be and there is hereby established in and for the City of Albany to be conducted in such manner, and at such time, except Sunday, as the board of city commissioners may prescribe, a city municipal court, in which court the mayor, or in the event that a city recorder [municipal court judge] is appointed by the board of city commissioners, then the recorder [municipal court judge], shall be the presiding officer. In case of the absence or disability of the presiding officer for any cause, any member of the board of city commissioners designated by the board, shall preside. The procedure in said court, with reference to the conduct and trial of cases therein, not in conflict with this section of the charter or the general law shall be prescribed by the board of city commissioners or by rule or order of the presiding officer thereof not in conflict with this charter or city ordinances on the subject, and the board of city commissioners shall have the power to provide by ordinance for the compulsory attendance of all persons violating any municipal ordinance before said municipal court, by summons or copy of charges, to answer the offense charged, and, when employed, such summons or copy of charges shall be issued as provided for subpoenas and shall contain a summary or simple statement of the offense charged, and disobedience of said summons or copy of charges shall be punished as provided for disobedience of subpoenas.

(1) *Jurisdiction; authority to punish; extent of penalty, etc.* Said municipal court shall have jurisdiction to try all offenders against the laws and ordinances of the city committed within the corporate limits or police jurisdiction thereof, and to punish persons convicted in said court of violating such laws and ordinances by a fine not to exceed \$1,000.00 or by imprisonment in the guardhouse, city prison or other place provided, or by compulsory labor on the streets or other public works, or city chain gang not to exceed 180 days, and either one or more of said punishments may be cumulative, or both, or the fine may be imposed with an alternative of such imprisonment or compulsory labor or coerced or enforced by

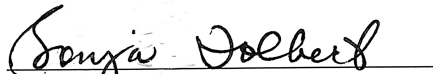
said punishment or labor; provided, that the punishments, within the limits prescribed, shall only be imposed by said court in the amount and manner prescribed by the penal ordinances of said city, but in the event no penalty is provided for the doing of which is made unlawful by ordinances, the court shall have the power to proceed to impose the punishments as herein enumerated; provided further, that for violations of the Sewer and Pretreatment Ordinance of the City of Albany the maximum amount of a fine shall be \$1,000.00 for each offense. The jurisdiction of said municipal court shall further extend to the investigation of any charge involving or amounting to a violation of the penal laws of Georgia, when such charge is entered upon the docket of said court and when the offense is alleged to have been committed within the corporate or police limits of the city, and provided such charges are made in writing and verified to the best of the knowledge and belief of the person making the same.

SECTION 2. Pursuant to the provisions of §36-35-3 of the Official Code of Georgia Annotated, this Ordinance shall become effectively immediately upon its adoption by the Board of Commissioners of the City of Albany, Georgia at two regularly scheduled consecutive meetings and after compliance with all of the provisions of the Municipal Home Rule Act of 1965, as amended.

SECTION 3. All Ordinances, or parts of Ordinances, and all Charter provisions, or parts of Charter provisions, in conflict herewith are repealed.

  
MAYOR

ATTEST:

  
CITY CLERK

First Reading: *September 26, 2017*  
Adopted: *October 10, 2017*

Introduced By Commissioner: *Bob Langstaff Jr*  
Date(s) read: *Sept 26 + Oct 10, 2017*