



**ORDINANCE NO. 53**

**AN ORDINANCE MAKING THE VILLAGE CLERK EX-OFFICIO SEALER OF WEIGHTS AND MEASURES AND PRESCRIBING HIS DUTIES, PROVIDING FOR ALL WEIGHTS AND MEASURES TO BE APPROVED TWICE EACH YEAR, FIXING FEES FOR TESTING SAME, AND PUNISHING USERS OF FALSE WEIGHTS AND MEASURES.**

BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF REXBURG, IDAHO;

**SECTION I** – The Village Clerk shall be ex-officio sealer of weights and measures for the Village of Rexburg, Idaho, and shall have the care and custody of the Village standards. He shall procure, at the expense of the village, a full set of weights and measures, scales and beams, which he shall cause to be tried, proved and sealed by the county standards, under the direction of the county auditor.

**SECTION II** – Upon the sealing of the weights and measures by the county auditor as herein provided, the village clerk shall immediately post in his office due notice of his authority and readiness to act as inspector and sealer of weights and measures, and shall advertise the same by publication for thirty days.

**SECTION III** – The village sealer of weights and measures shall try and prove all weights and measures, seals and beams within the limits of said village of Rexburg, twice in each year, and when the same are formed or made to conform to the legal standard he shall seal and mark such weights and measures with the village standards.

**SECTION IV** – The village sealer of weights and measures shall be entitled to and shall receive for each examination, testing, sealing and certifying as hereinbefore required, the following fees, which shall be collected from the owner or owners of the weights, measures, scales or other articles inspected:

Any steel yards, or beam, ground floor, platform, counter or other scales, by which may be weighed not exceeding 260 pounds, 25 cents.

Over 600 pounds and less than 1200 pounds, 75 cents.

Over 1200 pounds, \$1.00.

For any yard stick, dry or liquid measure, 10 cents.

Any nest or set of measures, 25 cents.

And the weights attached to any scale shall, as to the compensation of the sealer of weights and measures, be considered a part of the scales; provide, that where any such weight, measure or instrument, previously inspected shall upon subsequent examination be found correct, they shall not be required to be stamped a second time.

**SECTION V** – Any person who shall, after thirty days subsequent to published notice from the village sealer of weights and measures, be found using any false or fraudulent beam, scale, weights or measure and who shall fail or neglect on written notice of the same from any person aggrieved, or in any way cognizant thereof to have said imperfect beam, scale, weight or measure duly inspected, and adjusted and sealed by the village sealer of weights and measures, or who shall use the same scale, weight or measure subsequent to said notice without correction or adjustment shall be guilty of a misdemeanor.

**SECTION VI** – The village sealer of weights and measures shall issue certificates to every person whose weights and measures are proved under this ordinance, and shall account for all fees received twice a year.

**SECTION VII** – All ordinances and parts of ordinances in conflict herewith are hereby repealed.

**SECTION VIII** – This ordinance shall take effect from and after its passage and approval, and publication as required by law.

PASSED AND APPROVED THIS 7<sup>TH</sup> DAY OF MARCH, 1903.

(SEAL)

W. N. STEPHENS

Chairman

ATTEST: A. M. CARBINE  
Clerk