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Progress of Denver Municipal Code Revision

By J. GLENN DONALDSON

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At your request I am outlining the progress made and our tentative plans concerning future work in achieving the codification of the Denver municipal ordinances. This work was undertaken in July of 1947 and the first stage concluded on January 15, 1948.

The work was done by Mr. George Craemer, a Denver attorney, under the general supervision of this office. He was assisted by a staff of stenographers and typists which varied from one to five in number during the above noted period. As you know, our ordinances had not been compiled or codified since 1927 and the only source of information which could be depended on was that afforded by Mr. Siewers Fincher, City Clerk. A W.P.A. project of the mid '30's had bogged down after a reported expenditure of some \$10,000.00 and the material was in such shape it afforded no help to Mr. Craemer in his undertaking.

Two methods of approach were available to us last June when the project was in the planning stage. First, to place the project in the hands of some professional firm like Michie and Company, the compilers and annotators of the 1935 Colorado Statutes, or, second, to undertake the project locally under our direct supervision.

After several discussions with officials of Michie and Company, Bradford-Robinson Printing Company of Denver and the Denver Bar Association Ordinance Codification Committee headed by Marmaduke Holt, we determined to undertake at least the first stage of the work locally. Our decision was based on several grounds, the most important being the newly appointed department heads to have available copies of ordinances involved in the operations of their departments at the earliest possible moment. Further, because of the uncertain status of our charter, to which many ordinances are tied, it seemed unwise to undertake the complete job until that uncertainty was resolved.

Our needs seemed best served by the immediate undertaking of a mere compilation of the ordinances together with a complete index. Such a compilation, and it is only that, appears in the forty-odd mimeographed five-volume sets which attorneys will find in the following locations:

- (1). The law libraries of the Majestic, Equitable, First National, E. & C., University and Symes Buildings.
- (2). The Justice and Municipal Courts.
- (3). The District Court, Supreme Court and Public Libraries.
- (4). Principal city departments.

We mimeographed an additional number of copies of the ordinance index. Copies of the index can be supplied for \$1.00, and while a number of

attorneys have obtained such copies, we still have 94 copies for sale. The index is handy to the practicing attorney because through a quick reference thereto one can learn whether or not there has been any ordinance enacted upon the particular subject since 1927 and if found, the body of the ordinance can be examined in the places above indicated.

It is well that I reiterate the materials at hand are mere compilations, that is, a bringing together of all general ordinances enacted since 1927. No attempt has been made to revise or edit such material and it does not cover ordinances enacted since October 1, 1947. It is our intention to pick up subsequently enacted ordinances and issue a supplement to the compilation in the near future.

The compilation now available to attorneys will be of no earthly good to them unless they read and understand the preface to the index in Volume V; I cannot over-emphasize this fact. It may be of interest to know that the cost of the work to date is approximately \$5000.00.

The Second Stage

We originally contemplated undertaking of the second stage of the project during the summer of this year and postponing our decision until that time whether to continue the work locally or farm it out to a professional ordinance codifying firm. Inquiry made of one such publisher indicated a further cost of between \$12,000.00 and \$15,000.00. However, while awaiting the outcome of the charter case, we are experimenting with a different approach to the problem. A member of this staff is serving as executive secretary to the Building Code Revision Committee. When that work is completed I intend to assign her to the revision of miscellaneous police ordinances, most of which are antiquated and a number of which are unquestionably unconstitutional. If this approach proves successful up to that point, the reviser would be assigned to the various departments to work with the department head and others to bring our ordinance law into step with practices.

The speed in which the final publication date of the code is reached under this method depends largely upon the size of the personnel assigned to the task but it may take as long as two years. It is our present thinking that the completed work, under this system of subject by subject revision, would be in much better form than either of the two previously considered methods.

We have deeply appreciated the consideration given to the problem at hand by the bar association committee and I know that from time to time we will have need to call upon its members for their further advice. We invite the criticisms and suggestions of all practicing attorneys to the end that we eventually have an accurate and satisfactory code of municipal legislative enactments.