

CODE OF GENERAL ORDINANCES
TOWN OF GLENMORE
BROWN COUNTY, WISCONSIN

CHAPTER 12

MUNICIPAL COURT

AN ORDINANCE TO CREATE
A JOINT MUNICIPAL COURT
FOR THE TOWN OF GLENMORE
PER 66.0301 OF THE WISCONSIN STATUTES

THE TOWN BOARD OF THE TOWN OF Glenmore, DOES ORDAIN AS FOLLOWS:

SECTION 1

1) **Municipal Court Created**

Pursuant to the authority granted by Chapter 755 of the Wisconsin Statutes, there is hereby created and established a Joint Municipal Court to be designated "Brown County Joint Municipal Court" said court to become operative and function on August 1, 2006.

2) **Elections**

Term: The Municipal Judge shall be elected at large in the spring election in odd-numbered years for a term of two years commencing on May 1. All candidates for the position of Municipal Judge shall be nominated by nomination papers as provided in §8.10, Wis. Stats., and selection at a primary election if such is held as provided in §8.11, Wis. Stats. The State elections board shall serve as filing officer for the candidates.

Electors: Electors in all municipalities that are parties to the agreement shall vote for judge.

3) **Municipal Judge**

Qualifications: The Joint Court shall be under the jurisdiction of and presided over by a Municipal Judge, who resides in one of the municipalities that is a party to the agreement forming this joint court.

Oath and Bond: The Judge shall, after election or appointment to fill a vacancy, take and file the official oath as prescribed in §757.02(1), Wis. Stats., and a bond. The Judge shall not act until the oath and bond have been filed as required by §19.01(4)(c) Wis. Stats., and the requirement of §755.03(2) have been complied with.

Salary: The salary of the Municipal Judge shall be fixed by the Town Boards of the municipalities that are parties to the agreement which shall be in lieu of fees and costs. No salary shall be paid for any time during the term during which such Judge has not executed the official bond or official oath, as required by §755.03, Wis. Stats., and filed pursuant to §19.01(4)(c) Wis. Stats. The municipalities may by separate ordinance allocate funds for the administration of the

Municipal Court pursuant to §66.0301 Wis. Stats.

4) Operations

Operations of the Brown County Joint Municipal Court shall be governed by Wisconsin Statutes and an Agreement entered into by the member municipalities.

5) Jurisdiction

The Municipal Court shall have jurisdiction over incidents occurring on or after August 1, 2006 as provided in Article VII, §14 of the Wisconsin Constitution, §§755.045 and 755.05, Wis. Stats., and as otherwise provided by State Law. In addition, it shall have exclusive jurisdiction over actions in the municipalities that are parties to the agreement seeking to impose forfeitures for violations of municipal ordinances, resolutions and by-laws.

The Municipal Judge may issue civil warrants to enforce matters under the jurisdiction of the Municipal Court under §755.045(2), §66.0119, Wis. Stats.

The Municipal Court has jurisdiction over juvenile offenders when a municipality that is party to the agreement enacts an ordinance under the authority of §938.17(2)(cm), Wis. Stats.

6) Municipal Court

Hours: The Municipal Court shall be open at such location and at such times as determined by the governing bodies of the municipalities that are parties to the agreement and the Municipal Judge.

Employees: The Judge shall, in writing, appoint such clerks and deputy clerks that are authorized and funded by the Town Boards of the municipalities that are parties to the agreement.

7) Collection of Forfeitures and Costs

The Municipal Judge may impose punishment and sentences as provided by Chapters 800 and 938 Wis. Stats., and as provided in the ordinances of the municipalities that are parties to the agreement. All forfeitures, fees, assessments, surcharges and costs shall be paid to the treasurer of the Municipality within which the case arose within 7 days after receipt of the money by the Municipal Court. At the time of the payment, the Municipal Court shall report to the treasurer the title of the action, the nature of the offenses and total amount of judgments imposed in actions and proceedings in which such monies were collected.

8) Contempt of Court

The Municipal Judge, after affording an opportunity to the person accused to be heard in

defense, may impose a sanction authorized under §800.12 Wis. Stats. and may impose a forfeiture therefore not to exceed fifty dollars (\$50) or upon nonpayment of the forfeiture and the assessments thereon, a jail sentence not to exceed seven (7) days.

9) Abolition

The Municipal Court hereby established shall not be abolished while the §755.01(4) agreement is in effect.

SECTION 2

All ordinances or part of ordinances contravening or inconsistent with the provisions of this ordinance be and are hereby repealed.

SECTION 3

This ordinance shall take effect and be in full force and effect from and after its passage and publication as required by law.

Dated: 7/10/06

Readopted 10/2/06

TOWN OF Glenmore

By: Don A. Ketter
Chairman

Attest: Lana Osmer
Clerk

AMENDMENT TO THE ORDINANCE TO CREATE
SECTION 12 OF THE MUNICIPAL CODE OF THE
TOWN OF Glenmore TO INCREASE THE TERM OF THE
BROWN COUNTY JOINT MUNICIPAL COURT JUDGE
PURSUANT TO § 755.02 OF THE WISCONSIN STATUTES

THE TOWN BOARD OF THE TOWN OF Glenmore, HEREBY ORDAINS AS
FOLLOWS:

The Town Board of the Town of Glenmore has determined that the current Municipal Code shall be amended to increase the term of the Brown County Joint Municipal Court Judge from two (2) years to four (4) years.

Accordingly, effective upon the commencement of the next term of the municipal court judge on May 1, 2009, the Ordinance to Create Section 12 of the Municipal Code of the Town of Glenmore to Create a Joint Municipal Court Per § 66.0301 shall be amended so that Section 1, subsection 2 of the Ordinance, which is entitled "Elections" shall be struck in its entirety and replaced with the following:

2) Elections

Term: The Municipal Judge shall be elected at large in the spring electing in odd-numbered years for a term of four (4) years commencing on May 1. All candidates for the position of Municipal judge shall be nominated by nomination papers as provided in § 8.10, Wis. Stats., and selection at a primary election is such is held as provided in § 8.11, Wis. Stats. The State elections board shall serve as filing officer for the candidates.

Electors: Electors in all municipalities that are parties to the agreement shall vote for judge.

With the exception of Section 1, subsection 2 entitled "Elections," the remainder of the Ordinance to Create Section 12 of the Municipal Code of the Town of Glenmore to Create a Joint Municipal Court Per § 66.0301 of the Wisconsin Statutes shall remain unchanged and in full force and effect.

TOWN OF Glenmore

Dated: 7/7/08

By: Don A. Kettel
Chairman

Attest: Lena Orsmann
Town Clerk