

Chapter 27

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JOINT MUNICIPAL COURT

- 27.01 **Joint Municipal Court Created.** Pursuant to Chapter 755 Wisconsin Statutes, there is hereby created and established a Joint Municipal Court designated the "Northern Waupaca County Joint Municipal Court" (hereinafter a.k.a. "Joint Municipal Court") for the City of Clintonville, and the Village of Iola, and the City of Manawa, and the City of Marion, and the Village of Ogdensburg (hereinafter a.k.a. Member Municipalities) presided over by a Municipal Judge.
- 27.02 **Creation of Municipal Court Committee.** The purpose of said The Municipal Court Committee (hereinafter a.k.a. Committee) shall be to facilitate the orderly administration and communication between the Municipal Judge and the governing bodies of the Member Municipalities.
- A. The Committee shall be comprised of one representative of the City of Clintonville, the Village of Iola, the City of Manawa, the City of Marion, who shall be appointed by the Mayor, or President of the Member Municipality, subject to confirmation by the respective governing body, and in addition, one member who shall be a Chief of Police of a Member Municipality, the initial member of this Committee shall be the Chief of Police of the City of Marion, replaced on a yearly basis by means of rotation among the Chiefs of Police. The Chiefs of Police will rotate as follows: Clintonville, Iola, Manawa, and Marion. In order to assure participation and continuity of representation, each Member Municipality may appoint an alternate representative who shall act on Committee matters in the absence of the representative.
- 27.03 **Creation of the Position of Municipal Judge.** Pursuant to Chapter 755, Wisconsin Statutes, the office of Municipal Judge is hereby created.
- A. **Qualifications:** The Joint Municipal Court shall be under the jurisdiction of and presided over by a Municipal Judge who resides in one of the Member Municipalities.
- B. **Bond and Oath:** The Municipal Judge shall, after election or appointment to fill a vacancy, take and file the Official Oath as prescribed in Section 757.02, Wis. Stats., pursuant to Section 755.03 Wisconsin Statutes, with the Clerk of Circuit Court for Waupaca County, and at the same time shall execute and file an official bond. The Municipal Judge shall not act until the oath and bond have been filed as required by Section 19.01(4)(c) Wis. Stats. and the requirements of Section 755.03 have been complied with.
- C. **Salary:** The Municipal Judge shall receive a fixed salary and Municipal Judge's training pursuant to Section 755.18 and Section

755.04 Wis. Stats., the salary to be determined by the governing bodies of the Member Municipalities, subject to Section 755.04, Wisconsin Statutes, which shall be in lieu of fees and costs. The salary shall be paid quarterly. No salary shall be paid nor action taken by the Municipal Judge for any time during his or her term for which he or she has not executed and filed the official bond and oath pursuant to Section 755.03(1) and Section 19.01(4)(c) Wis. Stats.

27.04 **Election and Term of Municipal Judge.**

- A. **Term:** Pursuant to Section 8.50(4)(fm) Wis. Stats, Municipal Judges appointed prior to December 1 must run for election the following spring. Municipal Judges appointed after December 1 and before the spring election must run in the 2nd succeeding spring election. The Municipal Judge shall than be elected at large in the spring election for a two (2) year term, commencing on May 1st succeeding his or her election. All candidates seeking to be elected 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.
- B. **Electors:** Electors of the Member Municipalities shall be eligible to vote for the Municipal Judge of the Joint Municipal Court.

27.05 **Creation of the Position of Clerk and Deputy Clerk of the Municipal Court.** Pursuant to Chapter 755.10, Wisconsin Statutes, the Office of the Clerk of the Joint Municipal Court is hereby created.

- A. **Employees:** The Judge shall, in writing appoint the Clerk of the Joint Municipal Court and appoint deputy clerks as authorized by the governing bodies of the Member Municipalities.
- B. **Salary:** Training and compensation of said Clerk shall be as determined by the governing bodies of the Member Municipalities.
- C. **Bond and Oath:** The Clerk of Municipal Court and/or Deputy Clerk shall, before entering upon the duties of the office, take and file the official oath as prescribed in Section 19.01 Wis. Stats., with the City Clerk of the City of Clintonville and at the same time, shall execute and file an official bond. The Clintonville City Clerk will provide file copies to the municipal Clerks of the other member municipalities.

27.09 **Jurisdiction of Joint Municipal Court and Judge.**

- A. The Joint Municipal Court shall have jurisdiction over incidents 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 member municipalities who seek to impose forfeitures for violations of municipal ordinances, resolutions and by-laws.
- B. The Municipal Judge may issue civil warrants to enforce matters under the jurisdiction of the Joint Municipal Court under §755.045(2), §66.0119, Wis. Stats.
- C. The Joint Municipal Court has jurisdiction over juvenile offenders when a member municipality enacts an ordinance under the authority of §938.17(2) (cm), Wis. Stats.
- D. 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 member municipalities.

27.10 **Procedures of Joint Municipal Court.**

- A. The Joint Municipal Court location and time will be determined by order of the Committee and the Municipal Judge.
- B. The procedure in Joint Municipal Court shall be provided by the Wisconsin State Statutes and Wisconsin Supreme Court Rules.
- C. The Clerk of the Joint Municipal Court shall make daily deposits of all forfeitures, fees, penalties, assessments and costs collected in any action or proceeding before the Joint Municipal Court. These deposits will be made to a designated bank account as determined by the Committee.

27.11 **Contempt in Joint Municipal Court.** The Municipal Judge may impose a sanction as authorized under Section 800.12(2) Wis. Stats., for Contempt of Court as defined in Section 785.01(1), Wis. Stats., in accordance with the procedures under Section 785.03, Wis. Stats.

27.12 **Abolition.** The Joint Municipal Court hereby established shall not be abolished with the §755.01(4) agreement is in effect.

SECTION 2. All ordinances or parts of ordinances contravening or inconsistent with the provisions of this ordinance be and are hereby repealed.

SECTION 3. All member municipalities shall enter into agreement for the operation of the Joint Municipal Court, upon mutually agreeable terms pursuant to §66.30 Wis. Stats.

SECTION 4. This ordinance shall take effect and be in full force and effect from and after its passage by all municipalities and publication as required by law and the Joint Municipal court hereby established shall not be abolished with the §66.30 and §755.01(4) agreement in effect.