

ORDINANCE NO. 2019-01

AN ORDINANCE TO REPEAL AND RECREATE THE ORDINANCE CONSTITUTING THE TOWN OF LODI'S MEMBERSHIP IN THE EASTERN COLUMBIA COUNTY JOINT MUNICIPAL COURT

The Town Board of the Town of Lodi, Columbia County, Wisconsin does hereby ordain as follows:

1. Section 3.01 of the Lodi Municipal Code is hereby repealed and recreated to read as follows:

SECTION 3.01 **JOINT MUNICIPAL COURT**

(a) **Joint Municipal Court Created.**

Pursuant to Wis. Stats. Chap. 755, there is hereby created and established a Municipal Court designated "Joint Municipal Court for the Village of Cambria, the City of Columbus, the Village of Fall River, the City of Lodi, the Village of Pardeeville, the Village of Poynette, the Village of Randolph, the Village of Rio, the Town of Columbus, the Village of Dane, the Town of Dekorra, the Town of Lodi, the Village of Arlington, the Village of Friesland, and the Village of Wyocena", (hereinafter a.k.a. "Joint Municipal Court" or "Eastern Columbia County Joint Municipal Court") presided over by a Municipal Judge.

(b) **Municipal Court Committee.**

Composition. The Municipal Court Committee shall be comprised of one representative of each Member Municipality who shall be appointed by the Major, President or Chairman of the Member Municipality, subject to confirmation by the respective governing body. The Chairman of the Committee will be a representative from a member municipality and will rotate on an annual basis, alphabetically, starting with the representative from Rio for 2019. If a representative cannot fulfill or chooses not to fulfill the obligation of committee chairperson for any reason, then the position of Chairperson goes to the next municipality, alphabetically.

(c) **Creation and Qualification of the Position of Municipal Judge.**

Pursuant to Wis. Stats. Chap. 755, the office of Municipal Judge is hereby created. Eligibility for the office of Municipal Judge shall be as follows: To be eligible for the office of Municipal Judge a person must be a qualified elector in either the Village of Cambria, or the City of Columbus, or the Village of Fall River, or the City of Lodi, or the Village of Pardeeville, or the Village of Poynette, or the Village of Randolph, or the Village of Rio, or the Town of Columbus, or the Village of Dane, or the Town of Dekorra, or the Town of Lodi, or the Village of Arlington, or the Village of Friesland, or the Village of Wyocena.

(d) **Election and Term of Municipal Judge.**

The appointed Judge must run for the election at large the following spring election, for a four (4) year term, commencing on May 1st succeeding his or her election. Electors of the Village of Cambria, and the City of Columbus, and the Village of Fall River, and the City of Lodi, and the Village of Pardeeville, and the Village of Poynette, and the Village of Randolph, and the Village of Rio, and the Town of Columbus, and the Village of Dane, and the Town of Dekorra, and the Town of Lodi, and the Village of Arlington, and the Village of Friesland and the Village of Wyocena shall be eligible to vote for the Municipal Judge of the Joint Municipal Court.

(e) **Creation of the Position of Clerk of the Municipal Court.**

Pursuant to Wis. Stats. Chap. 755, the office of the Clerk of the Municipal Court is hereby created. Said Clerk shall take the position upon Hire by the Municipal Court Committee and written Appointment by the Judge. Training and compensation of said Clerk shall be as determined by the governing bodies of member municipalities.

(f) **Salary of Municipal Judge.**

The Municipal Judge shall receive a fixed salary and Municipal Judge's training pursuant to Wis. Stats. § 755.18, the salary to be determined by the governing bodies of member municipalities, subject to Wis. Stats. § 755.04, which shall be in lieu of fees and costs. The salary shall be paid quarterly. No salary shall be paid to 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 as required by subsection (h) of this section.

(g) **Bond and Oath of Municipal Judge.**

The Municipal Judge shall, after election or appointment to fill a vacancy, take and file the Official Oath as prescribed in Wis. Stats. § 757.02(1), pursuant to Wis. Stats. § 755.02, with the Clerk of Circuit Court for Columbia County, and at the same time shall execute and file an official bond.

(h) **Bond and Oath of Municipal Court Clerk.**

The Municipal Court Clerk shall, before entering upon the duties of the office, take and file the official oath as prescribed in Wis. Stats. § 19.01, with the City Clerk of the City of Columbus and at the same time, shall execute and file an official bond. The Columbus City clerk will provide file copies to the other fifteen communities.

(i) **Jurisdiction of Municipal Judge.**

The Municipal Judge shall have jurisdiction as provided by the Statutes and Laws of the State of Wisconsin and pursuant to Wis. Stats. § 755.045.

(j) **Procedures of Joint Municipal Court.**

(1) The Joint Municipal Court's location and time be determined by order of the Municipal Judge.

- (2) The procedure of Joint Municipal Court shall be provided by the Statutes and Laws of Wisconsin.
- (3) The Court Clerk or his/her designee 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 Joint Municipal Court Committee.

(k) **Contempt in Joint Municipal Court.**

The Municipal Judge may impose a sanction as authorized under Wis. Stats. § 800.12(2), for Contempt of Court as defined in Wis. Stats. § 785.01(1), in accordance with the procedures under Wis. Stats. § 785.02.

(l) **Conflicting Ordinances.**

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

2. Each City of Village shall enter into agreement for the operation of the Municipal Court, with the other Municipalities upon mutually agreeable terms.

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

The above and foregoing Ordinance was duly adopted at a regular meeting of the Town Board of the Town of Lodi held on the _____ day of _____, 2019.

TOWN OF LODI

Thomas J. Marx, Town Chairperson

James P. Brooks, Supervisor 1

James L. Bechen, Supervisor 2

Brian P. Henry, Supervisor 3

Jon Plumer, Supervisor 4

ATTEST:

April D. Goeske, Town Clerk-Treasurer

VOTE:

AYES: _____

NOES: _____

ADOPTED: _____

PUBLISHED: _____