

TOWN OF RHINE MUNICIPAL CODE

**CHAPTER 22: MUNICIPAL COURT FOR THE
TOWN OF RHINE AND VILLAGE OF ELKHART LAKE**

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22.01 MUNICIPAL COURT CREATED

Pursuant to the authority granted by Wis. Stat. ch. 755, there is hereby created and established a Joint Municipal Court to be designated a Municipal Court for the Town of Rhine and the Village of Elkhart Lake," said Court to become operative and functional on May 7, 2001.

22.02 MUNICIPAL JUDGE

(1) **QUALIFICATIONS.** The Joint Court shall be under the jurisdiction of and presided over by a Municipal Judge who shall be an attorney licensed to practice law in Wisconsin and who resides in one of the municipalities that is a party to the agreement forming this Joint Court.

(2) **OATH AND BOND.** The Judge shall, after election or appointment to fill a vacancy, take and file the official oath as prescribed in Wis. Stat. ' 757.02(1) and at the same time execute and file an official bond in the amount of Twenty-five Thousand Dollars (\$25,000.00). The Judge shall not act until the oath and bond have been filed as required by Wis. Stat. ' 19.01(4)(c) and the requirements of Wis. Stat. ' 755.03(2) have been complied with.

(3) **SALARY.** The salary of the Municipal Judge shall be fixed by the Village and 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 Wis. Stat. ' 755.03 and filed pursuant to Wis. Stat. ' 19.01(4)(c). The municipalities may by separate ordinance allocate funds for the administration of the Municipal Court pursuant to Wis. Stat. ' 66.30.

22.03 ELECTIONS

(1) **TERM.** The Municipal Judge shall be elected at-large in the spring election in even-numbered years for a term of two (2) years commencing on May 1. All candidates for the position of Municipal Judge shall be nominated by nomination papers as provided in Wis. Stat. ' 8.10 and selection at a primary election if such is held as provided in Wis. Stat. ' 8.11. The State Elections Board shall serve as filing officer for the candidates.

(2) **ELECTORS.** Electors in all municipalities that are parties to the agreement shall vote for Judge.

22.04 JURISDICTION

The Municipal Court shall have jurisdiction over incidents occurring on or after April 15, 2001, as provided in Article VII, ' 14 of the Wisconsin Constitution, Wis. Stat. ' ' 755.045 and 755.05, 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 seek 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 Wis. Stat. ' ' 66.122, 66.123, and 755.045(2).

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

22.05 MUNICIPAL COURT

(1) 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.

(2) Employees. The Judge shall, in writing, appoint such Clerks and Deputy Clerks as are authorized and funded by the Village and Town Boards of the municipalities that are parties to the agreement.

22.06 COLLECTION OF FORFEITURES AND COSTS

The Municipal Judge may impose punishment and sentences as provided by Wis. Stat. chs. 800 and 938 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 seven (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.

22.07 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 Wis. Stat. ' 800.12 and may impose a forfeiture therefor not to exceed Fifty Dollars (\$50.00) or upon nonpayment of the forfeiture and the assessments thereon, a jail sentence not to exceed seven (7) days.

22.08 ABOLITION

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