CHAPTER 16 – MUNICIPAL COURT

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16.1   MUNICIPAL COURT CREATED.

There is hereby created and established a Municipal Court under the provisions of Chapter 755 of the Wisconsin Statues to be designated as "Municipal Court for the City of Oconomowoc, the Town of Oconomowoc, and the Town of Merton, and the Town of Summit, and the Village of Hartland, and the Village of Oconomowoc Lake, and the Village of Chenequa, and the Village of Lac La Belle, and the Village of Merton, and the Village of Nashotah, or so many of those municipalities which enacted an ordinance identical to this ordinance pursuant to Wis. Stats. § 755.01(4).

16.2   MUNICIPAL JUDGE.

Such 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 shall reside in one of the following municipalities: City of Oconomowoc, Town of Oconomowoc, Town of Merton, Town of Summit, Village of Hartland, Village of Oconomowoc Lake, Village of Chenequa, Village of Lac La Belle, Village of Merton, or Village of Nashotah, or those municipalities which enact an ordinance identical to this ordinance and enter into an agreement pursuant to Sec. 66.30 Wis. Stats., for the joint exercise of the power granted under Wis. Stats. § 755.01. Such Municipal Judge shall be elected at large in the spring election for a term of two (2) years commencing

on May 1. The first Municipal Judge of this court shall be elected for a term commencing May 1, 1988. All candidates for the position of Municipal Judge shall be nominated by nomination papers as provided in Wis. Stats. § 8.10. The Board of Trustees of the Village of Chenequa shall provide for a primary election whenever three (3) or more candidates file nomination papers for such primary election shall be held on the third Tuesday of February as provided in Wis. Stats. § 5.02(22).

16.3   ELECTIONS.

The Municipal Clerk of each municipality shall see to the compliance with Wis. Stats. § 5.58(1c), 5.60(1)(b), 5.60(2), 7.10(1)(a), 7.60(4)(a) and 8.10(6)(a) to provide for the election of a Municipal Judge under Wis. Stats. § 755.01(4).

16.4   OATH AND BOND.

The Judge shall, after his election or appointment to fill a vacancy, take and file the official oath as prescribed in Wis. Stats. § 757.02(1), and at the same time execute and file an official bond in the amount of five-thousand dollars ($5,000.00). The Judge shall note act until his oath and bond have been filed as required by Wis. Stats. § 19.01(4)(c), and the requirements of Wis. Stats. § 755.03(2) have been complied with.

16.5   SALARY.

The salary of the Municipal Judge shall be fixed by the governing bodies of the municipalities that created and established this Municipal Court, which shall be in lieu of fees and costs. No salary shall be paid for any time during his term during which such Judge has not executed his official bond or official oath, as required by Wis. Stats. § 755.03, and filed pursuant to Wis. Stats. § 19.01(4)(c). The municipalities may by separate ordinances, resolutions, or through the budget process, allocate funds for the administration of the Municipal Court pursuant to Wis. Stats. § 66.30.

16.6   JURISDICITION.

The Municipal Judge of the Municipal Court shall have such jurisdiction as provided by Wis. Stats. § 755.045 and § 755.05, and as otherwise provided by State Law. The Municipal Judge is authorized to issue inspection warrants under Wis. Stats. § 66.122 and § 66.123.

16.7   LOCATION AND HOURS.

The Municipal Court shall be held in the Council Chambers of the City of Oconomowoc City Hall at 173 E. Wisconsin Avenue, Oconomowoc, Wisconsin. The Municipal Court shall be open at such times as determined by the Municipal Judge.

16.8   FINES AND FORFEITURES.

The Municipal Judge may impose punishment and sentences as provided by Wis. Stats. § 800.09, and as provided in the ordinances of the following municipalities: City of Oconomowoc, Town of Oconomowoc, Town of Merton, Town of Summit, Village of Hartland, Village of Oconomowoc Lake, Village of Chenequa, Village of Lac La Belle, Village of Merton or Village of Nashotah. All forfeitures, fees penalty assessments 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 Judge or other court personnel. At the time of the payment, the Municipal Judge or other court personnel. At the time of the payment, the Municipal Judge shall report to the Treasurer the title of the action, the offense for which a forfeiture was imposed and the total amount of the forfeiture, fees, penalty assessment and costs, if any.

16.9   STIPULATIONS AND DEPOSITS IN MUNICIPAL COURT.

The Municipal Court therein established shall be operated pursuant to and in compliance with the provisions of Chapter 800 of the Wisconsin Statutes and where applicable, other provisions of the Wis. Stats. as referred to in subsection (10) below. The Municipal Judge shall establish in accordance with Wis. Stats. § 800.03(3), a schedule of deposits for violations of City, Village and Town ordinances, resolution and by-laws, except traffic regulations which are and shall be governed by Wis. Stats. § 345.27, and boating violations which are, and shall be governed by Wis. Stats. § 23.67. Such deposit schedule shall be approved by the respective governing bodies of the municipalities creating and establishing this Court and shall be posted in the office of the Municipal Court Clerk and the police departments of the respective communities.

16.10   PROCEDURE IN MUNICPAL COURT.

The procedure in Municipal Court shall be as provided by this Ordinance and State Law including but not excluding because of enumeration Chapters 66, 345, 751, 755, 757, and 800 of the Wisconsin Statutes.

16.11 CONTEPT PROCEDURES.

(1)   The Municipal Judge may impose a sanction 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. § 785.03.

(2)   The Municipal Judge may impose a forfeiture for contempt under Wis. Stats. § 800.12(1) in an amount not to exceed fifty dollars ($50.00) or upon nonpayment of the forfeiture and the penalty assessment under Wis. Stats. § 165.87, a jail sentence not to exceed seven (7) days.

16.12 ABOLISHMENT.

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