

**TOWN OF WESTON, MARATHON COUNTY, WISCONSIN
AN ORDINANCE REPEALING AND RECREATING SECTION NO. 26.100
ENTITLED "JOINT MUNICIPAL COURT"**

The Town Board of the Town of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section No. 26.100, of the Code of Ordinances of the Town of Weston entitled "Joint Municipal Court" is hereby repealed and recreated to provide as follows:

Sec. 26.100 – Joint Municipal Court.

(a) Authority; Creation.

- (1) Pursuant to the authority granted by Chapter 755 and § 66.0301 of the Wisconsin Statutes, there is hereby created and established a Joint Municipal Court to be designated "Rothschild Area Municipal Court," serving the communities of the Village of Rothschild, Village of Weston, City of Schofield, Town of Weston, Village of Marathon City and Village of Edgar to become operative and function on or around May 1, 2024.

(b) 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 § 757.02, Wis. Stats., and at the same time execute and file an official bond. The Judge shall not act until the oath and bond have been filed as required by § 755.03.
- (3) Salary. The salary of the Municipal Judge shall be fixed by the municipal governing bodies 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 and filed the official bond or official oath, as required by § 755.03, Wis. Stats. The municipalities may, by separate ordinance, allocate funds for the administration of the Municipal Court pursuant to § 66.0301 Wis. Stats.

(c) Election and Term of Municipal Judge.

- (1) Term. The Municipal Judge shall be elected at large in the spring election for a term of four 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 County Clerk shall serve as filing officer for the candidates.

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

(d) Jurisdiction.

- (1) The Municipal Court shall have jurisdiction over incidents occurring on or after July 1, 2016, as provided in Article VII, § 14, of the Wisconsin Constitution, §§ 755.045 and 755.05, Wis. Stats., and as otherwise provided in 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 bylaws.
- (2) 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.
- (3) 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.

(e) Court Hours and Location; Employees.

- (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 Boards of the municipalities that are parties to the agreement

- (f) Collection of Forfeitures and Costs. The Municipal Judge may impose punishment and sentences as provided by Chs. 800 and 938, Wis. Stats., and as provided by 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 30 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.

- (g) 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.

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

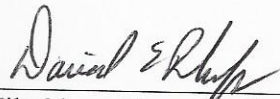
SECTION 2: If any provision of this Ordinance is invalid or unconstitutional, or if the application of this Ordinance to any person or circumstances is found invalid or unconstitutional by a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the provisions or application of this Ordinance which can be given effect without the invalid or unconstitutional provision or application.

SECTION 3: All Ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: This Ordinance shall take effect on May 1, 2024 and be in full force and effect from and after its passage and publication or posting as required by law.

Adopted this 19 day of March, 2024.

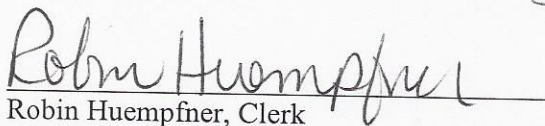
TOWN OF WESTON



~~Milt Olson, Town Chairman~~

David Phelps, acting chair
supervisor

ATTEST:


Robin Huempfer, Clerk

Adopted: 3/19/24

Published: 3/22/24