

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE repealing sections 1803. and 1805., Jackson County Code, 1984, relating to the County Municipal Court, and enacting, in lieu thereof, one new section relating to the same subject.

ORDINANCE #3981, March 18, 2008

INTRODUCED BY Dennis Waits, County Legislator

WHEREAS, by Ordinance 3972, dated January 22, 2008, the Legislative did enact chapter 18 of the County Code, establishing a new County Municipal Court; and,

WHEREAS, since the adoption of Ordinance 3972, it has been determined that section 1803. of the Code establishes overly restrictive and unnecessary qualifications for the office of County Municipal Judge; and,

WHEREAS, an easing of these restrictions is in the best interest of the health, welfare, and safety of the interest of Jackson County; and,

WHEREAS, it is also appropriate that the implementation of the County Municipal Court be delayed slightly to allow additional time for the accomplishment of necessary administrative tasks; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, as follows:

Section A. Enacting Clause. Sections 1803. and 1805., Jackson County Code, 1984, are hereby repealed and two new sections enacting in lieu thereof, to be known as sections 1803. and 1805., to read as follows:

1803. Judges.

1803.1 Appointment.

The County Executive may appoint one (1) judge of the County. Municipal Court, subject to the disapproval of the County Legislature, according to such procedures as the County Executive may promulgate by Executive Order.

1803.2 Qualifications.

Any judge appointed to the County Municipal Court shall be licensed to practice law in the state of Missouri, shall be a resident of the County, and shall serve for a term of two (2) years but may be removed sooner, with or without cause, by the County Executive. The County Executive may appoint temporary or acting judges in order to handle the work of the court during the disability or absence of a County Municipal judge; said appointment may be made by the County Executive prior to any disability or absence of a County Municipal judge. No temporary or acting judge shall be appointed for a term longer than two (2) years but may be removed sooner, with or without cause, by the County Executive.

1803.3 Limitations.

A judge appointed as a County Municipal Court judge shall not accept or handle cases in his or her practice of law which are inconsistent with his or her duties as a County Municipal Court judge. [A County Municipal Court judge shall not be a judge or prosecutor in any other court; provided however, a] A judge, upon authorization by the circuit court of the sixteenth judicial circuit, may act as a commissioner to hear in the first instance nonfelony violations of state law involving motor vehicles as provided by local rule.

1803.4. Compensation.

A judge appointed under this section shall not receive any of the benefits of a Jackson County employee. Compensation of a County Municipal Court judge shall be thirty-two thousand dollars (\$32,000.00) per annum. Each County Municipal Court judge shall devote such time as is necessary to discharge his or her duties. The compensation for a temporary or acting judge shall be established by the County Executive but shall not exceed one hundred fifty dollars (\$150.00) per diem.

1805. Violations of Ordinances.

The County shall prosecute and punish violations of its ordinances in the County Municipal Court. This section shall not take effect until [April] June 1, 2008. All County ordinance violations issued prior to [April] June 1, 2008, shall be prosecuted in the Associate Circuit Court of Jackson County, Missouri.

Effective Date: This ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:



Chief Deputy County Counselor



County Counselor


I hereby certify that the attached Ordinance, Ordinance #3981 introduced on March 18, 2008, was duly passed on March 24, 2008 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9 Nays 0
Abstaining 0 Absent 0

This Ordinance is hereby transmitted to the County Executive for his signature.

3.25.08

Date



Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance #3981.

3/25/2008

Date



Michael D. Sanders, County Executive