

ORDINANCE NO. 95

AN ORDINANCE ESTABLISHING THE OFFICE OF CITY JUDGE SETTING A METHOD OF SELECTION, QUALIFICATION, COMPENSATION, POWERS AND DUTIES, AND PROVIDING FOR THE FILLING OF VACANCIES.

BE IT ORDERED BY THE TOWN COUNCIL OF THE TOWN OF ENNIS:

This Ordinance No. 95 shall be codified in the Ennis Municipal Code according to the numbering system set forth in this Ordinance:

2.05.010. City Court Established. There is established a City Court within the Town of Ennis, which shall be located in the Town Hall.

2.05.020. Office of City Judge. There is established the office of City Judge for the Town.

2.05.030. Method of Selection and Term of Office.

A. The person holding the office of City Judge shall be nominated, and with the consent of the Town Council, appointed by the Mayor of the Town. The Town shall advertise for the position, shall state the qualifications, and shall make the appointment as set forth herein. The Town may appoint a Justice of the Peace or City Judge of another city provided in 3-11-205 M.C.A.

B. The City Judge shall hold office for a term of four years. A City Judge shall continue to hold office until qualification of a successor.

2.05.040. Qualifications.

A. At the time of appointment, the City Judge shall, before entering upon the duties of the office, take the constitutional oath office, which must be filed with the Town Clerk.

B. Before the Town Clerk may file the oath, the appointed City Judge must satisfy the Clerk that the appointee is either:

1. An attorney at law authorized to practice law in the State of Montana; or

2. A person who has held the office of Justice of the Peace or City Judge within the preceding five years; or

3. A person who has completed the orientation course of study held under the direction of the Supreme Court of has been excused by the Supreme Court. If a person is appointed after the course is offered, the appointee must agree to take the course at the next offering, and upon failure to do so, will be disqualified.

C. The City Judge must be a resident of Madison County, Montana; and

D. The City Judge must maintain residency within the said county during the term of office.

2.05.050. Power, Duties, and Hours.

A. The City Judge shall have those powers and duties as are provided by State law.

B. The normal hours of City Court shall be set by resolution of the Town Council.

2.05.060. Compensation and Expenses.

The annual salary of the City Judge shall be established by resolution. In addition to the salary the City Judge shall receive actual and necessary travel expenses incurred in performing official duties as provided by State law.

2.05.070. Deposit of Funds.

A. All monies, from whatever source, collected under the jurisdiction of the City Judge shall be deposited and managed in accordance with the applicable statutes of the State of Montana.

B. So long as the rules of the Montana Supreme Court or the statutes of the State of Montana do not require otherwise, all such monies shall be deposited daily with the Town Clerk as directed by the director of finance of the Town.

C. In order to establish appropriate control money deposited temporarily for bonds, appearance bonds, etc., there is created a trust fund into which all such money shall be placed. Upon final disposition of any matter to which such a deposit pertains, such money shall immediately be disbursed from the trust fund to the financial administrator of the Town as directed by the City Judge under the mandates of the State of Montana.

2.050.080. Filling of Vacancy. Should a vacancy occur in the office of City Judge, the position shall be filled for the remainder of the term using the same method of selection as set forth is subparagraph A of Section 2.

PASSED BY THE ENNIS TOWN COUNCIL AND APPROVED BY THE MAYOR this 13th day of February, 1992.

R. Neil Brandon
MAYOR

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

ATTEST:

Samuel M. Allison
TOWN CLERK

FIRST READING 12-12-91

SECOND READING 01-09-91

(SEAL)

AFFIDAVIT OF PUBLICATION

STATE OF MONTANA |
County of Madison | SS.

Daryl L. Tubena

being duly sworn says that he is publisher and printer of The Madisonian, a weekly newspaper published in the City of Virginia City, County of Madison, State of Montana; that the annexed notice is a true copy which was published in said

newspaper for a period of 2

successive weeks, commencing on the 6th

day of February, 1992

and ending on the 13th day of

February, 1992

Daryl L. Tubena
Publisher and Printer.

Subscribed and sworn to before me this 5th

day of March, 1992

Lami L. Christensen

Notary Public in and for the State of Montana, residing at Virginia City, Montana. My commission

expires Jan 31, 1993



ORDINANCE NO. 95
An ordinance establishing the office of City Judge setting a method of selection, qualification, compensation, powers and duties, and providing for the filling of vacancies.
This entire ordinance can be seen at the office of the Town of Ennis.
Respectfully submitted,
Pamela M. Allison
Town Clerk, Town of Ennis
(Pub. Feb. 6, 13, 1992) et