

TOWN OF MARBLE
ORDINANCE NO. 6

Series 1982

AN ORDINANCE ESTABLISHING A MUNICIPAL COURT FOR THE TOWN OF MARBLE, COLORADO; PROVIDING FOR: A JUDGE, A COURT CLERK, COURT SESSIONS, SALARY AND POWERS OF THE JUDGE AND COURT CLERK, NECESSARY APPROPRIATIONS, AND RECORD OF PROCEEDINGS.

Section 1. Short Titles. This ordinance may be known and cited as the "Marble municipal court ordinance."

Section 2. Created. A municipal court in and for the town is created and established, pursuant to and governed by the provisions of Chapter 13 of Article 10, C.R.S. 1973, as amended.

Section 3. Jurisdiction, powers and procedures of court. The municipal court shall have original jurisdiction of all cases arising under the ordinances of the town with full power to punish violators thereof by the imposition of such fines and penalties as are prescribed by ordinance or court rule. The procedures of the court shall be in accordance with the municipal court rules of procedure as promulgated by the Colorado Supreme Court.

Section 4. Sessions of court. There shall be regular sessions of court for the trial of cases. The municipal judge may hold a special session of court at any time. All sessions of court shall be open to the public. Where the nature of the case is such that it would be in the best interest of justice to exclude persons not directly connected with the proceeding, the municipal judge may order that the courtroom be cleared.

Section 5. Municipal judges--Appointment, oath, salary and powers.

A. The court shall be presided over by a municipal judge appointed for the term of two years by resolution of the town council. Additional judges may be appointed as may be needed to transact the business of the court. If the judge of the municipal court finds it necessary to disqualify himself in a given case, or should be unable to serve for any reason, including vacation or illness, the town council may, by resolution, appoint a judge to hear cases for such time as the presiding judge is absent.

B. Compensation of the municipal judge shall be the annual salary as the board of trustees may designate and shall be payable as other salaries to municipal employees. Before entering upon duties of his office, the municipal judge shall make an oath by affirmation that he will support the Constitution of the United States and the Constitution of the state and the ordinances of the town, and that he will faithfully discharge the duties of his office.

Section 6. Court clerk--Duties and reports. The presiding municipal court judge may act as ex officio clerk of the court or, if he should be unable or unwilling to act in such capacity, the board of trustees may by resolution appoint a court clerk. The municipal judge, in his capacity as ex officio court clerk, or the appointed court clerk, shall file quarterly reports with the town clerk of all moneys collected, and on the last day of each quarterly period shall pay to the town treasurer all moneys then in the hands of the court. If a court clerk is appointed, such appointment shall be without definite term and at a salary fixed by the board of trustees.

