

AN ORDINANCE CREATING A MUNICIPAL COURT; PROCEDURE FOR THE EMPLOYMENT, RETENTION, AND REMOVAL OF A MUNICIPAL JUDGE; INCORPORATING THE DUTIES OF MUNICIPAL COURT CLERK WITHIN THE RESPONSIBILITIES OF THE TOWN CLERK; AND PROVIDING FOR THE EMPLOYMENT OF AN ENFORCEMENT OFFICER.

WHEREAS, the Town of Arriba, in the County of Lincoln and the State of Colorado, is the body corporate operating as a town pursuant to the general statutes of the State of Colorado; and

WHEREAS, Colorado Revised Statute 13-10-104 provides that the municipal governing body of each city or town shall create a municipal court to hear and try all alleged violations of the ordinances of such city or town;

BE IT ORDAINED by the Board of Trustees of the Town of Arriba, Colorado as follows:

SECTION 1. MUNICIPAL COURT

- 1.1 There is hereby created a Municipal Court to hear and decide all issues relating to the enforcement of the Ordinances of the Town of Arriba, Colorado and Statutes of the State of Colorado, when applicable.
- 1.2 All actions previously taken by the Municipal Court, through its judge and officers of the court are herein ratified and given full effect of the law.
- 1.3 Municipal court proceedings shall be on a set date, each month, such date to be set by a resolution of the Board of Trustees of the Town of Arriba, Colorado, on an annual basis, published and posted.
- 1.4 Procedure, fines, and penalties as imposed by the Municipal Court shall be in accordance with the Colorado Rules of Procedure for Municipal Courts, the applicable Ordinances of the Town of Arriba, Colorado, and Colorado Revised Statutes 13-10-111, 13-10-112, and 13-10-113.

SECTION 2. MUNICIPAL JUDGE

- 2.1 One municipal judge shall be appointed to serve as judge for two year terms, subject to re-appointment by the Board of Trustees of the Town of Arriba, Colorado. The appointment, removal, and qualifications of the Judge shall be governed by the Colorado Revised Statutes 13-10-105 and 13-10-106.
- 2.2 The salary of the municipal judge shall be set by a resolution of the Board of Trustees of the Town of

Arriba, Colorado in it's annual appropriation, for each two year term, prior to re-appointment.

SECTION 3. MUNICIPAL COURT CLERK

3.1 The Town Clerk shall also serve as the Municipal Court Clerk and shall receive no additional salary.

SECTION 4. ENFORCEMENT OFFICER

4.1 The Board of Trustees of the Town of Arriba, Colorado, in accordance with Colorado Revised Statutes and at such time as deemed necessary, shall, by a resolution of the Board of Trustees of the Town of Arriba, Colorado, create the position of Enforcement Officer for the Town of Arriba, Colorado and establish a procedure for the employment, retention, and removal of said enforcement officer.

SECTION 5. SEVERABILITY. If any one or more of the sections or subsections of this Ordinance shall be adjudged unenforceable or invalid, such judgement shall not affect, impair, or invalidate the remaining provisions of this Ordinance, it being the intent that the various provisions hereof are severable.

SECTION 6. REPEALER. All acts, orders, resolutions, ordinances, or parts thereof, of the Town of Arriba, Colorado that are inconsistent or in conflict with this Ordinance are hereby repealed to the extent only of such inconsistency or conflict.

IT IS THE OPINION OF THE BOARD OF TRUSTEES OF THE TOWN OF ARRIBA, COLORADO THAT THIS ORDINANCE IS necessary for the immediate protection and preservation of the public health, safety, and welfare and it is enacted for that purpose and shall be in full force and effect after final passage and publication.

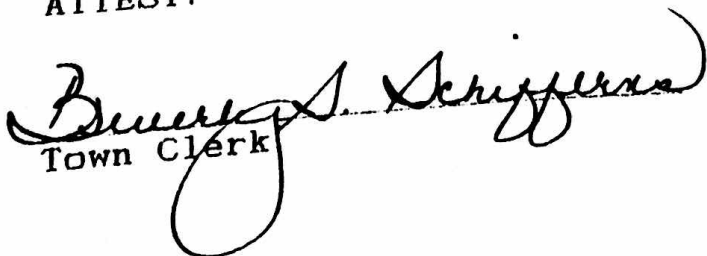
Approved, adopted, and ordered published on first reading by the Board of Trustees of the Town of Arriba, Colorado on this

14th day of September, 1992

Published 9/24/92


Mayor

ATTEST:


Town Clerk