

*Village of Almena, WI
Tuesday, July 30, 2024*

Chapter 46. Municipal Court

[HISTORY: Adopted by the Village Board of the Village of Almena as § 1.15 of the former Village Code. Amendments noted where applicable.]

§ 46-1. Municipal Court created.

Pursuant to the authority granted by Ch. 755, Wis. Stats., there is hereby created and established a Joint Municipal Court to be designated "Municipal Court for the Village of Almena and the Village of Turtle Lake," said court to become operative and function on August 1, 2005.

§ 46-2. Municipal Judge.

- A. Qualifications. The Joint Court shall be under the jurisdiction of and presided over by a Municipal Judge who resides in one of the municipalities that is a party to the agreement forming this Joint Court.
- B. 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(1), Wis. Stats., and at the same time execute and file an official bond in the amount of \$1,000. The Judge shall not act until the oath and bond have been filed as required by § 19.01(4)(c), Wis. Stats., and the requirements of § 755.03(2) have been complied with.
- C. Salary. The salary of the Municipal Judge shall be fixed by the Village Board 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 the official bond or official oath, as required by § 755.03, Wis. Stats., and filed pursuant to § 19.01(4)(c), Wis. Stats. The municipalities may by separate ordinance allocate funds for the administration of the Municipal Court pursuant to § 66.0301, Wis. Stats.

§ 46-3. Elections.

- A. Term. The Municipal Judge shall be elected at large in the spring election in even-numbered years for a term of two years commencing on May 1. The first election for the Joint Court shall be in 2006. Until then, the current Municipal Judge for the Village of Turtle Lake shall preside. 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 State Elections Board shall serve as filing officer for the candidates.
- B. Electors. Electors in all municipalities that are parties to the agreement shall be eligible to vote for the Judge.

§ 46-4. Jurisdiction.

- A. The Municipal Court shall have jurisdiction over incidents occurring on or after August 1, 2005, as provided in Article VII, § 14, of the Wisconsin Constitution, §§ 755.045 and 755.05, Wis. Stats., and

as other provided by 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.

- B. 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.
- C. 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.

§ 46-5. Municipal Court.

- A. Hours. The Joint Municipal Court shall be in session at the Turtle Lake Village Hall during regular operating hours of that hall or at such location and at such times as deemed appropriate by the governing bodies of the municipalities that are parties to the agreement and the Municipal Judge.
- B. Employees. The Judge shall, in writing, appoint such clerks and deputy clerks are authorized and funded by the Village Boards of the municipalities that are parties to the agreement.

§ 46-6. Collection of forfeitures and costs.

- A. The Municipal Judge may impose punishment and sentences as provided by Chs. 800 and 938, Wis. Stats., and as provided in the ordinances of the municipalities that are parties to the agreement. The Joint Municipal Court shall be responsible for collection of all forfeitures, fees, costs and surcharges imposed.
- B. The Treasurer of the Village of Turtle Lake shall be responsible for preparing and filing the required monthly financial reports with the Department of Administration and for remitting the costs and fees payable to the state and county.
- C. Each municipality shall receive the forfeitures and costs from the cases arising within its boundaries. Such monies shall be paid to the Treasurer of the municipality within which the case arose each quarter. At the time of the payment, the Municipal Court shall report to the treasurer of that municipality 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.
- D. Almena will be billed quarterly for charges related to the administration of each action handled by the Joint Municipal Court, as set by agreement. Additional costs will be charged to Almena for police time in court appearances, witness fees and mileage, interpreters, etc.
[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

§ 46-7. Contempt of court.

[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

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, and may impose a forfeiture therefor not to exceed \$200 or upon nonpayment of the forfeiture and the assessments thereon, a jail sentence not to exceed seven days.

§ 46-8. Prosecutor.

All court matters requiring a prosecutor shall be handled by the attorney for the Village of Turtle Lake. No charge will be made to Almena for the services of the prosecutor.

§ 46-9. Abolition.

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