

# Ordinance No. 00071

[Council Minutes 96/04/15](#)

## ORDINANCE NO. 71

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AN ORDINANCE of the City Council of the City of Lakewood, Washington, amending Ordinance No. 15 regarding the Municipal Court for the City of Lakewood

WHEREAS, pursuant to Title 3.50 of the Revised Code of Washington, the City Council adopted its Ordinance No. 15, establishing the Lakewood Municipal Court; and,

WHEREAS, since February 28, 1996, the official date of the incorporation of the City of Lakewood, the City has been operating its Municipal Court, and in the operation of the Court, the need for modification and refinement of some of the provisions of the of the Ordinance establishing the Municipal Court have been identified so as to facilitate greater efficiency and clarity in delegation of related responsibilities.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN as follows:

Section 1. That Section 11 of City of Lakewood Ordinance No. 15 is amended to read as follows:

Municipal court employees.

All employees of the Municipal Court shall be employees of the City and all applicable personnel practices and procedures and/or agreements with respect to hiring and termination, and personnel administration shall be followed; provided that the Municipal Court Judge shall have the responsibility for and authority over judicial functions and ~~Court administration duties with which Municipal Court employees are involved occurring in court or directly stemming from court action.~~ Clerical support and administration for the court shall be provided by the City Manager or designee.

Section 2. That Section 12 of City of Lakewood Ordinance No. 15 is amended to read as follows:

Judges pro tem - Court commissioners.

A. ~~The Municipal Judge~~ City Manager shall, in writing, appoint judges pro tem who shall act in the absence or disability of the regular judge of the Municipal Court or subsequent to the filing of an affidavit of prejudice. The judge pro tem shall be qualified to hold the position of judge of the Municipal Court as provided herein. The judge pro tem shall receive such compensation as is received, ~~on an hourly basis,~~ by the Municipal Judge, computed on an hourly basis, or as otherwise fixed by resolution or ordinance. The term of the appointment shall be specified in writing but in any event shall not extend beyond the term of the appointing ~~Municipal Judge~~ City Manager.

B. The Municipal Judge may appoint one or more municipal court commissioners, who shall hold office during the pleasure of the Municipal Judge. Each municipal court commissioner shall have such power, authority and jurisdiction in civil and criminal

matters as the Municipal Judge shall prescribe by court order. The court commissioners shall receive such compensation as is received by the Municipal Judge, computed on an hourly basis, or as otherwise fixed by resolution or ordinance.  
C. The compensation of judges pro tem and court commissioners shall be paid out of the same funds out from which the Municipal Judge is paid.

Section 3. That Section 14 of City of Lakewood Ordinance No. 15 is amended to read as follows:

Municipal court hours.

The Municipal Court offices shall be open during all regular business days and hours as the other offices of the City shall be open, but the dates and times of open court shall be as set as needed by the City Manager or designee in consultation with the Municipal Judge; provided, that the sessions of the open court shall not be on non-judicial days.

Section 4. That Section 15 of City of Lakewood Ordinance No. 15 is amended to read as follows:

Revenue deposits.

All fees, costs, fines, forfeitures and other moneys imposed or collected by the Municipal Court for the violation of any City ordinance, together with any other revenue received by the Municipal Court, shall be deposited with the City ~~Treasurer~~ Finance Department as part of the general fund of the City.

Section 5. That Section 17 of City of Lakewood Ordinance No. 15 is amended to read as follows:

Public defender - Appointment.

The Municipal Judge is authorized to appoint, on a case to case basis, as may be required, an attorney licensed to practice before the courts of the State of Washington, to act as public defender in representing indigent persons as defined by state law who are charged with offenses triable filed in the municipal court and for which the person could receive jail time as a result of conviction therefor, and cases appealed therefrom.

Section 6. That all other sections of Ordinance No. 15 shall remain in full force and effect.

Section 7. Severability.

If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 8. Effective Date.

This Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary as provided by law.

ADOPTED by the City Council this 15th day of April, 1996

CITY OF LAKEWOOD

/S/

Bill Harrison, Mayor

Attest:

/S/

Alice M. Bush, CMC, City Clerk

Approved as to Form:

/S/

Daniel B. Heid, City Attorney

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