

AN ORDINANCE CREATING A MUNICIPAL COURT FOR THE TOWN OF OPHIR,
STATE OF COLORADO

Section 1. MUNICIPAL COURT OF RECORD CREATED

A Municipal Court of Record in and for the Town of Ophir, Colorado is hereby created and established, pursuant to and governed by the provisions of CRS, 73, 13-10-101, as ammended.

Section 2. JURISDICTION, POWERS, AND PROCEDURES OF COURT

The Municipal Court shall have original jurisdiction over all cases arising under the codes and ordinances of the Town of Ophir with full power to punish violators by the imposition of such fines and penalties as are prescribed by court rules or ordinance.

The procedures of the court shall be in accordance with the Municipal Court Rules as promulgated by the Colorado Supreme Court.

Section 3. SESSIONS OF COURT

The presiding municipal judge shall determine the time and frequency of regular sessions of the court for the trial of cases. The municipal judge may hold a special session of court at any time.

All sessions shall be open to the public. Where the nature of the case is such that it would be in the best interst of justice to exclude persons not directly connected with the proceeding, the minicipal judge may order the courtroom be cleared.

All sessions shall be electronically recorded.

Section 4. MUNICIPAL JUDGES, APPOINTMENT, OATH, SALARY, AND POWERS

The court shall be presided over by a municipal judge who is a licensed Colorado attorney appointed for a term of two (or more) years by the General Assembly. Additional judges may be appointed as may be needed to transact the business of the court for a term of two (or more) years.

The compensation of the judge shall be on an annual basis in an amount set by the General Assembly and shall be payable as other salaries to municipal employees.

Before entering upon the duties of office, a municipal judge shall make an oath or affirmation that he or she will support the Constitution of the United States and the Constitution of the State of Colorado and the Charter and laws of the Town of Ophir, and will faithfully perform the duties of his or her office.

In addition to other powers, a municipal judge will have full power and authority to make and adopt rules and regulations for conduction the business of the minicipal court, consistant with the Municipal Court Rules of Procedure promulgated by the Colorado Supreme Court.

Section 5. COURT CLERK, SALARY, DUTIES AND REPORTS

The presiding judge may appoint a person to serve as clerk of the court, whose duties shall be those assigned by the presiding judge. The compensation of the court clerk shall be an annual salary in an amount set by the General Assembly and shall be payable as other salaries to municipal employees. The clerk shall file monthly reports with the Town Clerk of all monies collected by her or him, when the court is in session. At a regular meeting of the General Assembly, or on the last day of each month, whichever comes first, he or she shall pay to the Town Treasurer all moneys collected.

Section 6. APPROPRIATIONS

The Town Board shall, on an annual basis, budget and appropriate such moneys as may be necessary for the proper operation of the municipal court.

INTRODUCED, READ PASSED AND ADOPTED THIS 21st DAY OF
December 1980 by the General Assembly of the Town of
Ophir, State of Colorado.

ATTEST: NANCY CRAFT
TOWN CLERK

Nancy Craft