

ORDINANCE NO. 1066

AN ORDINANCE DEFINING THE DUTIES AND FIXING THE COMPENSATION OF THE MUNICIPAL JUDGE, PROVIDING FOR THE PROCEDURE IN THE MUNICIPAL COURT, PROVIDING THAT THE RECORDER SHALL ACT AS MUNICIPAL JUDGE IN CERTAIN INSTANCES, AND DECLARING AN EMERGENCY.

WHEREAS the legal voters of the City of Hood River, at a special election on May 18, 1956, repealed Section 8, Chapter II of the Charter of the City of Hood River and substituted therefor Section 8A of Chapter II of the said Charter of the City of Hood River; and

WHEREAS the Common Council of the City of Hood River has enacted Ordinance No. 1064 providing for the office of municipal judge as permitted by said Section 8A of Chapter II of the Charter of the City of Hood River; and

WHEREAS it now appears necessary and desirable to the Common Council to define the duties and fix the compensation of the municipal judge and provide for the procedure in the Recorder's Court;

NOW, THEREFORE, the City of Hood River does ordain as follows:

Section 1. The title of the municipal judge shall be "Municipal Judge of the City of Hood River". He shall maintain his office or offices in quarters furnished by the Common Council of the City of Hood River.

Section 2. It shall be the duty generally of the Municipal Judge to act as the judicial officer of the City, and he shall have all of the judicial duties, authority, and jurisdiction specified for the Recorder as such judicial officer in Section 18, and Section 19, of Chapter IV of the Charter of the City of Hood River, as amended, together with all other judicial duties, authority, and jurisdiction heretofore delegated, granted, exercised, or performed by the Recorder of the City of Hood River acting as the judicial officer of the City of Hood River under the Charter and Ordinances of said City and under the laws of the State of Oregon.

Section 3. The Municipal Judge shall be judge of the municipal court, otherwise known as the Recorder's Court, and shall have jurisdiction over all offenses against the City for violation of any ordinance thereof.

All processes issued by him shall run in the name of the City of Hood River and shall be dated the day they are issued, signed by the Municipal Judge, and directed to the chief of police or any city police officer or, in case of the inability of the said officer or officers to act thereon, then to the sheriff or any deputy sheriff of Hood River County.

Section 4. The form of a warrant for arrest shall be substantially as follows:

State of Oregon)	
County of Hood River)	ss.
City of Hood River)	

To the chief of police of the city of Hood River, or _____:
Whereas _____ has this day complained in writing, under oath, to the undersigned, municipal judge of the city of Hood River, that on the _____ day of _____ A.D. 19____, in said city, one _____ did violate Ordinance No. _____, in said city, by _____ (enter substance of complaint) _____.

Therefore, in the name of the city of Hood River, you are hereby commanded to forthwith apprehend the said _____, and bring him before me to be dealt with according to law.

Given under my hand and seal of the city of Hood River, this _____ day of _____, 19____.
Seal _____

Section 5. All proceedings in the Municipal Court for the violation of city ordinances shall be governed by the laws of the state of Oregon for similar proceedings in justices of the peace courts. All fines, costs, and disbursements imposed in criminal prosecutions shall be paid to the recorder, who shall forthwith deposit same with the city treasurer and receive from said city treasurer duplicate receipts therefor. One copy thereof shall be filed in the office of the recorder.

Section 6. The Municipal Judge shall make a report to the Council at the first regular meeting in each month for the period covered by the preceding month, which report shall contain the following information:

- (a) The title of each action to which the City is a party, entered in the Municipal Judge's docket during the month, the cause of action, the name of the complaining witness or officer making the arrest, the verdict rendered in each case, penalty imposed, and disposition thereof.
- (b) The amount and date of collection of all fines paid to said recorder.
- (c) A statement of the costs and disbursements incurred in each City case.

Section 7. On and after his appointment following the second Tuesday in January, 1957, the compensation of the Municipal Judge shall be such annual sum as shall be determined by resolution of the Common Council, which said annual compensation shall be paid in 24 equal installments, semi-monthly, out of the treasury of the City, from funds not otherwise appropriated and as salaries of other officers are paid. Nothing herein contained shall prevent the employment of the Municipal Judge by the City of Hood River in any other capacity; and if additional services are performed under the order of the Common Council, he shall receive such additional remuneration for such services so performed as shall be determined by the Common Council by resolution duly adopted.

Section 8. In the absence of the Municipal Judge from the City of Hood River or in the event he is disabled or unable to perform his functions as Municipal Judge, then and in such case the City Recorder shall be the judicial officer of the City of Hood River and act as municipal judge in the absence of the Municipal Judge or during his inability or disability to act as such municipal judge and shall have jurisdiction over all offenses against the City for violation of any ordinance thereof.

Section 9. Whereas an ordinance defining the duties and fixing the compensation of the Municipal Judge should be enacted prior to his taking office as an appointive officer of the City of Hood River; now, therefore, an emergency is hereby declared to exist and this ordinance should take effect as soon as possible so that the peace, health and safety of the City of Hood River may be preserved and therefore this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED by the Common Council of the City of Hood River on this 17th day of December, 1956.

W. M. [Signature]
City Recorder

SIGNED AND APPROVED by the Mayor on this 17th day of Dec., 1956.

C. [Signature]
Mayor.