

ORDINANCE NO. 2026-01

AN ORDINANCE TO CREATE AND ESTABLISH A MUNICIPAL COURT FOR THE CITY OF DELAFIELD, CITY OF OCONOMOWOC, TOWN OF DELAFIELD, TOWN OF ERIN, TOWN OF MERTON, TOWN OF OCONOMOWOC, TOWN OF OTTAWA, VILLAGE OF CHENEQUA, VILLAGE OF DOUSMAN, VILLAGE OF HARTLAND, VILLAGE OF JOHNSON CREEK, VILLAGE OF LAC LABELLE, VILLAGE OF LISBON, VILLAGE OF MERTON, VILLAGE OF NASHOTAH, VILLAGE OF OCONOMOWOC LAKE, VILLAGE OF SULLIVAN, VILLAGE OF SUMMIT, VILLAGE OF SUSSEX, TOWN OF IXONIA (Contract Member), TOWN OF SULLIVAN (Contract Member), and VILLAGE OF PALMYRA (Contract Member) PURSUANT TO SECTION § 755.01(4) AND § 66.0301 WISCONSIN STATUTES

The Village Council/Board of Palmyra, Jefferson County, Wisconsin does hereby ordain as follows:

SECTION 1.

The City of Delafield, City of Oconomowoc, Town of Delafield, Town of Erin, Town of Merton, Town of Oconomowoc, Town of Ottawa, Village of Chenequa, Village of Dousman, Village of Hartland, Village of Johnson Creek, Village of Lac LaBelle, Village of Lisbon, Village of Merton, Village of Nashotah, Village of Oconomowoc Lake, Village of Sullivan, Village of Summit, Village of Sussex Town of Ixonia (Contract Member), and Town of Sullivan (Contract Member) have heretofore adopted “An Ordinance to Create and Establish A Municipal Court. The Village of Palmyra wishes to join the joint Municipal Court as a Contract Member, and to that end, the Village Board of the Village of Palmyra hereby ordains:

MUNICIPAL COURT

(1) MUNICIPAL COURT CREATED

There is hereby created and established a Municipal Court under the provisions of Chapter 755 of the Wisconsin Statutes for the City of Delafield, City of Oconomowoc, Town of Delafield, Town of Erin, Town of Merton, Town of Oconomowoc, Town of Ottawa, Village of Chenequa, Village of Dousman, Village of Hartland, Village of Johnson Creek, Village of Lac LaBelle, Village of Lisbon, Village of Merton, Village of Nashotah, Village of Oconomowoc Lake, Village of Sullivan, Village of Summit, Village of Sussex, Town of Ixonia (Contract Member), Town of Sullivan (Contract Member), and Village of Palmyra (Contract Member) or so many of those municipalities which enact an ordinance identical to this ordinance pursuant to §755.01(4).

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(2) MUNICIPAL JUDGE

Such court shall be under the jurisdiction of and presided over by a Municipal Judge, who shall be an attorney licensed to practice law in the state of Wisconsin, and who shall reside in one of the following municipalities: City of Delafield, City of Oconomowoc, Town of Delafield, Town of Erin, Town of Merton, Town of Oconomowoc, Town of Ottawa, Village of Chenequa, Village of Dousman, Village of Hartland, Village of Johnson Creek, Village of Lac LaBelle, Village of Lisbon, Village of Merton, Village of Nashotah, Village of Oconomowoc Lake, Village of Sullivan, Village of Summit, Village of Sussex, Town of Ixonia (Contract Member), Town of Sullivan (Contract Member), and Village of Palmyra (Contract Member) or those municipalities which enact an ordinance identical to this ordinance and enter into an agreement pursuant to §566.0301 Wis. Stats. for the joint exercise of the power granted under §755.01 Wis. Stats. Such Municipal Judge shall be elected at large in the spring election for a term of four (4) years commencing May 1st. 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 City/Town/Village Board of the Village of Palmyra shall provide a primary election whenever three (3) or more candidates file nomination papers for such position of Municipal Judge as provided in §8.11(1)(a) Wis. Stats., and such primary election shall be held on the third Tuesday of February as provided in §5.02(22) Wis. Stats.

(3) ELECTIONS

The Municipal Clerk of each municipality shall see to the compliance with §5.58(1)(c), §5.60(1)(b), §5.60(2), §7.15, §7.60(4)(a), and §8.10(6)(bm) to provide for the election of a Municipal Judge under §755.01(4).

(4) OATH AND BOND

The Judge shall, after his election or appointment to fill a vacancy, take and file the official oath as prescribed in §757.02(1) Wis. Stats. The Municipal Judge shall not act until his/her oath have been filed as required by Section §19.10(4)(c) and Section §755.03(2) Wis. Stats.

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(5) SALARY

The salary of the Municipal Judge shall be fixed by the governing bodies of the municipalities that created and established this Municipal Court, which shall be in lieu of fees and costs. No salary shall be paid for any time during his/her term during which such Judge has not executed his official oath, as required by §755.03, Wis. Stats., and riled pursuant to §19.01 Wis. Stats. The Municipalities may be separate ordinances, resolutions, or through the budget process, allocate funds for the administration of the Municipal Court pursuant to Wis. Stats. §66.0301.

(6) JURISDICTION

The municipal Judge of the Municipal Court shall have such jurisdiction as provided by §755.045 and §755.05 Wis. Stats., and as otherwise provided by State Law. The Municipal Judge is authorized to issue inspection warrants under §66.122 and §66.123 Wis. Stats.

(7) LOCATION AND HOURS

The Municipal Court shall be held in the Community Building of the City of Oconomowoc Police Department at 630 East Wisconsin Avenue, Oconomowoc, Wisconsin 53066. The Municipal Court shall be open at such times as determined by the Municipal Judge, but no less than every Friday commencing at 8:00am.

(8) FINES AND FORFEITURES

The Municipal Judge may impose punishment and sentences as provided by §800.09, Wis. Stats., and as provided in the ordinances of the following municipalities: City of Delafield, City of Oconomowoc, Town of Delafield, Town of Erin, Town of Merton, Town of Oconomowoc, Town of Ottawa, Village of Chenequa, Village of Dousman, Village of Hartland, Village of Johnson Creek, Village of Lac LaBelle, Village of Lisbon, Village of Merton, Village of Nashotah, Village of Oconomowoc Lake, Village of Sullivan, Village of Summit, Village of Sussex, Town of Ixonia (Contract Member), Town of Sullivan (Contract Member), and Village of Palmyra (Contract Member). All forfeitures, fees, penalty assessments, and other costs paid to the Municipal Court shall be accounted for and disbursed by the Municipal Court with the approval of the Operations Committee in a not less than monthly basis. The Municipal Judge may impose punishment and sentence as provided by Section 800.09, Wis. Stats., and as provided in the ordinances of the Member Municipalities.

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(9) STIPULATIONS AND DEPOSITS IN MUNICIPAL COURT

The Municipal Court herein established shall be operated pursuant to and in compliance with the provisions of Chapter 800 Wis. Stats., and where applicable, other provisions of the Wis. Stats. as referred to in subsection (10) below. The Municipal Judge shall establish in accordance with §800.03(3) Wis. Stats., a schedule of deposits for violations of City, Town, and Village ordinances, resolutions and by laws, except traffic regulations which are and shall be governed by §345.26 Wis. Stats., and boating violations which are, and shall be governed by §23.66 and §23.67 Wis. Stats. Such deposit schedule shall be approved by the respective governing bodies of the municipalities creating and establishing this Court and shall be made available upon request.

(10) PROCEDURE IN MUNICIPAL COURT

The procedure in Municipal Court shall be as provided by this Ordinance and State Law including, but not excluding because of enumeration Chapter 66, 345, 751, 755, 757, and 800 of Wis. Stats.

(11) CONTEMPT PROCEDURE

- (a) The Municipal Judge may impose a sanction authorized under §800.12(2) for contempt of court, as defined in §785.01(1) Wis. Stats., in accordance with the procedure under §785.03 Wis. Stats.
- (b) The Municipal Judge may impose a forfeiture for contempt under §800.12(2) Wis. Stats., in an amount not to exceed \$200.00 or, upon nonpayment of the forfeiture and the penalty assessment under §800.12(3) Wis. Stats., a jail sentence not to exceed 7 days.

(12) TERMINATION

Any Member Municipality may withdraw from this Agreement by giving notice in writing to the Judge and Chair of the Administrative Committee no later than August 31st of any year. Upon giving such notice, the Member Municipality's participation in the Municipal Court shall terminate at the end of said year. The Municipal Court hereby established shall not be abolished while the Section 755.01(4), Wis. Stats., Agreement is in effect.

SECTION 2. SEVERABILITY

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or

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unenforceable, such decision shall apply only to the specific section of portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections, or portions thereof the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE

This ordinance shall take effect and be in force from and after its passage and publication as provided by law.

Dated this _____ day of _____ 2026

VILLAGE OF PALMYRA

By: _____
Tim Gorsegner, President

ATTEST: _____
Laurie Mueller, Clerk

ADOPTED: _____

POSTED: _____

PUBLISHED: _____