

**JOINT RESOLUTION OF THE VILLAGE OF WINNECONNE, THE TOWN OF
WINNECONNE, THE TOWN OF VINLAND, AND THE TOWN OF CLAYTON
APPOINTING THE MUNICIPAL JUDGE FOR THE MUNICIPAL COURT
FOR THE VILLAGE OF WINNECONNE, THE TOWN OF WINNECONNE,
THE TOWN OF VINLAND AND THE TOWN OF CLAYTON**

WHEREAS, the Village Board of the Village of Winneconne, Wisconsin ("the Village Board"), has adopted an Ordinance creating and establishing a Joint Municipal Court to be designated as the Municipal Court for the Village of Winneconne, the Town of Winneconne, the Town of Vinland and the Town of Clayton ("the Joint Municipal Court"), with said Court to be operative and to become operative and function on June 1, 2019 or at such time as certification has been received from the Chief Judge of the Judicial Administrative District and notification has been provided to the director of state courts of the adoption of the Joint Municipal Court Ordinance, whichever is later;

WHEREAS, the Town Board of the Town of Winneconne, Wisconsin ("the Town of Winneconne Board"), has also adopted an Ordinance creating and establishing a Joint Municipal Court to be designated as a Municipal Court for the Village of Winneconne, the Town of Winneconne, the Town of Vinland and the Town of Clayton ("the Joint Municipal Court"), with said Court to be operative and to become operative and function on June 1, 2019 or at such time as certification has been received from the Chief Judge of the Judicial Administrative District and notification has been provided to the director of state courts of the adoption of the Joint Municipal Court Ordinance, whichever is later;

WHEREAS, the Town Board of the Town of Vinland, Wisconsin ("the Town of Vinland Board"), has also adopted an Ordinance creating and establishing a Joint Municipal Court to be designated as a Municipal Court for the Village of Winneconne, the Town of Winneconne, the Town of Vinland and the Town of Clayton ("the Joint Municipal Court"), with said Court to be operative and to become operative and function on June 1, 2019 or at such time as certification has been received from the Chief Judge of the Judicial Administrative District and notification has been provided to the director of state courts of the adoption of the Joint Municipal Court Ordinance, whichever is later;

WHEREAS, the Town Board of the Town of Clayton, Wisconsin ("the Town of Clayton Board"), has also adopted an Ordinance creating and establishing a Joint Municipal Court to be designated as a Municipal Court for the Village of Winneconne, the Town of Winneconne, the Town of Vinland and the Town of Clayton ("the Joint Municipal Court"), with said Court to be operative and to become operative and function on June 1, 2019 or at such time as certification has been received from the Chief Judge of the Judicial Administrative District and notification has been provided to the director of state courts of the adoption of the Joint Municipal Court Ordinance, whichever is later;

WHEREAS, pursuant to section 66.0301, Wis. Stats., the Village and the Towns have executed a Joint Municipal Court Intergovernmental Cooperation Agreement regarding the creation and operation of the Joint Municipal Court;

**AN ORDINANCE TO RESCIND AND RECREATE SECTION 2-3-13 AND 2-3-14 OF
THE CODE OF ORDINANCES OF THE VILLAGE OF WINNECONNE AND**

**TO RESCIND AND RECREATE CHAPTER 18 OF THE MUNICIPAL CODE OF THE
TOWN OF WINNECONNE AND**

**TO RESCIND AND RECREATE TITLE I, GENERAL PROVISIONS - CHAPTER 3,
JOINT MUNICIPAL COURT, OF THE MUNICIPAL CODE OF THE TOWN OF
VINLAND AND**

**TO CREATE _____ OF THE MUNICIPAL CODE OF TOWN
OF CLAYTON**

**PURSUANT TO WIS. STATS. §66.0301 AND CHAPTER 755 OF THE WISCONSIN
STATUTES**

THE VILLAGE BOARD OF THE VILLAGE OF WINNECONNE, WINNEBAGO COUNTY,
WISCONSIN, DOES HEREBY ORDAIN AS FOLLOWS:

THE TOWN BOARD OF THE TOWN OF WINNECONNE, WINNEBAGO COUNTY,
WISCONSIN, DOES HEREBY ORDAIN AS FOLLOWS:

THE TOWN BOARD OF THE TOWN OF VINLAND, WINNEBAGO COUNTY,
WISCONSIN, DOES HEREBY ORDAIN AS FOLLOWS:

THE TOWN BOARD OF THE TOWN OF CLAYTON, WINNEBAGO COUNTY,
WISCONSIN, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. Sections 2-3-13 and 2-3-14 of the Code of Ordinances of the Village of
Winneconne, Winnebago County, Wisconsin, is hereby rescinded and recreated as follows:

Chapter 18 of the Code of Ordinances of the Town of Winneconne, Winnebago County,
Wisconsin, is hereby rescinded and recreated as follows:

Title I, General Provisions - Chapter 3 of the Code of Ordinances of the Town of Vinland,
Winnebago County, Wisconsin, is hereby rescinded and recreated as follows:

_____ of the Code of Ordinances of the Town of Clayton is
hereby created as follows:

(a) Joint Municipal Court Created

Pursuant to the authority granted by Chapter 755 of the Wisconsin Statutes, there is
hereby created and established a Joint Municipal Court to be designated "Municipal Court for the

court to become operative and function on June 1, 2019 or at such time as certification has been received from the Chief Judge of the Judicial Administrative District and notification has been provided to the director of state courts of the adoption of this Ordinance, whichever is later.

(b) Municipal Judge

(1) **Qualifications:** The Joint Court shall be under the jurisdiction of and presided over by a Municipal Judge who resides in one (1) of the Municipalities that is a party to the agreement forming the joint court.

(2) **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 \$20,000.00. The Judge shall not act until the oath and bond have been filed as required by §19.01(4) Wis. Stats., and the requirements of §755.03(2) have been complied with.

(3) **Salary:** The salary of the Municipal Judge shall be determined and paid for by the Village Board of the Village of Winneconne. 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) Wis. Stats. The municipalities may by separate ordinance allocate funds for the administration of the Municipal Court pursuant to §66.0302 Wis. Stats.

(c) Elections

(1) **Term:** The Municipal Judge shall be elected at large in the spring election commencing with April 2020 for a term of four (4) years commencing on May 1 succeeding his or her election. 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.

(2) **Electors:** Electors in all municipalities that are parties to the agreement shall vote for judge.

(d) Jurisdiction

The Municipal Court shall have jurisdiction over incidents occurring on or after June 1, 2019 as provided in Article VII, sec. 14 of the Wisconsin Constitution, §§755.045 and 755.05, Wis. Stats., and as otherwise 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 by-laws.

The Municipal Judge may issue civil warrants to enforce matters under the jurisdiction of the Municipal Court under §755.045(2) and §66.0119, Wis. Stats.

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.

(e) Municipal Court

(1) Hours: The Municipal court shall be open at such location and at such times as determined by the governing bodies of the municipalities that are parties to the agreement and the Municipal Judge.

(2) Employees: The Judge shall, in writing, appoint such clerks and deputy clerks as are determined and paid for by the Village Board of the Village of Winneconne.

(f) Collection of Forfeitures and Costs

The Municipal Judge may impose punishment and sentences as provided by Chapters 800 and 938 Wis. Stats., and as provided in the ordinances of the municipalities that are parties to the agreement. All forfeitures, fees, assessments, surcharges and costs shall be paid to the Municipal Court. Within seven (7) days after receipt of the money by the Municipal Court, the forfeiture amount shall be paid to the treasurer of the Municipality within which the case arose. The Municipal Court shall pay all other fees, assessments, surcharges and costs to the appropriate governmental entity or agency. At the time of the payment, the Municipal Court shall report to the treasurer 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.

(g) Contempt of Court

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 two hundred dollars (\$200) or upon nonpayment of the forfeiture and the assessments thereon, a jail sentence not to exceed seven (7) days.

(h) Abolition

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

(1) Appointment: The Municipal Judge shall, in writing, appoint such clerks and deputy clerks as are authorized by the Municipalities. Their salaries shall be fixed by the Village Board.

(2) Oath: The Clerk of Municipal Court, shall, before entering upon the duties of office, take the oath provided in § 19.01, Wis. Stats., and give a bond if required by the Village Board. Oaths and bonds for such Clerks shall be filed with the Village Clerk-Treasurer. The cost of the bond shall be paid by the Village.

WHEREAS, it is necessary and desirable that the Village and the Towns appoint a Municipal Judge to preside over the Joint Municipal Court from the commencement date of the Joint Municipal Court through April 30, 2020, when a Special Election will be held by the Village and the Towns during the Spring election in 2020 to elect a Municipal Judge for the Joint Municipal Court;

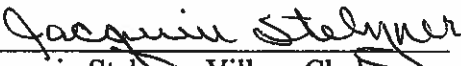
NOW, THEREFORE, BE IT RESOLVED, by the Village Board, the Town of Winneconne Board, the Town of Vinland Board and the Town of Clayton Board as follows:

That Paul Baker shall hereby be appointed as Municipal Judge for the Joint Municipal Court to serve from the commencement date of the Joint Municipal Court through April 30, 2020.

PASSED AND ADOPTED BY THE VILLAGE BOARD OF THE VILLAGE OF WINNECONNE, THIS 21st DAY OF May, 2019.


Chris Boucher, Village President

ATTEST:


Jacquin Stelzner, Village Clerk

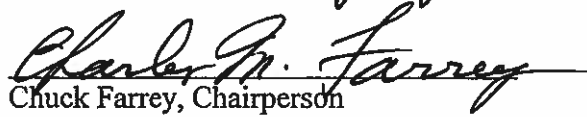
PASSED AND ADOPTED BY THE TOWN BOARD OF THE TOWN OF WINNECONNE, THIS 16th DAY OF May, 2019.


Thomas Snider, Chairperson

ATTEST:


Yvonne Zobel, Town Clerk

PASSED AND ADOPTED BY THE TOWN BOARD OF THE TOWN OF VINLAND,
THIS 8th DAY OF July, 2019.


Chuck Farrey, Chairperson

ATTEST:


Jennifer Brown, Town Clerk

PASSED AND ADOPTED BY THE TOWN BOARD OF THE TOWN OF CLAYTON,
THIS 19th DAY OF JUNE, 2019.


Russ Geise, Chairperson

ATTEST:


Holly Stevens, Town Clerk

(3) Duties: The Clerk of Municipal Court shall perform all duties as required by law and such other duties as are requested by the Municipal Judge.

SECTION II. This Ordinance shall take effect from and after its passage and publication as provided by law.

INTRODUCED: May 21, 2019

PASSED: May 21, 2019

PUBLISHED: _____

VILLAGE OF WINNECONNE, WISCONSIN

By: Chris Boucher
Chris Boucher, Village President

ATTEST:

Jacquie Stelzner
Jacquin Stelzner, Village Clerk-Treasurer

SECTION III. This ordinance shall take effect from and after its passage and publication as provided by law.

INTRODUCED: May 16, 2019

PASSED: May 16, 2019

PUBLISHED: _____

TOWN OF WINNECONNE, WINNEBAGO
COUNTY, WISCONSIN

By: Thomas R. Snider
Thomas Snider, Town Chairperson

ATTEST:

Yvonne Zobel
Yvonne Zobel, Town Clerk

SECTION IV. This ordinance shall take effect from and after its passage and publication as provided by law.

INTRODUCED: 7-8-19

PASSED: 7-8-19

PUBLISHED: 7-9-19

TOWN OF VINLAND, WINNEBAGO COUNTY,
WISCONSIN

By: Chuck Farrey
Chuck Farrey, Town Chairperson

ATTEST:

Jennifer Brown
Jennifer Brown, Town Clerk

SECTION V. This ordinance shall take effect from and after its passage and publication as provided by law.

INTRODUCED: JUNE 19 2019

PASSED: JUNE 19 2019

PUBLISHED: _____

TOWN OF CLAYTON, WINNEBAGO COUNTY,
WISCONSIN

By: Russ Geise
Russ Geise, Town Chairperson

ATTEST:

Holly Stevens
Holly Stevens, Town Clerk