

ORDINANCE NO. 1102

AN ORDINANCE AMENDING SECTIONS 18A-19 AND 18A-20, AND ALL REFERENCES TO THE TITLE "POLICE MAGISTRATE" UNDER THE CODE OF THE CITY OF FORT MORGAN

WHEREAS, previously, on April 15, 1997, Ordinance 838 was adopted to establish a qualified municipal court of record in the City of Fort Morgan, Colorado; and,

WHEREAS, this Ordinance as set forth in Article II, Sec. 18A, of the *Code of the City of Fort Morgan*, established the position of the Police Magistrate and the Clerk of the Municipal Clerk; and,

WHEREAS, amendment of these sections is required in order be compliant and consistent with relevant sections of the Charter of the City of Fort Morgan; and,

WHEREAS, reference to a "Police Magistrate" is inconsistent with the *Charter* of the City of Fort Morgan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO:

SECTION 1. Sections 18A-19 and 18A-20 are hereby amended as follows:

Sec. 18A-19. Municipal Judge.

(a) The Municipal Court shall be presided over by a Municipal Judge who shall be appointed by the City Council for a specified term of not less than two (2) years and who may be reappointed for subsequent terms.

(b) The Municipal Judge for the Municipal Court shall be admitted to, and currently licensed in, the practice of law in the State of Colorado, and retain that licensing throughout the appointment.

(c) The Municipal Judge shall be paid a salary for his or her services, to be established by City Council.

Sec. 18A-20. Clerk of the Municipal Court.

(a) The position of Clerk of the Municipal Court is hereby established. The Clerk of the Municipal Court shall have such duties as are delegated to him or her by law, Court Rule, or the presiding Municipal Judge.

(b) The Clerk of the Municipal Court shall be required to keep a verbatim record of the proceedings and evidence at trials by either electronic devices or stenographic means.

SECTION 2. Any reference to the title "Police Magistrate" made herein under the *Code of the City of Fort Morgan*, shall be amended to "Municipal Judge."

READ, PASSED ON FIRST READING AND ORDERED PUBLISHED the 7th day of May, 2010.

THE CITY COUNCIL OF THE CITY
OF FORT MORGAN, COLORADO

ATTEST:

/s/ Terry McAlister
Mayor

/s/ Andrea Strand
City Clerk

PASSED, APPROVED AND ADOPTED ON FINAL READING AND ORDERED PUBLISHED the 18th day of May, 2010.

THE CITY COUNCIL OF THE CITY
OF FORT MORGAN, COLORADO

ATTEST:

/s/ Terry McAlister
Mayor

/s/ Andrea Strand
City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN)
CITY OF FORT MORGAN)

CERTIFICATE

I, Andrea Strand, the duly appointed, qualified and acting Clerk of the City of Fort Morgan, Colorado, do hereby certify and attest that the foregoing **ORDINANCE NO. 1102** was, as a proposed Ordinance duly and legally presented to the City Council of the City of Fort Morgan, Colorado, at a regular meeting on the 4th day of May, 2010. Said Ordinance, as proposed, was duly read at length at said regular meeting, and thereafter the same was, on the 7th day of May, 2010, published in the *Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado. Said proposed Ordinance was again taken up and read a second time, duly and legally passed, approved and adopted at a regular meeting of the City Council held on the 18th day of May, 2010. Within five (5) days after

its final passage, said Ordinance was published in the *Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado.

/s/ Andrea Strand, City Clerk