

1                                   **CITY OF LITTLETON, COLORADO**

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3                                   **ORDINANCE NO. 27**

4  
5                                   **Series, 2018**

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7 **INTRODUCED BY COUNCILMEMBERS: VALDES & DRISCOLL**

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9                   **AN ORDINANCE OF THE CITY OF LITTLETON,**  
10                   **COLORADO, AMENDING SECTION 58 OF THE CITY**  
11                   **CHARTER               REGARDING               ESTABLISHMENT;**  
12                   **APPOINTMENT, QUALIFICATIONS, TERM, ETC., OF**  
13                   **JUDGE**

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15                   **WHEREAS,** the municipal court is a separate branch of government in the city,  
16 and;

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18                   **WHEREAS,** the municipal court is headed by a presiding municipal judge who is  
19 not referenced in the charter, and;

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21                   **WHEREAS,** pursuant to separation of powers, the presiding municipal judge  
22 appoints associate municipal judges who should have defined terms, subject to confirmation by  
23 the Council:

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25                   **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF**  
26 **THE CITY OF LITTLETON, COLORADO, THAT:**

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28                   **Section 1:** Section 58 of the city charter is amended as follows:

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30                   **Sec. 58. Establishment; Appointment, Qualifications, Term, Etc., Of Judge.**

31                   **A.** There shall be a municipal court vested with exclusive original jurisdiction of  
32 all violations of the Charter and the ordinances of the City. ~~The judge of the court~~  
33 **PRESIDING MUNICIPAL JUDGE** shall be a person admitted to practice law in  
34 Colorado. The **PRESIDING MUNICIPAL** Judge shall be appointed by the Council  
35 for a term of two years from the date of appointment, and may be removed at any  
36 time by unanimous vote of the entire Council. The **PRESIDING MUNICIPAL**  
37 Judge shall receive such compensation as shall be fixed by the Council. Such  
38 compensation shall in no manner be contingent upon the amount of fees charged or  
39 collected. ~~If, in the discretion of the Council, more than one judge is necessary, one~~  
40 ~~or more additional judges may be appointed.~~

41                   **B.** **THE PRESIDING MUNICIPAL JUDGE MAY APPOINT ONE OR MORE**  
42 **ASSOCIATE MUNICIPAL JUDGES SUBJECT TO CONFIRMATION BY THE**  
43 **COUNCIL. SUCH ASSOCIATE MUNICIPAL JUDGES SHALL BE**  
44 **APPOINTED FOR A TERM OF TWO YEARS.**

**Section 2:** Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, including each part, section, subsection, sentence, clause or phrase hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or phrases may be declared invalid.

**Section 3:** Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council of the City of Littleton on the 17<sup>th</sup> day of July, 2018, passed on first reading by a vote of 6 FOR and 0 AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

PUBLIC HEARING on the Ordinance to take place on the 7<sup>th</sup> day of August, 2018, in the Council Chamber, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at the hour of 7:00 p.m., or as soon thereafter as it may be heard.

PASSED on second and final reading, following public hearing, by a vote of \_\_\_\_\_FOR and \_\_\_\_ AGAINST on the 7<sup>th</sup> day of August, 2018 and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

ATTEST:

\_\_\_\_\_  
Wendy Heffner  
CITY CLERK

\_\_\_\_\_  
Debbie Brinkman  
MAYOR

\_\_\_\_\_  
Lena McClelland  
ASSISTANT CITY ATTORNEY