

ORDINANCE NO. 8

AN ORDINANCE CREATING A MUNICIPAL COURT, CREATING THE OFFICE OF MUNICIPAL JUDGE, PRESCRIBING THE JURISDICTION OF SAID COURT AND JUDGE, PROVIDING FOR THE MAKING OF RULES OF SAID COURT, PROVIDING FOR PROCEDURE OF SAID COURT, PROVIDING FOR TRIAL WITHOUT JURY AND DECLARING AN EMERGENCY.

The City of Brookings does ordain as follows:

Section 1. There is hereby created a Court for the City of Brookings to be known as "The Municipal Court for the City of Brookings".

Section 2. There is hereby created the office of Municipal Judge.

Section 3. The Municipal Judge shall be the judicial officer of the City of Brookings and shall preside over the Municipal Court of the City of Brookings.

Section 4. All of the incorporated area, now or hereafter, within the City of Brookings shall be within the territorial jurisdiction of the Municipal Court and the Municipal Judge.

Section 5. The Municipal Judge shall exercise original and exclusive jurisdiction of all crimes and offenses defined and made punishable by ordinance of the City of Brookings and of all actions brought to recover or enforce forfeitures or penalties defined or authorized by an ordinance of the City of Brookings.

Section 6. The Municipal Judge shall have authority to issue process for the arrest of any person accused of an offense against the ordinances of the City of Brookings, to commit any such person to jail or admit him to bail pending trial, to issue subpoenas, to compel witnesses to appear and testify in court on the trial of any cause before him, to compel obedience to such subpoenas, to issue any process necessary to carry in effect the judgments of the court, and to punish witnesses for contempt of the court.

Section 8. When governed by ordinance or by charter of the City of Brookings, all proceedings in the Municipal Court for the City of Brookings for the violation of a City ordinance shall be governed by the applicable general laws of the State of Oregon governing Justices of the Peace and Justices Courts.

Section 9. Trials in the Municipal Court for the City of Brookings of cases for violation of City ordinances shall be had without juries.

Section 10. The Municipal Judge shall ^{have} authority to form and adopt such reasonable rules for the conduct of the business of the Municipal Court for the City of Brookings; provided, however, that he shall not form or adopt any rule which is in contravention with the Constitution of the United States, the Constitution of the State of Oregon, the laws of the State of Oregon or any ordinance of the City of Brookings.

Section 11. The Municipal Judge shall set the days and hours that the the Municipal Court for the City of Brookings shall be in session for the transaction of judicial business, but once the Municipal Judge has set said days and hours, they shall not be changed or altered except by order of the Municipal Judge, which order shall be published at least once in a newspaper of general circulation in the City of Brookings ten days in advance of the effective date of such order; provided, however, that no change or alteration of said days or hours shall be made which will result in advancing or postponing the trial date of any cause already set for trial at the time of making the order.

Section 12. It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health and safety of the City of Brookings, and an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect from and after its passage.

Read by title and in full this 13rd day of October, 1951.

Read a second time by title this 23rd day of October, 1951.

Read a third time by title and passed by the Council this 23 day of October, 1951.

Authenticated this 23 day of October, 1951.

Robert O. Dimmick
Robert O. Dimmick, Mayor

Passed by the Council October 23, 1951.

W. A. Brayshel
Recorder

