

CITY OF MILWAUKIE
Ordinance No. 2128

**AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AUTHORIZING THE
APPOINTMENT OF A MUNICIPAL COURT JUDGE PRO TEM AND ADOPTING
SECTION 2.05.020 OF THE MILWAUKIE MUNICIPAL CODE**

WHEREAS, Section 28(e) of the Milwaukie Charter provides that “A municipal judge may appoint municipal judges pro tem which judges shall serve at the pleasure of the council”; and

WHEREAS, the presiding Municipal Court Judge occasionally appoints a judge pro tem when she is unavailable to hold court; and

WHEREAS, there is the need to appoint a judge pro tem; and

WHEREAS, the Court Clerk, in coordination with the presiding Municipal Court Judge, may schedule the Municipal Judge Pro Tem in a manner that best ensures the presiding Municipal Court Judge’s schedule and duties are not disrupted; and

WHEREAS, the City Council finds that it will cause the least disruption to the docketing and holding of court if a judge pro tem is appointed immediately; and

WHEREAS, the presiding Municipal Court Judge acknowledges that a separate appointment of a judge pro tem by the City Council is authorized by the Charter and will enhance the services provided by the court without undue impairment of the Agreement with the presiding Municipal Court Judge; and

WHEREAS, because the judge pro tem serves at the pleasure of the City Council, it is appropriate to add the appointment of a judge pro tem to Chapter 2.05, Municipal Court Administration, of the Milwaukie Municipal Code,

Now, Therefore, the City of Milwaukie does ordain as follows:

Section 1. Section 2.05.020 is added to the Milwaukie Municipal Code to read as follows:

2.05.020. APPOINTMENT OF MUNICIPAL COURT JUDGE PRO TEM

The City Council may provide for the appointment of a Municipal Court Judge Pro Tem, referred to as the “Judge Pro Tem.” The Judge Pro Tem shall hold court in the Milwaukie Municipal Court at the request of the City Council or City Manager. The Judge Pro Tem will have the same authority and duties as the Municipal Court Judge while holding court.

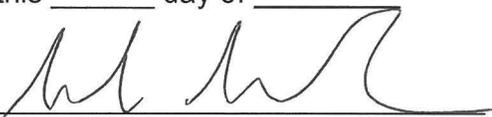
Section 2. Emergency. In order to accommodate the Municipal Court docket, this Ordinance is necessary for the immediate protection of public health, safety and general welfare; therefore an emergency is declared to exist and this Ordinance shall become effective upon the date of its adoption.

Read the first time on 8/2/16, and moved to second reading by 5:0 vote of the City Council.

Read the second time and adopted by the City Council on 8/2/16.

Signed by the Mayor on August 2, 2016.

APPROVED: Approved by Milwaukie City Council this 2nd day of August, 2016.



Mark Gamba, Mayor

ATTEST:



Pat DuVal, City Recorder

Approved as to form:



City Attorney