

ORDINANCE NO. 06-03

MUNICIPAL COURT

IT IS HEREBY ORDAINED by the Mayor and Council of the City of Dasher, and it is hereby ordained by authority thereof, as follows:

CREATION

Pursuant to Section 4 of the Municipal Charter, there is hereby established a court to be known as the "Municipal Court of the City of Dasher", which shall have jurisdiction and authority to try offenses against the laws and ordinances of the City and punish for violation of same. Such court shall have the power and authority to enforce its judgments by the imposition of such penalties as may be provided by law and the City Charter (not to exceed a fine of \$1,000.00 or imprisonment for ninety days or both; or as provided by State law for offenses committed in violation of State law). The court shall also have authority to punish witnesses for nonattendance, and to try all offenses within the territorial limits of the City constituting traffic cases which under the laws of Georgia are within the jurisdiction of municipal or police courts to the extent of and in accordance with the provisions of such laws and all laws subsequently enacted amendatory thereof. Said court shall be presided over by the Judge of said court. In the absence or disqualification of the Judge, the Judge *pro tem* shall preside and shall exercise the same powers and duties as the judge when so acting. Should both the Judge and the Judge *pro tem* become disqualified or unavailable, then the Mayor/Council shall appoint or designate a Judge to preside with the same powers and duties.

JUDGE

The Judge of the municipal court shall be appointed by and serve at the pleasure of the Mayor/Council. No person shall be so appointed unless he/she is a resident of the judicial circuit in which the Court is located, is a member in good standing of the State Bar of Georgia, and has been actively engaged in the practice of law for at least five years preceding appointment.

Before assuming the duties of office, the Judge shall take an oath administered by the City Clerk, or any officer duly authorized to administer oaths in this state, that he/she will truly, honestly and faithfully discharge the duties of office, to the best of his/her ability, without fear, favor or partiality.

CLERK

The Clerk of Court shall be appointed by the Mayor/Council and shall serve at the pleasure of same. The duties of the Clerk shall include keeping the courtroom in proper condition for sessions of court, assisting in keeping order while the court is in session, complying and maintaining citations and other court documents and writings, and doing such other acts of assistance as may be required by the Judge.

RECORD OF CASES

A record of all cases heard in municipal court for violations of City Ordinances or State law shall be kept in a suitable permanent record and shall include the name of the defendant, the nature of the offense charged, court date, and final disposition.

CONVENING OF COURT

The court shall be convened on the ___ day of each month at _____ p.m. , or at such other or additional times as may be determined by the Mayor/Council or the Judge or Clerk, as the caseload shall demand.

MISCELLANEOUS

The municipal court shall have the authority to establish a schedule of fines and fees.

The court shall have the authority to establish bail to ensure the presence of those charged with violations before said court. Whenever any person shall give bail for his/her appearance and shall fail to appear at the assigned court date, said bond shall be forfeited by the Judge presiding at such time and execution issued thereon. The municipal court may compel the presence of all persons necessary to properly dispose of each case by the issuance of subpoenas, summonses and warrants which may be served as provided by law.

The municipal court is specifically vested with all of jurisdiction and powers granted by the laws of the State of Georgia.

APPEAL

Any appeals from the decisions and judgments of the municipal court shall exist in all criminal cases and ordinance violation cases, to the Superior Court of Lowndes County, or as may be provided by the laws of this State.

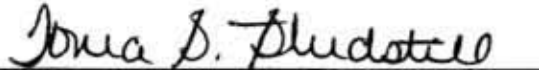
RULES

The Judge shall have the full power and authority to make reasonable and necessary rules to secure the efficient and successful administration of the Court.

SO ORDAINED, 7th day of August, 2006.


Mayor, City of Dasher

ATTEST:


City Clerk