

ORDINANCE NO. 1650

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON, repealing DMMC 2.28.030(2), (3), and (4) to reinstate the part-time Municipal Court Judge position and setting an effective date.

WHEREAS, the City Council intends to retain the Municipal Court of the City of Des Moines to provide greater flexibility, consistency, and accountability in adjudicating enforcement of the Des Moines Municipal Code, and

WHEREAS, the position of Municipal Judge for the Municipal Court of the City of Des Moines is currently an elected full-time position pursuant to authorizations and provisions of RCW 3.50.050 and as provided in Ordinance No. 1482 enacted by the City Council on March 25, 2010, and

WHEREAS, based on efficiencies implemented in the Municipal Court, the judicial position is no longer needed to be full-time, and therefore no longer required to be an elected position under state law, and

WHEREAS, the City Council finds that in the interest of compliance with state law, employment agreements and current practice, the City of Des Moines should amend Ordinance No. 1482 to reclassify the Municipal Court Judge position as a part-time appointed position; now, therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:

Sec. 1. DMMC 2.28.030(2), (3), and (4), and subsections (2), (3) and (4) of section 1 of Ordinance No. 1482 are repealed, effective January 1, 2017.

Sec. 2. Severability - Construction.

(1) If a section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

(2) If the provisions of this Ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this Ordinance is deemed to control.

Sec. 3. Effective date. This Ordinance shall take effect and be in full force five (5) days after its final passage by the Des Moines City Council in accordance to law.

PASSED BY the City Council of the City of Des Moines this 23rd day of June, 2016 and signed in authentication thereof this 23rd day of June, 2016.



M A Y O R

APPROVED AS TO FORM:



Interim Assistant City Attorney

ATTEST:



City Clerk

Published: June 28, 2016

LEGAL NOTICE
SUMMARY OF ADOPTED ORDINANCE
CITY OF DES MOINES

ORDINANCE NO. 1650, Adopted June 23, 2016.

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This Ordinance repeals DMMC 2.28.030(2), (3), and (4) to reinstate the part-time Municipal Court Judge position and sets an effective date of January 1, 2017.

The full text of the Ordinance will be mailed without cost upon request.

Bonnie Wilkins, CMC
City Clerk

Published: June 28, 2016