

RESOLUTION NO. 43-16

A RESOLUTION DIRECTING COMPLIANCE WITH CHARTER, STATUTE, AND ORDINANCE AS THEY RELATE TO THE GRAND JUNCTION MUNICIPAL COURT

RECITALS:

The City of Grand Junction has by Charter and Ordinance established a Municipal Court. The Charter provides the City Manager shall see to the faithful execution of the laws and ordinances of the State and City and that the City Council shall appoint a Judge of the Municipal Court. Charter provides the judge of the municipal court of the city shall have all the jurisdiction, powers, duties and limitations as provided for a municipal court by state law or by ordinance, except as otherwise provided by this Charter, and shall have exclusive original jurisdiction to hear, try and determine all charges of misdemeanor as declared by this Charter, and all causes arising under this Charter or any of the ordinances, regulations or other rules of the city for a violation thereof. The Grand Junction Municipal Code (GJMC) provides the Municipal Court shall have original jurisdiction of all cases arising under the Charter, the code of ordinances, resolutions, rules and regulations of the City, with full power to assess and collect penalties, punish violators, abate nuisances, enforce orders of the Court by remedial or punitive contempt, and to otherwise effect the responsibilities prescribed by ordinance, Charter, resolution, regulation or Court rule. GJMC provides the Municipal Court is a qualified Court of record, other than cases arising under GJMC Title 10 (traffic), and shall comply with requirements of State law for courts of record. GJMC adopts by reference Title 13, Article 10 of the Colorado Revised Statutes (C.R.S.). Section 13-10-108 C.R.S. provides that City Council shall establish the position of clerk of the municipal court, and shall provide for the salary of the clerk of the municipal court. Section 13-10-110 C.R.S. provides that City Council shall furnish the municipal court with suitable courtroom facilities and sufficient funds for the acquisition of all necessary books, supplies, and furniture for the proper conduct of the business of court. Section 13-10-112 C.R.S. provides that the municipal judge of any municipal court has all judicial powers relating to the operation of his court, and the municipal judge has authority to issue local rules of procedure consistent with any rules of procedure adopted by the Colorado supreme court. Section 13-1-114 C.R.S. provides that the court has power to compel obedience to its lawful judgments, orders, and process and to the lawful orders of its judge out of court in action or proceeding pending therein; and the power to control, in furtherance of justice, the conduct of its ministerial officers.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

The Municipal Court Judge shall exercise direct supervision over supervisory, professional, technical, and clerical staff of the court; Assume management responsibility consistent with the City Attorney, and Directors of all departments; and Govern the operations of the Municipal Court.

PASSED and ADOPTED this 19th day of October, 2016.

ATTEST:

Stephanie Van
City Clerk


President of the City Council