

**INSTRUCTION SHEET  
ADDITIONS TO MILWAUKEE CITY CHARTER**

**SUMMARY**

This supplement incorporates changes to the Milwaukee City Charter enacted by the following Common Council file:

140778            A charter ordinance relating to a technical correction concerning the temporary absence of municipal judges.

<u>Section Affected</u>	<u>Action</u>	<u>File Number</u>	<u>Effective Date</u>	<u>Remove Pages</u>	<u>Add Pages</u>
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For questions concerning the content of the Milwaukee Code or Ordinances contact the Legislative Reference Bureau, Research Section, (414) 286-2297.

Abbreviations:

am=amended  
cr=created

ra=renumbered and amended  
rc=recreated

rn=renumbered  
rp=repealed



## **MEMO**

If all supplements have been properly inserted, this book contains all actions of the Common Council through October 14, 2014.

Revised 10/14/2014  
Suppl. #172



## Duties and Authority of City Officers 3-32

taxpayer or elector of the city may be filed with the common council, and thereupon such proceedings shall be had as are now provided for by charter in cases of impeachment of officers, and if such officer is found guilty by the common council of violating this section, his office shall be declared vacant by the common council and he shall not be eligible to appointment or election to fill the vacancy so created or to hold any other position or office in the city government for a period of 12 months thereafter. The word "services" as used in this section shall not be construed so as to include the regular employment of any city officer by any public utility upon a salary or wage basis. (HISTORY: Section 3-31 cr. Ch. Ord. 129, File #46-1671, Nov. 25, 1946.)

**3-32. Employment of Architects.** No officer, department, board or commission under the control of the common council of the city of Milwaukee shall employ any architect other than the one in the city service without first securing the approval of the common council to such action. (HISTORY: Section 3-32 cr. Ch. Ord. 50, File #48453, Jan. 11, 1932.)

**3-34. Municipal Court. 1. COURT CREATED.** Pursuant to the authority granted by s. 755.01 and ch. 755, Wis. Stats., there is established the municipal court for the city of Milwaukee. The municipal court shall constitute a separate department within city of Milwaukee government.

**2. MUNICIPAL JUDGE.** Pursuant to the authority of s. 755.01, Wis. Stats., there are created 3 offices of municipal judge of the city of Milwaukee, which shall be designated branch one, branch 2 and branch 3. One of the judges shall be designated as presiding judge within the municipal court for administrative purposes by the chief judge of the first judicial administrative district of the state of Wisconsin.

a. **Term.** Each municipal judge shall be elected to a 4-year term. Temporary appointments to fill vacancies in the office of municipal judge shall be made as provided in s. 800.06, Wis. Stats. A permanent vacancy in the office of municipal judge shall be filled pursuant to s. 8.50, Wis. Stats.

b. **Eligibility.** A municipal court judge shall be an attorney licensed to practice law in Wisconsin.

c. **Salary.** The rates of pay of municipal judge shall be determined by the common council.

d. **Engaging in Outside Business or Profession.** Except as provided in SCR ch. 60, Wisconsin supreme court rules, as amended, no municipal judge elected pursuant to this section may engage in outside employment, including the private practice of law, for compensation or pecuniary reward during his or her term. Any person who intentionally violates this subsection shall be fined no less than \$100 nor more than \$1,000; provided, however, that the penalty under this subsection does not limit the power of the common council to remove a municipal judge for cause, or by recall, or by any other means pursuant to state law.

**3. JURISDICTION.** a. **City Ordinances.** Each municipal judge shall have the jurisdiction provided by state law, including but not limited to because of enumeration, that provided by chs. 755 and 800, Wis. Stats., and exclusive jurisdiction of violations of city of Milwaukee ordinances.

b. **Contempt of Court and Penalty.** Each judge may punish for contempt as provided in s. 800.12, Wis. Stats., and may impose a forfeiture therefor not to exceed \$50 or, in default thereof, a jail sentence not to exceed 7 days.

c. **Sessions of Court.** Sessions of the court shall be as directed by the mayor and the common council either in the form of ordinances or resolutions, and scheduling shall be arranged by the chief court administrator.

**4. OFFICERS AND STAFF.** a. **Chief Court Administrator.** The chief court administrator shall be appointed by the presiding municipal court judge and confirmed by the common council. Each term shall be for a period of 3 years, commencing on the first day of October, 1989, and every 3rd year thereafter. In the case of a vacancy during any term, the appointee shall hold office for the unexpired term of his or her predecessor. In all cases, the chief court administrator shall hold office for the specified term to which he or she was appointed, confirmed qualified and thereafter until a successor is appointed, confirmed qualified. The chief court administrator shall receive a salary to be determined by the common council. Before entering upon the duties of the office, each chief court administrator shall take and subscribe the oath of office prescribed by the constitution of

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the state and contained in s. 19.01, Wis. Stats., and file the same duly certified by the official administering the same with the city clerk.

b. Municipal Court Staff. In addition to the 3 municipal court judges, the municipal court commissioners and the chief court administrator, the municipal court staff shall include such municipal court clerks as are authorized by the common council, to be appointed by the chief court administrator from civil service lists submitted for that purpose, said clerks to remain in the classified city civil service. The staff shall further include police officers designated by the chief of police who shall serve as bailiffs, and such additional administrative and clerical staff, selected through the usual procedures of the city civil service, as are authorized by the common council.

5. PROCEDURE. a. State Law. The procedures to be operative in the municipal court shall be as prescribed by state law including, but not limited to because of enumeration, chs. 66, 755 and 800, Wis. Stats.

b. Administrative Regulations. The municipal court and the municipal judges shall be subject to such rules of procedures as may be promulgated from time to time by the chief judge of the first judicial administrative district of the state of Wisconsin.

c. Treasurer to Receive Collections. All monies belonging to the city which are received by a municipal judge, shall be paid to the city treasurer on a daily basis.

d. Temporary Absence of Judge. Whenever a municipal judge shall be temporarily absent, his or her office shall be filled for the period of the absence by one or more municipal judges from other municipalities within the state of Wisconsin, as provided for by s. 800.06(1)(a), Wis. Stats., in accordance with the terms of agreements, which the chief court administrator shall execute with the alternate judges. Agreements fixing the compensation to be paid to such alternate judges and the manner of payment shall be established by the common council.

*(HISTORY: Section 3-34 rc. Ch. Ord. 509, F#76-375-n, July 24, 1981.*

*3-34-4-a am. Ch. Ord. 563, F#86-507, Oct. 14, 1986; eff. Dec. 29, 1986.*

*3-34-2-b m. File #960180, June 4, 1996; eff. Aug. 20, 1996.*

*3-34-2-b cr. File #960180, June 4, 1996; eff. Aug. 20, 1996.*

*3-34-2-c m. File #960180, June 4, 1996; eff. Aug. 20, 1996.*

*3-34-2-a am. File #971626, Feb. 10, 1998; eff. April 28, 1998.*

*3-34-2-d am. File #971626, Feb. 10, 1998; eff. April 28, 1998.*

*3-34-4 am. File #971626, Feb. 10, 1998; eff. April 28, 1998.*

*3-34-5-d am. File #971626, Feb. 10, 1998; eff. April 28, 1998.*

*3-34-5-d am. File #140778, Oct. 14, 2014; eff. Dec. 30, 2014.*