

FILE COPY

ORDINANCE NO. 1535

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYSIDE,  
WASHINGTON, AMENDING CHAPTER 2.40 OF THE SUNNYSIDE MUNICIPAL  
CODE, RELATING TO THE MUNICIPAL COURT

WHEREAS, the City of Sunnyside has, for some time, been filing its citations and charges for misdemeanor violations of the Sunnyside Municipal Code with the Yakima County District Justice Court, pursuant to an agreement therefor; and,

WHEREAS, recent changes in the law, with respect to municipal courts, have made available to the City of Sunnyside the option to re-establish its own municipal court; and,

WHEREAS, because of increased costs to the City of Sunnyside, in the operation of the Yakima County District Justice Court, it is beneficial and advantageous to the City of Sunnyside to re-establish its own municipal court.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON, DO ORDAIN as follows:

1. That Chapter 2.40 of the Sunnyside Municipal Code, be, and the same hereby is, amended to read as follows:

Chapter 2.40

MUNICIPAL COURT

2.40.010 Municipal court established -- jurisdiction. There is created and re-established, pursuant to Chapter 3.50 of the Revised Code of Washington, as amended by Chapter 2.58, Laws of 1984, a court of limited jurisdiction to be known and designated as a municipal court, entitled "The

1 Municipal Court of the City of Sunnyside, Washington", which court shall have  
2 exclusive, original criminal jurisdiction of all violations of city  
3 ordinances, and shall have original jurisdiction of all other actions brought  
4 to enforce and recover license penalties or forfeitures declared or given by  
such city ordinances, or by state statute. Said municipal court shall,  
further, have jurisdiction and shall exercise all other powers granted to  
municipal courts by common law or by state statute.

5 2.40.020 Court sessions. The municipal court shall be open and shall  
6 hold regular sessions on such days and during such hours as the municipal  
7 court shall prescribe; provided, however, that the court shall be open and in  
session not less than once each week.

8 2.40.030 Pleadings, practice, procedure. Pleadings, practice and  
9 procedure in cases not governed by state statute or rules specifically  
10 applicable to municipal courts, shall, in so far as applicable, be governed  
11 by the statutes and rules now existing, including the applicable provisions  
of Title 3 of the Revised Code of Washington, or as may hereinafter be  
adopted as governing the pleadings, practice and procedures applicable to  
courts of limited jurisdiction.

12 2.40.040 Traffic violations bureau. There is established a traffic  
13 violations bureau to assist the court in processing traffic cases, which  
14 shall operate under the supervision of the municipal court, and shall be  
15 authorized to receive the posting of bails for specific offenses defined by  
16 the court, and permitted to accept forfeitures of bails. Such traffic  
17 violations bureau to be established in accordance with Section 3.50.030 of  
the Revised Code of Washington, and as hereinafter amended. All fines,  
costs, fees, forfeitures, and any other monies imposed or collected by any  
municipal court for the violation of any municipal ordinance, together with  
any other revenues received by the municipal court, shall be deposited in the  
account established by the City Clerk, as part of the general fund of the  
City of Sunnyside, to be used pursuant to state statute.

18 2.40.050 Appointment of judge. The judge of the municipal court shall  
19 be appointed by the City Manager, subject to confirmation by the City  
20 Council, for a term of office in accordance with the procedures for  
21 appointment of municipal court judges, as provided in Chapter 3.50 of the  
22 Revised Code of Washington. The person appointed as municipal court judge  
23 shall be a United States citizen, and a citizen of the State of Washington,  
24 and an attorney duly authorized and admitted to practice law before the  
25 courts of record in the State of Washington. The position of such municipal  
court judge shall be on a part-time basis. Additional part-time judges may  
be appointed by the City Manager, subject to confirmation by the City  
Council, in the same manner as hereinabove set forth, whenever public  
interest and the administration of justice requires the appointment of such  
additional judges.

