

ORDINANCE No. 114655

COUNCIL BILL No. 107467

Law Department

The City of

AN ORDINANCE relating to the Seattle Municipal Court; amending Seattle Municipal Code Section 3.33.040; creating two additional departments of the Seattle Municipal Court and elective judicial positions therefor; and declaring an emergency.

Honorable President:

Your Committee on _____

to which was referred the within Council report that we have considered the

PS 8/8/89
PASS 3-0

COMPTROLLER FILE No. _____

Introduced: <u>Aug 7, 1989</u>	By: NOLAND
Referred: <u>Aug 7, 1989</u>	To: PUBLIC SAFETY
Referred:	To:
Referred:	To:
Reported: <u>AUG 14 1989</u>	Second Reading: <u>AUG 14 1989</u>
Third Reading: <u>AUG 14 1989</u>	Signed: <u>AUG 14 1989</u>
Presented to Mayor: <u>AUG 14 1989</u>	Approved: <u>Aug 21, 89</u>
Returned to City Clerk:	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

Vote 9-0

OK

Department

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Date Reported
and Adopted

President:

Committee on

was referred the within Council Bill No.

that we have considered the same and respectfully recommend that the same:

ite 9-0

Committee Chair

IRS:bjw
8/4/89

ORDINANCE 114655

AN ORDINANCE relating to the Seattle Municipal Court; amending Seattle Municipal Code Section 3.33.040; creating two additional departments of the Seattle Municipal Court and elective judicial positions therefor; and declaring an emergency.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 3.33.040 of the Seattle Municipal Code (Ordinance 113786 § 1) is amended as follows:

Section 3.33.040. Structure. The Municipal Court shall consist of (~~six (6)~~) eight (8) judicial departments, as follows:

Departments 1-3 established pursuant to RCW 35.20.100; ((and))

Departments 4-6 heretofore established pursuant to RCW 35.20.100 by Ordinances 101811, 108666 and 110900(~~(-)~~);

Department 7, hereby established pursuant to RCW 35.20.100; and

Department 4N (a night court), hereby established pursuant to RCW 35.20.020.

The departments shall be established in such places as may be provided from time to time by the City's legislative authority and each department shall be presided over by a municipal judge. The judges shall select, by majority vote, one of their number to act as presiding judge of the Municipal Court for a term of one year, and he or she shall be responsible for administration of the Court and assignment of calendars to all departments. A change of venue from one department of the Municipal Court to another department shall be allowed in accordance with the provisions of RCW 3.66.090 in all civil

1 and criminal proceedings. Municipal judges shall be elected
2 as provided by law.

3 Section 2. To carry out the work of the two additional
4 Municipal Court departments established in Section 1 hereof,
5 the following positions are hereby established in Seattle
6 Municipal Court:

7 2 Municipal Court Judges

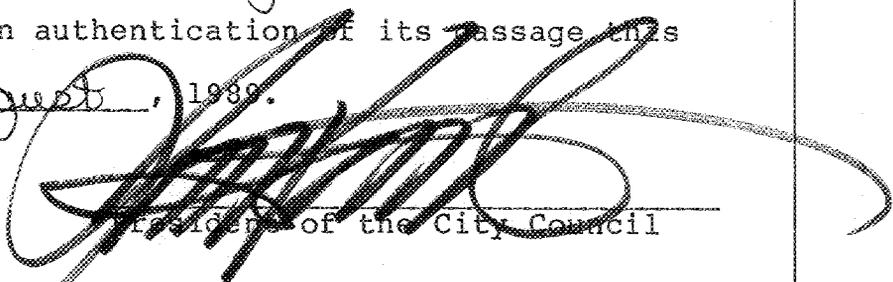
8 Section 3. The positions established in Section 2 hereof
9 shall be funded by unexpended and unencumbered appropriations
10 in the 1989 budget of Seattle Municipal Court.

11 Section 4. Any act consistent with the authority and
12 prior to the effective date of this ordinance is hereby
13 ratified and confirmed.

14 Section 5. WHEREAS, the creation of two (2) additional
15 Municipal Court Departments and judicial positions is
16 necessary for the immediate preservation of the public peace,
17 health and safety, and needed to handle the case load in the
18 Seattle Municipal Court, provide a speedy trial for persons
19 accused of violating City ordinances, and reflects rulings of
20 the State of Washington Supreme Court rendered on August 3,
21 1989 in Peck v. Perrin, Supreme Court No. 55602-4, and In the
22 Matter of Raymond Eng, Supreme Court No. 54804-8); Now,
23 Therefore, in accordance with Article IV, Section 11, Seattle
24 City Charter, by reasons of the facts above stated and the
25 emergency which is hereby declared to exist, this ordinance
26 shall become effective immediately upon the approval or
27 signing of the same by the Mayor or passage over his veto, as
28 provided by the Charter of the City.

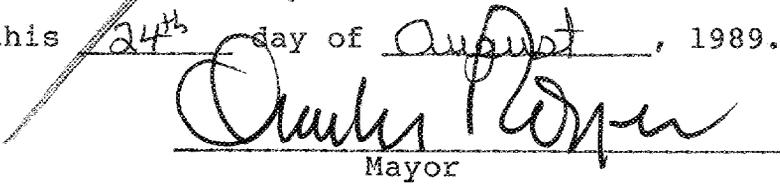
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PASSED by three-fourths vote of all the members of the City Council the 14th day of August, 1989, and signed by me in open session in authentication of its passage this 14th day of August, 1989.



President of the City Council

Approved by me this 24th day of August, 1989.



Mayor

Filed by me this 24th day of August, 1989.

ATTEST: Norward J. Brooks

City Comptroller and City Clerk

By: Theresa Dunbar

Deputy

(SEAL)

Published _____

City of Seattle

Executive Department-Office of Management and Budget

Kenneth R. Bounds, Director
Charles Royer, Mayor



OK
JRB
8/7/89

August 7, 1989

The Honorable Douglas Jewett
City Attorney
City of Seattle

Dear Mr. Jewett:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING
DEPARTMENT: Municipal Court

SUBJECT: An ordinance relating to the Seattle Municipal Court; amending Seattle Municipal Code Section 3.33.040; creating two additional departments of the Seattle Municipal Court and elective judicial positions therefor; and declaring an emergency.

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation to your office for review and drafting.

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to OMB. Any specific questions regarding the legislation can be directed to Andre Burrell.

Sincerely,

Charles Royer
Mayor

by

KENNETH R. BOUNDS
Budget Director

KB/ab/lw

Enclosure

cc: Presiding Judge

TIME AND DATE STAMP

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY
THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

June Bond

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE

STATE OF WASHINGTON - KING COUNTY

19107
City of Seattle

-SS.

No.

City of Seattle

ORDINANCE 114655

AN ORDINANCE relating to the Seattle Municipal Court; amending Seattle Municipal Code Section 3.33.040; creating two additional departments of the Seattle Municipal Court and elective judicial positions therefor; and declaring an emergency.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 3.33.040 of the Seattle Municipal Code (Ordinance 113786 § 1) is amended as follows:

Section 3.33.040. STRUCTURE. The Municipal Court shall consist of (six (6)) EIGHT (8) judicial departments, as follows:

Departments 1-3 established pursuant to RCW 35.20.100; (and)

Departments 4-6 heretofore established pursuant to RCW 35.20.100 by Ordinances 101811, 109866 and 110900((,));

DEPARTMENT 7, HEREBY ESTABLISHED PURSUANT TO RCW 35.20.100; AND

DEPARTMENT 4N (A NIGHT COURT), HEREBY ESTABLISHED PURSUANT TO RCW 35.20.010.

The departments shall be established in such places as may be provided from time to time by the City's legislative authority and each department shall be presided over by a municipal judge. The judges shall select, by majority vote, one of their number to act as presiding judge of the Municipal Court for a term of one year, and he or she shall be responsible for administration of the Court and assignment of calendars to all departments. A change of venue from one department of the Municipal Court to another department shall be allowed in accordance with the provisions of RCW 3.66.090 in all civil and criminal proceedings. Municipal judges shall be elected as provided by law.

Section 2. To carry out the work of the two additional Municipal Court departments established in Section 1 hereof, the following positions are hereby established in Seattle Municipal Court:

2 Municipal Court Judges.

Section 3. The positions established in Section 2 hereof shall be funded by unexpended and unencumbered appropriations in the 1989 budget of Seattle Municipal Court.

Section 4. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 5. WHEREAS, the creation of two (2) additional Municipal Court Departments and judicial positions is necessary for the immediate preservation of the public peace, health and safety, and needed to handle the case load in the Seattle Municipal Court, provide a speedy trial for persons accused of violating City ordinances, and reflects rulings of the State of Washington Supreme Court rendered in August 3, 1989 in PECK V. PERRIN, Supreme Court No. 55602-4, and IN THE MATTER OF RAYMOND KING, Supreme Court No. 34604-0; Now, therefore, in accordance with Article IV, Section 11, Seattle City Charter, by reason of the facts above stated and the emergency which is hereby declared to exist, this ordinance shall become effective immediately upon the approval or signing of the same by the Mayor or passage over his veto, as provided by the Charter of the City.

Passed by three-fourths vote of all the members of the City Council the 14th day

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

ORD/114655 EMERGENCY

was published on

09/01/89

The amount of the fee charged for the foregoing publication is the sum of \$ _____, which amount has been paid in full.

B. Morris

Subscribed and sworn to before me on

SEP 1 1989
Kevin Ray

Notary Public for the State of Washington, residing in Seattle