

ORDINANCE NO. 3579

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF ECC 2.15.030; RENUMBERING PARAGRAPH B AS C; CHANGING THE QUALIFICATIONS FOR EDMONDS MUNICIPAL JUDGE; ADDING NEW PARAGRAPH B; CHANGING THE POSITION OF EDMONDS MUNICIPAL JUDGE FROM AN APPOINTED POSITION TO AN ELECTED POSITION; SETTING TERM AND COMMENCING DATE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council intends to retain the Municipal Court of the city of Edmonds to provide greater flexibility, consistency and accountability in adjudicating enforcement of the Edmonds Municipal Code and Community Development Code; and

WHEREAS, the position of municipal judge for the Municipal Court of the city of Edmonds is currently an appointed position pursuant to authorizations of RCW 3.50.040; and

WHEREAS, the City Council, pursuant to authorizations and provisions of RCW 3.50.050, may by ordinance elect to make the position of municipal judge for the Municipal Court of the city of Edmonds an elected position; and

WHEREAS, the City Council received recommendations from the current appointed municipal judge for the Municipal Court of the city of Edmonds that both the court and the public will benefit from more judicial independence with an elected municipal judge rather than an appointed one; and

WHEREAS, the state contributes funds pursuant to RCW 2.56.030 towards salaries of qualifying elected municipal court judges, and an elected municipal court judge for Municipal Court of the city of Edmonds may, in the future, qualify for such contributions, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. ECC 2.15.030 Judges - Appointment - Qualifications. is hereby amended to renumber current paragraph B as C, and to read as follows:

2.15.030 Judges - Appointment - Qualifications.

C. A person elected or appointed as municipal judge shall be a citizen of the United States of America and of the state of Washington and a resident of Snohomish County; and an attorney admitted to practice law before the courts of record of the state of Washington.

Section 2. ECC 2.15.030 Judges - Appointment - Qualifications. is hereby amended to add a new paragraph B to read as follows:

2.15.030 Judges - Appointment - Qualifications.

B. The position of municipal judge shall be filled by election for the term commencing on January 1, 2010, and every four years thereafter. The municipal judge shall be elected in the same manner as other elective city officials are elected to office. The term of the municipal judge shall be for four years. The mayor shall not appoint a municipal judge pursuant to paragraph A of this section for a term beyond December 31, 2009. Nothing in this section shall limit the mayor's authority to fill the position of municipal judge pursuant to ECC 2.15.070 or 2.15.210.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect

five (5) days after passage and publication of an approved summary thereof consisting of the title.

APPROVED:

MAYOR GARY HAAKENSEN

ATTEST/AUTHENTICATED:

CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY

W. SCOTT SNYDER

FILED WITH THE CITY CLERK:	12/30/2005
PASSED BY THE CITY COUNCIL:	01/03/2006
PUBLISHED:	01/08/2006
EFFECTIVE DATE:	01/13/2006
ORDINANCE NO. <u>3579</u>	

SUMMARY OF ORDINANCE NO. 3579

of the City of Edmonds, Washington

On the 3rd day of January, 2006, the City Council of the City of Edmonds, passed Ordinance No. 3579. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF ECC 2.15.030; RENUMBERING PARAGRAPH B AS C; CHANGING THE QUALIFICATIONS FOR EDMONDS MUNICIPAL JUDGE; ADDING NEW PARAGRAPH B; CHANGING THE POSITION OF EDMONDS MUNICIPAL JUDGE FROM AN APPOINTED POSITION TO AN ELECTED POSITION; SETTING TERM AND COMMENCING DATE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 4th day of January, 2006.

CITY CLERK, SANDRA S. CHASE