ORDINANCE NO. 2016-17

AN ORDINANCE AMENDING SECTION 16-29 OF THE CODE OF ORDINANCES, CITY OF CARLSBAD, NEW MEXICO TO INCREASE THE MAXIMUM COMPENSATION OF AN ACTING MUNICIPAL JUDGE.

WHEREAS, pursuant to Section 16-29 of the Code of Ordinances, City of Carlsbad, New Mexico, in the event of the temporary absence of the municipal judge, the court administrator shall act as the judge, and if the court administrator cannot or does not act as judge, then a duly qualified attorney practicing law within the city may be appointed to act as judge; and

WHEREAS, currently, the court administrator or any attorney appointed to act as municipal judge under the provisions of Section 16-29 receives $50 per day for discharging the duties of acting municipal judge with a maximum of $1,500 per calendar year; and

WHEREAS, the Council wishes to increase the maximum annual amount that may be paid to an acting municipal judge.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO, that:

Section 16-29(c) of the Code of Ordinances, City of Carlsbad, New Mexico shall be amended to state:

> (c) Any person so appointed and who shall discharge any duties as acting judge, whether the court administrator or a duly qualified attorney, shall receive a flat rate fee of $50.00 per day or any part thereof as reasonable compensation. With respect to the court administrator, such compensation for judicial duties shall be in addition to the salary paid by the city, provided that neither the court administrator nor any attorney appointed to act as judge under the provisions of this section shall receive or otherwise be paid combined fees in the aggregate for acting hereunder in excess of $3,000.00 during any one calendar year.

INTRODUCED, PASSED, ADOPTED AND APPROVED this 28th day of June, 2016.

/s/ Dale Janway
DALE JANWAY, MAYOR

ATTEST:

/s/ Annette Barrick
CITY CLERK