

Bill No. 5292

Ordinance No. 24-043

Requested by: Steve Ehlmann

Sponsored by: Terry Hollander

AN ORDINANCE AMENDING SECTION 160.030 OF THE ORDINANCES OF ST. CHARLES COUNTY MISSOURI (“OSCCMo.”) RELATING TO EXTENDING THE MAXIMUM AGE OF A MUNICIPAL JUDGE WITHIN THE COUNTY’S MUNICIPAL COURT TO BE CONSISTENT WITH MISSOURI STATUTE.

WHEREAS, judicial experience is paramount to the efficiency and productivity of any court; and

WHEREAS, a person appointed to the office of County Municipal Judge shall hold his/her office for a period of two (2) years and until his/her successor is duly appointed and qualified; and

WHEREAS, County ordinance currently mandates the age to vacate the position of municipal judge for the County’s ordinance court is seventy (70) years old, reflective of the general age of judicial retirement from the Missouri circuit and appellate bench as set by the law of the State of Missouri; and

WHEREAS, the Missouri General Assembly has established a separate retirement requirement for city and county judges serving those communities to hear ordinance-based cases; and

WHEREAS, specifically, Revised Statutes of Missouri Section 479.020(7) allows a person to serve as a municipal judge until the age of seventy-five (75); and

WHEREAS, this change to the ordinance will assist the County in being consistent with Missouri Statutes, by raising the age a person can serve as Municipal Judge in St. Charles County from seventy years old to seventy-five years old.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. CHARLES COUNTY, MISSOURI, AS FOLLOWS

Section 1. Section 160.030 is hereby amended as follows (additions and updated information in **bold** type and deletions [~~bracketed and stricken~~]):

Section 160.030 Term of Office --- Vacation of Office

A. A person appointed to the office of County Municipal Judge shall hold [~~his~~] **the** office for a period of two (2) years and until [~~his~~] **a** successor is duly appointed and qualified. If for any reason the County Municipal Judge vacates [~~his~~] **the** office, [~~his~~] **a** successor shall complete that term of office, even if the same be for a term less than two (2) years.

B. The County Municipal Judge shall vacate the position as municipal judge under the following circumstances:

1. Upon removal from office by the State Commission on the Retirement, Removal, and Discipline of Judges, as provided in Missouri Supreme Court Rule 12;

2. Upon attaining [~~his~~] **their** [~~seventieth~~-(70th)] **seventy-fifth (75th)** birthday;

3. [~~If he should lose his license to~~] **Upon loss of license to practice law within the State of Missouri; or**
4. Upon violation of the qualifications of the office of County Municipal Judge set forth within this Chapter.

Section 2. This ordinance shall be in full force and effect from and after the date of its passage and approval.

April 29, 2024  
DATE PASSED

May 2, 2024  
DATE APPROVED BY COUNTY EXECUTIVE

T. Hollander  
CHAIR OF THE COUNCIL  
A. M.  
COUNTY EXECUTIVE

ATTEST:

[Signature]  
COUNTY REGISTRAR

