

CHAPTER 3

MUNICIPAL COURT

§ 3-101	Establishment of court.	40	
§ 3-102	Judges; term; compensation.		40
§ 3-103	Acting judge.		40
§ 3-104	Clerk of municipal court.	40	
§ 3-105	Ministerial recorder.		41
§ 3-106	Jury commissioners.		41
§ 3-107	Penalties.	41	
§ 3-108	Assessments.		41
§ 3-109	Ordinance summons.		41
§ 3-110	Contempt of court.		42

§ 3-101 Establishment of court.

There is hereby established a municipal court for the Town of Pine Ridge pursuant to Title 14, Chapter 25 of the Code of Laws of South Carolina (1976), which shall be a part of the unified court system.

§ 3-102 Judges; term; compensation.

The municipal court shall be presided over by one or more judges appointed by council for terms not to exceed four years, or at the pleasure of council, for such compensation as council may determine.

§ 3-103 Acting judge.

The mayor may appoint a qualified person to hold municipal court in case of the temporary absence, sickness, or disability of a municipal judge.

§ 3-104 Clerk of municipal court.

The mayor shall designate a clerk of the municipal court who shall record the proceedings of the court, keep records, and make reports as required by the municipal judge and state court administrator.

§ 3-105 Ministerial recorder.

There is hereby established the office of ministerial recorder pursuant to S. C. Code § 14-25-115 (1976). Ministerial recorders shall be appointed by and serve at the pleasure of council. Ministerial recorders shall be instructed in the

proper method of issuing warrants by a municipal judge. Law enforcement officers shall not be appointed as ministerial recorders.

§ 3-106 Jury commissioners.

The town council shall serve as jury commissioners for municipal court. Juries shall be selected in accordance with S.C. Code §§ 14-25-145 -- 175.

§ 3-107 Penalties.

(a) Wherever in the code, or in any ordinance or resolution of the town, or rule or regulation or order promulgated by any officer or agency of the town under authority duly vested in him or it, any act is prohibited or is declared to be unlawful or an offense or misdemeanor, or the doing of any act is required, or the failure to do any act is declared to be unlawful or an offense or misdemeanor, and no specific penalty is provided for the violation thereof, the violation of any such provision of the code or any such ordinance, resolution, rule, regulation or order shall be punished by a fine of not more than \$500 or by imprisonment for not more than 30 days, or both.

(b) Except as may otherwise be provided, each day any violation of the code or any such ordinance, resolution, rule, regulation or order shall continue shall constitute a separate offense.

§ 3-108 Assessments.

Assessments mandated by State law shall be added to the fines imposed by the municipal judge and remitted as required by law.

§ 3-109 Ordinance summons.

Any person or entity who violates any provision of the code or any code adopted pursuant to this code, excluding any provision regulating the use of motor vehicles on public roads, may be issued a uniform ordinance summons in a form prescribed by S.C. Code Ann. 56-7-80 (Supp. 1992). Issuance of the uniform ordinance summons shall

vest jurisdiction in the municipal court to hear and dispose of the charge for which the uniform ordinance summons was issued and served. The uniform ordinance summons may be issued by any town law enforcement officer or any other town official or employee designated by the town administrator as a code enforcement officer. The amount of the bond prescribed by the municipal judge for the offense and the procedure for posting the bond shall be noted on the uniform ordinance summons. Town law enforcement officers or code

enforcement officers are prohibited from accepting bonds. The uniform ordinance summons shall not be used to perform a custodial arrest. The uniform ordinance summons shall contain a notice that failure to appear before the court without having posted bond or without having been granted a continuance is a misdemeanor punishable by a fine up to \$500 or imprisonment for up to 30 days, or both.

§ 3-110 Contempt of court.

It shall be unlawful for any person to fail to comply with an order of a municipal judge. Pursuant to S.C. Code Ann. § 14-25-45, the municipal judge may in his discretion punish a person who violates a municipal court order for contempt of court by imposition of additional penalties not to exceed the maximum prescribed by S.C. Code Ann. § 14-25-65.