

**CITY OF WEST ALLIS
ORDINANCE O-2026-0128**

**ORDINANCE TO INCREASE MUNICIPAL COURT COST AMOUNT FROM \$38
TO \$48**

WHEREAS, Wis. Stat. 814.65(1) requires a municipal court to collect a fee for court costs for each separate matter before the court; and

WHEREAS, the state enacted 2025 Wis. Act 113 to increase the range of allowable court costs from \$38 to \$48 for each separate matter;

NOW THEREFORE, the common council of the City of West Allis do ordain as follows:

SECTION 1:**AMENDMENT** “2.19 Municipal Judge” of the City Of West Allis Municipal Code is hereby *amended* as follows:

AMENDMENT

2.19 Municipal Judge

1. Municipal Court Created, Qualification of Judge.
 - a. Pursuant to [Wis. Stat. Ch. 755](#), there is hereby created and established a Municipal Court designated "Municipal Court for the City of West Allis," presided over by a Municipal Judge.
 - b. To be eligible for the office of Municipal Judge, a person must be an attorney licensed to practice law in this State and have been so licensed for 5 years immediately prior to election or appointment.
2. Term. Pursuant to [Wis. Stat. 755.02](#), the term of office for the municipal judge shall be for 4 years, commencing on May 1 in the year preceding each presidential election year.
3. Salary. See [Wis. Stat. 755.04](#) and Section 4.c. of the [Salary Schedule](#).
4. Bond; Oath. See [Wis. Stat. 755.03](#).
5. Jurisdiction. See [Wis. Stat. 755.045](#).
6. Procedure.
 - a. The Municipal Court shall be open daily except Saturdays, Sundays and legal holidays. Actual court sessions shall be determined by order of the Municipal Judge.
 - b. The Municipal Court shall be held in the courtroom located at 11301 W. Lincoln Avenue or such other place as the Municipal Judge may determine if said courtroom is unavailable.
 - c. The procedure in Municipal Court shall be as provided by the Statutes and Laws of the State of Wisconsin.

- d. The Municipal Judge shall collect all forfeitures, fines and taxable costs in any action or proceeding before the court and shall pay over such monies to the City Treasurer not later than the second business day following the receipt thereof, or as provided by law, to the County Treasurer.
7. Contempt. See [Wis. Stat. 800.12](#).
8. Deposit Schedule. The deposit amounts for violations of City ordinances shall be set by the municipal judge pursuant to [Wis. Stat. 800.037](#) and, if approved by the common council, published under [Policy P155](#). If the municipal judge has not set a deposit amount for violation of a specific ordinance, the deposit amount shall be the maximum forfeiture authorized by law.
9. (Reserved).
10. Authority.
 - a. Court Fee. Pursuant to [Wis. Stat. 814.65\(1\)](#), the municipal judge shall collect a fee of ~~\$4838~~ on each separate matter, other than non-moving violations, whether it is on default of appearance, a plea of guilty or no contest, on issuance of a warrant or summons, or the action is tried as a contested matter.
 - b. Juvenile Dispositions and Sanctions. Pursuant to [Wis. Stat. 938.17\(2\)\(cm\)](#), the municipal court is authorized to impose or to petition the court assigned to exercise jurisdiction under [Wis. Stat. Chs. 938](#) and [48](#) to impose all dispositions under [Wis. Stat. 938.343](#) and [938.344](#) and all sanctions under [Wis. Stat. 938.355\(6\)\(d\)](#) and [\(6m\)](#).
 - c. Guardian Ad Litem. Pursuant to [Wis. Stat. 800.035\(2m\)](#), the municipal judge may appoint a guardian ad litem in any matter within the jurisdiction of the municipal court.

SECTION 2: **EFFECTIVE DATE** This Ordinance shall be in full force and effect on and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF WEST ALLIS COMMON COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Ald. Ray Turner	_____	_____	_____	_____
Ald. Kimberlee Grob	_____	_____	_____	_____
Ald. Chad Halvorsen	_____	_____	_____	_____
Ald. Marissa Nowling	_____	_____	_____	_____
Ald. Suzzette Grisham	_____	_____	_____	_____
Ald. Danna Kuehn	_____	_____	_____	_____
Ald. Dan Roadt	_____	_____	_____	_____
Ald. Patty Novak	_____	_____	_____	_____
Ald. Kevin Haass	_____	_____	_____	_____
Ald. Marty Weigel	_____	_____	_____	_____

Attest

Presiding Officer

Tracey Uttke, City Clerk, City Of West Allis

Dan Devine, Mayor, City Of West Allis