

INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE NO. 02-331

**AN ORDINANCE AMENDING CHAPTER 26, ARTICLE II, SECTION 26-45 OF
THE CODE OF THE INCORPORATED COUNTY OF LOS ALAMOS BY
AMENDING THE SALARY FOR THE MUNICIPAL JUDGE**

WHEREAS, pursuant to NMSA 1978, Section 35-14-3, a municipal judge's salary shall be established by ordinance; and

WHEREAS, pursuant to N.M. Const. Art. IV, §27, a municipal judge cannot receive a salary increase during the term of office; and

WHEREAS, a salary increase for a municipal judge shall be established prior to the beginning of a judge's term of office; and

WHEREAS, a new term for the Los Alamos County Municipal Judge shall begin on January 1, 2023; and

WHEREAS, the amount of compensation currently paid to the Los Alamos County Municipal Judge was established in 2017 pursuant to Ordinance No. 02-282, and has not increased; and

WHEREAS, along with the cost of living, the duties and responsibilities including education and training required of the municipal judge have increased and continue to increase; and

WHEREAS, other municipalities utilize the State Magistrate Court Judge's salary as a comparator, and Los Alamos County uses that salary as a comparator for purposes of this Code Ordinance.

NOW, THEREFORE, THE COUNCIL OF THE INCORPORATED COUNTY OF LOS ALAMOS HEREBY ORDAINS:

Section 1. Section 26-45 of the Code is amended to read as follows:

Sec. 26-45. Duties and salary.

The municipal judge shall devote his or her full time to the duties of the office and shall not have other employment or occupation in conflict therewith. The salary for the municipal judge shall be ~~\$75,000.00~~ \$104,604.00 per annum.

Section 2. This Ordinance shall become effective January 1, 2023.

Section 3. Severability. Should any section, paragraph, clause or provision of this ordinance, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

Section 4. Repealer. All ordinances or resolutions, or parts thereof, inconsistent herewith are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

ADOPTED this 27th day of September 2022.

**COUNCIL OF THE INCORPORATED
COUNTY OF LOS ALAMOS**

**Randall T. Ryti,
Council Chair**

ATTEST: (SEAL)

**Naomi D. Maestas,
Los Alamos County Clerk**