

CHARTER OF THE CITY OF SAN DIEGO

NOTE: Article XIII, CITY POLICE COURT, was originally approved by voters April 7, 1931, and consisted of Sections 202-210. A Municipal Court was established by vote of the people on 04-27-1937, and the sections of Article XIII were subsequently repealed in 1941.

Section 202

1. Original Charter section approved by voters April 7, 1931

Section 202. JURISDICTION OF CITY POLICE COURT. There is hereby created and established a Police Court for The City of San Diego, which shall have all the jurisdiction and exercise all the powers which are now or may hereafter be provided for Police Courts in cities by the General Laws of the State of California.

Repeal voted 04-22-1941; effective 05-08-1941.

Section 203

1. Original Charter section approved by voters April 7, 1931

Section 203. QUALIFICATIONS OF POLICE JUDGE. The Police Court of The City of San Diego shall be presided over by a Police Judge, who shall be elected by the qualified electors of said City once every four years. Said Police Judge must have been at the time of his election, a regularly licensed and practicing attorney at law of the State of California, and a qualified elector of The City of San Diego. During the term for which he shall have been elected, the Police Judge shall not practice law in any of the Courts of the State of California. Any vacancy occurring during the term of office of said Police Judge must be filled by an appointee of the Mayor, made with the advice and consent of the Council.

Repeal voted 04-22-1941; effective 05-08-1941.

Section 204

1. Original Charter section approved by voters April 7, 1931

Section 204. SALARY. The Police Judge shall receive as compensation for his services such salary as shall be paid to Justices of the Peace of San Diego Township under the General Laws of the State of California.

Repeal voted 04-22-1941; effective 05-08-1941.

Section 205

1. Original Charter section approved by voters April 7, 1931

Section 205. CLERK. The Police Judge shall appoint a Clerk and such other officers, attaches or employees of said Court as may be provided by ordinance by the Council of said City, and such Clerk, attaches or employees shall receive the salaries provided for such positions in the annual appropriation ordinance.

Repeal voted 04-22-1941; effective 05-08-1941.

Section 206

1. Original Charter section approved by voters April 7, 1931

Section 206. ABSENCE OF JUDGE. In case of sickness or disability or absence of the Police Judge, any Justice of the Peace of the Township of San Diego may preside over such Court at the request of the Police Judge.

Repeal voted 04-22-1941; effective 05-08-1941.

Section 207

1. Original Charter section approved by voters April 7, 1931

Section 207. PROCESS. The Clerk of the Police Court is authorized to administer oaths and take and certify affidavits, and he shall be authorized to issue and sign writs, summons, and other processes in any actions or proceedings in said Police Court in the name of the Police Judge. A permanent record shall be kept by said Clerk of all actions and proceedings in the said Police Court now provided by law to be kept.

Repeal voted 04-22-1941; effective 05-08-1941.

Section 208

1. Original Charter section approved by voters April 7, 1931

Section 208. APPEALS. An appeal to the Superior Court from any judgment, order or decision of the Police Court is hereby reserved and granted to anyone injured or aggrieved by such judgment or order, and such appeal shall be taken in the manner and in accordance with the provisions of the General Law authorizing appeals from the Justice Courts of the State of California.

Repeal voted 04-22-1941; effective 05-08-1941.

Section 209

1. Original Charter section approved by voters April 7, 1931

Section 209. PRESENT CITY COURT. The present City Justice of the Peace shall preside over the new Police Court established under this Charter until the end of his term of office, and shall continue to hold such office until a Police Judge is elected pursuant to the terms of this Charter at the regular Municipal Election to be held under this Charter in 1935.

Repeal voted 04-22-1941; effective 05-08-1941.

Section 210

1. Original Charter section approved by voters April 7, 1931

Section 210. MUNICIPAL COURTS. In the event that at any time the electors of The City of San Diego, by amendment to this Charter, or the Legislature of the State, by General Law, authorizes the creation of Municipal Courts in the Township of San Diego, with jurisdiction to enforce the provisions of General Law not relating to Police Courts in cities, then and in that event the Police Court of The City of San Diego and the office of Police Judge thereof, as herein established, shall be abolished, and thereafter the Municipal Court so created shall have and exercise all of the authority, jurisdiction and power formerly exercised by the Police Court of The City of San Diego.

Repeal voted 04-22-1941; effective 05-08-1941.