

TOWN OF EDGEWOOD
ORDINANCE NO. 2003-7
AN ORDINANCE


AUTHORIZING THE MUNICIPAL JUDGE TO SUSPEND SENTENCES, GRANT PROBATION, AND REQUIRE COMMUNITY SERVICE OR PARTICIPATION IN TEEN COURT.

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF EDGEWOOD:


Section 1. Suspension, Probation Community Service, Teen Court —

- A. Upon a plea of guilty or a judgment of conviction for violation of a municipal ordinance, the municipal court may defer or suspend in whole or in part the execution of sentence; or the court may place the defendant on probation for a period not exceeding one year on such lawful terms and conditions the court deems best; or both.
- B. Deferral or suspension of execution of the sentence or probation shall be granted only when the municipal judge is satisfied it will serve the ends of justice and of the public.
- C. The defendant's liability for any fine or other punishment deferred or suspended shall be fully discharged upon successful completion of the term of probation.
- D. The municipal court may as a condition of probation require the defendant to serve a period of time in volunteer labor to be known as community service. The type of labor and period of service shall be at the sole discretion of the court; provided that any person receiving community service shall be immune from any civil liability other than gross negligence arising out of the community service, and any person who performs community service pursuant to court order or any criminal diversion program shall not be entitled to any wages, shall not be considered an employee for any purpose and shall not be entitled to workmen's compensation, unemployment benefits or any other benefits otherwise provided by law. As used in this section, "community service" means any labor that benefits the public at large or any public, charitable or educational entity or institution.
- E. The municipal court may as a condition of probation require a defendant who otherwise meets the criteria for participation therein to participate and successfully complete a qualified Teen Court program.

PASSED, APPROVED AND ADOPTED as Ordinance No. 2003-7, this 3rd day of September, 2003.


Mayor

ATTEST:


Municipal Clerk

