

ORDINANCE NO. 24

AN ORDINANCE AMENDING SECTION III OF ORDINANCE NO. 20 CREATING MUNICIPAL COURT IN THE CITY OF PELICAN BAY, TEXAS; OTHERWISE CONTINUING ORDINANCE NO. 20 IN FULL FORCE AND EFFECT; ESTABLISHING THE OFFICES OF JUDGE AND CLERK, PRESCRIBING THEIR APPOINTMENT; DESIGNATING THE TIME AND PLACE WHERE FINES MAY BE PAID, PERMITTING THE JUDGE TO CALL REGULAR SESSIONS OF THE MUNICIPAL COURT AND ESTABLISHING AN OFFICIAL JAIL; CONTAINING A SAVINGS CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF PELICAN BAY, TEXAS:

I.

Section III of Ordinance No. 20 is hereby amended to read as follows:

The Municipal Court here created shall be presided over by a Municipal Court Judge whose selection and appointment shall be by the City Council and whose tenure in office shall be at the discretion of the City Council. The City Council may remove an appointed Judge by City Council resolution declaring a lack of confidence in the Judge, provided that two-thirds of the council vote in favor of the resolution; after due notice and an opportunity for the Judge to be heard in his or her own defense. The Municipal Court shall be the presiding Magistrate of the Municipal Court and shall have all of the powers and authority given to him by the laws of this state.

Additionally the Judge is required to be:

A qualified voter

A licensed or practicing attorney
or a person knowledgeable of the
law, and

A person of high moral character.

II.

Should any part, portion, section or subsection of this ordinance be declared invalid or unconstitutional by a Court of competent jurisdiction, such a decision, opinion or judgement shall in no way affect the remaining portions, parts, sections or subsections of this ordinance, which provisions shall be, remain and continue to be in full force and effect.

III.

This ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED AND ADOPTED this 3rd day of June, 1984, the City Council for the City of Pelican Bay, Texas.

APPROVED:

BY: Charles Stewart
Mayor

ATTEST:

BY: Carol Holcomb
CITY SECRETARY