

CITY OF WILLOW PARK

ORDINANCE NO. 597-09

AN ORDINANCE PROVIDING FOR A TERM OF OFFICE FOR THE JUDGE OF THE MUNICIPAL COURT BY AMENDING CHAPTER 8, "PERSONNEL", ARTICLE 8.502 "OFFICE OF MUNICIPAL JUDGE", CODE OF MUNICIPAL ORDINANCES; PROVIDING FOR REPEALER AND AN EFFECTIVE DATE.

WHEREAS, the City of Willow Park, is a municipal corporation duly and legally formed in the State of Texas; and

WHEREAS, the City is a general law municipality with specific powers delegated to it to protect the health, safety and general welfare of its citizens; and,

WHEREAS, the City of Willow Park wishes to provide for the health, safety and welfare of its citizens; and

WHEREAS, the Judge of a Municipal Court serves a two (2) year term of office unless the municipality provides for a longer term of office pursuant the TEXAS CONSTITUTION; and

WHEREAS, Section 29.005, TEXAS GOVERNMENT CODE provides that if the incumbent judge is not replaced by appointment of the City Council within ninety-one days of the expiration of the two year term, the incumbent continues to serve for another two year term of office beginning on the date the previous term of office expired.

NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS:

SECTION 1. AUTHORIZATION

The Mayor, or appropriate City Official or Mayor's designee is hereby authorized and directed to implement the applicable provisions of this Ordinance.

SECTION 2. AMENDMENT

Chapter 8, "Personnel" Article 8.502 "Office of Municipal Judge" is amended, as follows:

The municipal court ~~has created~~ shall be presided over by the municipal court judge whose selection and appointment shall be appointed by the city council and whose tenure in for a term of office shall be at the discretion of the city council of two years. Said municipal court judge shall be compensated from the city general

~~fund by whatever arrangement in an amount set by the city council deems to be in the best interest of the city in their discretion. The city council may appoint another qualified person as municipal judge within ninety-one days of termination of the two year term of office, but failure to so appoint causes the incumbent judge to receive another two year term of office.~~ The municipal court judge 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.

SECTION 3. REPEAL OF CONFLICTING ORDINANCES

All Ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.

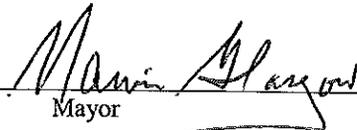
SECTION 4. SEVERABILITY

If for any reason any section, paragraph, subdivision, clause, phrase or provision of this Ordinance shall be held invalid, it shall not affect any valid provisions of this or any other Ordinance of the City of Willow Park to which these rules and regulations relate.

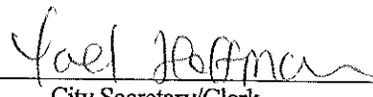
SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect from and after its adoption.

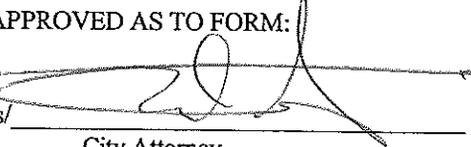
PASSED AND APPROVED this 20th day of April, 2009.

/s/ 
Mayor

ATTEST:

/s/ 
City Secretary/Clerk

APPROVED AS TO FORM:

/s/ 
City Attorney

The Willow Park City Council in acting on Ordinance No. 597-09 did on the 20th day of April, 2009, vote as follows:

	<u>FOR</u>	<u>AGAINST</u>
Marvin Glasgow, Mayor	<u>✓</u>	_____
Barry K. Tatum, Place 1	<u>✓</u>	_____
J. Teresa Welch, Place 2	_____	_____
Barry Brown, Place 3	<u>✓</u>	_____
Kenneth Hawkins, Place 4	<u>✓</u>	_____
Hale Alderman, Place 5	<u>✓</u>	_____