

ORDINANCE NUMBER 2004-24

AN ORDINANCE SUPERCEDING ORDINANCE NUMBER 167 AND ORDINANCE 98-15, BY PROVIDING FOR THE APPOINTMENT, TERM AND QUALIFICATIONS OF THE JUDGE OF THE MUNICIPAL COURT OF THE CITY OF SHOREACRES, TEXAS.

WHEREAS, the Mayor of the City of Shoreacres is the ex-officio judge of the Municipal Court, in accordance with Section 29.004 (b) of the Government Code, and

WHEREAS, the City Council finds that it is desirable that the Municipal Court be established as a separate and independent branch of municipal government (judicial), and

WHEREAS, the City Council finds that such action is in the interest of the public health, safety and general welfare; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHOREACRES, TEXAS:

SECTION 1. It is hereby provided that the Municipal Court of the City of Shoreacres shall be a separate and independent branch of municipal government (judicial), and

SECTION 2. The Municipal Court shall have and exercise jurisdiction in all criminal cases conferred upon it by the laws of the State of Texas.

SECTION 3. The Judge of the Municipal Court serves for a term of office of two years unless the municipality provides for a longer term pursuant to Article XI, Section 11, of the Texas Constitution. A Municipal Court Judge who is not reappointed by the 91<sup>st</sup> day after following the expiration term of office shall, by absent action of the appointing authority, continue to serve for another term of office beginning on the date the previous term of office expired as provided by in Section 29.005 of the Government Code.

SECTION 4. The Mayor of the City of Shoreacres shall continue to be ex-officio Judge of said Court.

SECTION 5. The Judge of the Municipal Court shall be a citizen of the United States and of this State, who shall be licensed to practice law in this State and shall be a full-time practicing lawyer. All other things being equal, preference of appointment shall go to a qualified Shoreacres resident who meets the qualifications outlined herein.

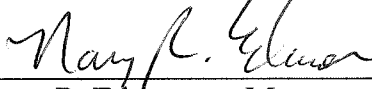
SECTION 6. On occasion, the presiding Judge may be unable to attend a court session. He/she shall have the authority to assign that docket to a substitute Judge of the Municipal Court of the City of Shoreacres.

SECTION 7. The Judge of the Municipal Court shall receive as compensation for services a retainer fee at a rate set by City Council.


SECTION 8. Every person appointed to fill this office shall, before entering upon the duties of the office, take and subscribe the official oath prescribed in the constitution of this state.

SECTION 9. The City Council shall have power at any time to remove the Judge of the Municipal Court by resolution declaratory of its want of confidence in said Judge; provided my a majority vote of the Aldermen electing in favor of said resolution.

PASSED AND APPROVED THIS 26 DAY OF July,  
2004.

  
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Nancy R. Edmonson, Mayor

ATTEST:

  
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Shari Tait, City Secretary