

**CITY OF JAMAICA BEACH
ORDINANCE 2013-4**

AN ORDINANCE ADOPTING AMENDED PROVISIONS FOR THE APPOINTMENT OF A JUDGE, ALTERNATE JUDGE, AND COURT CLERK OF THE MUNICIPAL COURT OF THE CITY OF JAMAICA BEACH; AND PROVIDING FOR THE TERM OF OFFICE AND COMPENSATION OF EACH.

WHEREAS, by Ordinance 77-5 the City of Jamaica Beach has heretofore deemed it to be in the best interest of the health, safety and general welfare of the citizens of the city to provide for the appointment of a Judge for the Municipal Court of the City of Jamaica Beach, certain amendments are required to update policies regarding officers of the Jamaica Beach Municipal Court;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JAMAICA BEACH:

SECTION 1. Judge.

- (1) That the office of Judge of the Jamaica Beach Municipal Court shall be filled by appointment by the City Council, without the necessity of an ordinance.
- (2) That the term of office of the Judge of the Jamaica Beach Municipal Court shall be for a period of two years, or until a successor is appointed. A judge who is not reappointed by the ninety-first (91st) day following the expiration of a term shall, absent action by the City Council, continue to serve for another term of office beginning on the date the previous term of office expired.
- (3) That the judge of the Jamaica Beach Municipal Court shall be compensated at a rate to be determined by the city administrator and authorized in the city's annual budget.
- (4) That if the Judge of the Jamaica Beach Municipal Court is temporarily unable to act, the City Council of the City of Jamaica Beach may appoint another person to sit for the regular judge. If a vacancy exists in the office of the Municipal Court Judge, the City Council may fill the vacancy for the remainder of the unexpired term.
- (5) That the judge may be removed from office by the City Council at any time for incompetency, misconduct or malfeasance.

SECTION 2. Clerk.

- (1) That the municipal court clerk shall be appointed by the City Council, without the necessity of an ordinance.
- (2) That the term of office of the municipal court clerk is two years, or until a successor is appointed, and shall run concurrently with that of the municipal court

judge. A clerk who is not reappointed by the ninety-first (91st) day following the expiration of a term shall, absent action by the City Council, continue to serve for another term of office beginning on the date the previous term of office expired.

- (3) That the municipal court clerk shall be compensated at a rate to be determined by the city administrator and authorized in the city's annual budget.
- (4) That the clerk, and any deputy clerks appointed by the City Council, shall administer oaths and perform all acts usual and necessary in issuing process and conducting business of the court.
- (5) That the clerk may be removed from office by the City Council at any time for incompetency, misconduct or malfeasance.

SECTION 3. All prosecutions in the municipal court shall be conducted by the city attorney or deputy city attorney.

SECTION 4. All ordinances or parts of ordinances in conflict with provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 5. This Ordinance shall be and become effective from and after its adoption.

APPROVED AND ADOPTED this the 1st day of April, 2013.



VICTOR PIERSON, MAYOR

ATTEST



LUPE RUSHING, CITY SECRETARY