

MUNICIPAL COURT

#45

AN ORDINANCE CREATING A MUNICIPAL COURT FOR THE TOWN OF BAYSIDE

CREATION OF MUNICIPAL COURT; APPOINTMENT OF JUDGE: OATH REQUIREMENT; MAYOR - EX-OFFICIO JUDGE OF COURT; SERVERABILITY.

Whereas, the number of cases in the public records of the TOWN OF BAYSIDE, TEXAS, have been increasing each month; and

Whereas, the time required to try this increased volume of cases now requires a part time judge; and

Whereas, the Mayor and Mayor Pro-tem cannot devote their full time to this office; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF BAYSIDE, TEXAS:

Section 1: CREATION OF MUNICIPAL COURT. There is hereby created in and for the Town of Bayside, Texas, which shall be known as the Municipal Court. This Court shall have jurisdiction within the City with power to hear and determine all cases, alleged violations of the Ordinances of the City and all other cases over which Municipal Courts are generally given jurisdiction by state law.

Section 2: APPOINTMENT OF JUDGE. There is hereby created the office of Judge of the Municipal Court who shall have all powers and authority as granted by, and shall perform all the duties as required by state law. The amount of compensation to the Judge shall be set from time to time by the City Council.

Section 3: OATH REQUIREMENT: The Judge of the Municipal Court, prior to taking office, shall take the oath of office required by the State Constitution and State Laws. This is the oath required by the state law for the Mayors of cities.

Section 4: MAYOR - EX-OFFICIO JUDGE OF COURT. In the absence of the appointed Judge, the Mayor of the City shall be ex-officio Judge of the Municipal Court, and, as such, shall have and exercise authority, jurisdiction, and power which are conferred by law upon the Judge. In case of absence of the Mayor, for any cause, to act, then the Mayor Pro-Tem shall act as Judge.

Section 5: APPOINTMENT OF COURT CLERK. None will appointed at this time. The Judge will act as the Court Clerk.

Section 6: PRACTICES AND PROCEDURES. The rules prescribed by state law governing trials in the State Justice of Peace Courts shall govern the procedure and practice of the Municipal Court, and the City Council may prescribe such additional rules of practice and procedure as are not inconsistent with state law.

Section 7: SERVERABILITY. any ordinance now in effect, or any part thereof, in conflict with the requirements of this ordinance or any part thereof, is hereby revoked.

If any part of this ordinance shall be held void, such part shall be deemed severable and the validity thereof shall not affect the remaining part of this ordinance.

Section 8: An emergency is hereby declared, and any rules or regulations requiring the reading of an ordinance more than once are hereby suspended.

This ordinance shall take effect from and after its Caption publication, one time in the official publication of the Town of Bayside, Texas.

PASSED AND APPROVED this 9th day of April, 1991

ATTEST:

Wendy Masel
City Secretary

Kay Phillips
Mayor