

ORDINANCE NO. 8

AN ORDINANCE OF THE MAYOR AND BOARD OF TRUSTEES OF THE TOWN OF HOCHATOWN, OKLAHOMA AMENDING THE CODE OF ORDINANCES TITLE 1, ADMINISTRATION, CHAPTER 10, MUNICIPAL COURT, SECTION 1-10-3 MUNICIPAL JUDGE TO PROVIDE THAT THE MUNICIPAL JUDGE SHALL BE PAID \$250 PER MONTHLY COURT DATE; PROVIDING THAT ANY MONTH REQUIRING MORE THAN ONE COURT DATE SHALL REQUIRE THE APPROVAL OF THE TOWN MANAGER; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF HOCHATOWN, MCCURTAIN COUNTY, STATE OF OKLAHOMA:

SECTION 1. That Title 1, Chapter 10, Section 1-10-3 of the Code of Ordinances of the Town of Hochatown, Oklahoma is hereby amended and shall hereinafter read as follows:

1-10-3: MUNICIPAL JUDGE:

A. Qualifications; Term:

1. There shall be one Judge of the Municipal Court. A Judge must be duly licensed to practice law in the State. The Judge may engage in the practice of law in other courts, but the Judge shall not accept employment inconsistent with his duties as Judge, or arising out of facts which give rise to or are connected with cases within the jurisdiction of the court, pending therein, or which might become the subject of proceedings therein. The Judge may serve as Judge of other Municipal courts, if such service may be accomplished consistently with his duties as Judge of this court, with the consent of the Town Board.

2. The official term of the Judge shall be two (2) years, expiring on June 30 in each odd numbered year. Each Judge, unless sooner removed for proper cause, shall serve until his successor is appointed and qualified.

B. Appointment: The Judge shall be appointed by the Mayor with the consent of the Town Board.

C. Vacancies:

1. A vacancy in the Office of the Judge shall occur if the incumbent:

a. Dies.

b. Resigns.

c. Ceases to possess the qualifications for the office.

d. Is removed by the Town Board of Trustees for causes prescribed by the Constitution and law of the State of Oklahoma.

2. Upon the occurrence of a vacancy in the Office of Judge, the Town Manager shall appoint a successor to complete the unexpired term.

D. Compensation: The salary of the Judge shall be \$250.00 per Court Date. Any month requiring more than one Court Date shall require the approval of the Town Manager.

E. Acting Judge. There may be appointed, for each judge of the court, an alternate acting judge, possessed of the same qualification as the judge. The Acting Judge's appointment shall be for the same term and made in the same manner as the judge. He/She shall sit as Acting Judge of the court in any case if the judge is:

1. Absent from the court;
2. Unable to act as judge;
3. Disqualified from acting as judge in the case.

SECTION 2. That the remaining portions of Title 1 of the Code of Ordinances of the Town of Hochatown, Oklahoma shall be unchanged by this Ordinance.

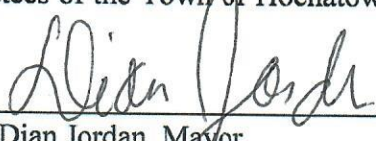
SECTION 3. The provisions of this ordinance are severable and if any section, subsection, subdivision, paragraph, sentence, clause or phrase or any part thereof is for any reason determined to be unconstitutional or adjudged invalid or ineffective by any Court of competent jurisdiction, such determination or adjudication shall not affect or impair the validity or effectiveness of the remaining parts, provisions or portions hereof.

SECTION 4. Repealer All ordinances or parts thereof which are inconsistent with this ordinance are repealed upon effective date of this ordinance.

SECTION 5. It being immediately necessary for the preservation of the public health, peace, and safety of the citizens of the Town of Hochatown, Oklahoma, that an emergency be declared to exist, this ordinance shall be in full force and effect immediately from and after its passage, approval, and publication.

SECTION 6. Pursuant to 11 O.S. §14-108, the Town Clerk is authorized to include this ordinance in the official Code of Ordinances for the Town of Hochatown, it being the intent to authorize recodification with the inclusion of this ordinance upon approval.

PASSED AND APPROVED by the Board of Trustees of the Town of Hochatown, Oklahoma, this 5 day of JUNE, 2024.



Dian Jordan, Mayor

ATTEST:



Helen Harden, Town Clerk

(SEAL)

