



City of Enid
401 W. Owen K. Garriott Road
Enid, Oklahoma 73701
580-234-0400

BOARD OF COMMISSIONERS

NOTICE OF STUDY SESSION

Mayor and Board of Commissioners of the City of Enid, Oklahoma, the Trustees of the Enid Municipal Authority, a Public Trust, the Trustees of the Enid Economic Development Authority, a Public Trust, and the Trustees of the Enid Public Transportation Authority, a Public Trust.

Notice is hereby given that the Mayor and Board of Commissioners of the City of Enid, Oklahoma, the Trustees of the Enid Municipal Authority, a Public Trust, the Trustees of the Enid Economic Development Authority, a Public Trust, and the Enid Public Transportation Authority, a Public Trust will meet in regular session at 5:00 p.m. on the 5th day of December, 2017, in the Lower Level Conference Room of the City Administration Building, located at 401 W. Owen K. Garriott Road in said city, and the agenda for said meeting is as follows:

- AGENDA -

REGULAR STUDY SESSION AGENDA

1. **CALL TO ORDER/ROLL CALL.**
2. **AT THE COMMISSIONERS' REQUEST, DISCUSS ANY ITEM OF CONCERN ON THE REGULAR SESSION AGENDA OF DECEMBER 5, 2017.**
3. **UPDATE ON CLEVELAND/CHESTNUT CONSTRUCTION.**
4. **UPDATE ON WILLOW ROAD PROJECT.**
5. **DISCUSS MINOR REVISIONS TO THE ACTING MUNICIPAL JUDGE ORDINANCE.**
6. **ADJOURN.**

City Commission Study Session

5.

Meeting Date: 12/05/2017

SUBJECT:

DISCUSS MINOR REVISIONS TO THE ACTING MUNICIPAL JUDGE ORDINANCE.

Attachments

Municipal Judge Ordinance

ORDINANCE NO. 2017-__

AN ORDINANCE AMENDING THE ENID MUNICIPAL CODE, 2014, TITLE 1, ENTITLED "ADMINISTRATION," CHAPTER 11, ENTITLED "MUNICIPAL COURT," SECTION 1-11-4, ENTITLED "MUNICIPAL JUDGES," TO ALLOW, PROVIDING FOR REPEALER, SAVINGS CLAUSE, SEVERABILITY AND CODIFICATION.

ORDINANCE

BE IT ORDAINED BY THE MAYOR AND BOARD OF COMMISSIONERS OF THE CITY OF ENID, OKLAHOMA:

Section I: That Title 1, Chapter 11, Section 1-11-4 of the Enid Municipal Code, 2014, is hereby amended to read as follows:

1-11-4: MUNICIPAL JUDGES:

- A. Number and Terms⁷: There shall be one presiding municipal judge and one assistant municipal judge of the municipal court. Their terms shall be two (2) years, expiring in January in each even numbered year, and thereafter until they are replaced.
- B. Duties and Powers:
1. In addition to his regular duties as a municipal judge, the presiding judge shall:
 - a. Assign cases among the judges as he deems best.
 - b. Assign duties to the assistant municipal judge in case of his absence or inability to preside.
 - c. Promulgate uniform rules of court procedure⁸.
 - d. Perform such other acts as required to execute the ordinances and resolutions of the city, charter and statutes of the state of Oklahoma.
 2. The municipal judges shall have power to issue warrants of arrest upon the filing of written verified complaints. The municipal judges shall have power to issue alias warrants at their discretion, shall issue subpoenas for all whose testimony may be deemed material as witnesses upon the trial, and shall enforce the attendance of witnesses, if necessary. The municipal judges shall also have power to administer oaths; and to enforce due obedience to all orders, rules and judgments made by him. (Ord. 2011-10, 7-19-2011)
- C. If both the presiding judge of the municipal court and the assistant municipal judge are unable to preside over a case, the Mayor may appoint an acting judge as provided for

under 11 O.S. §27-106. The Compensation for the acting Judge shall be two hundred dollars (\$200.00) per hour.

Section II: Repealer. All ordinances or parts thereof, which are inconsistent with this ordinance, are hereby repealed.

Section III: Savings Clause. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceedings now pending in any court, or any rights acquired or liability incurred, nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this ordinance.

Section IV: Severability. If any one or more of the sections, sentences, clauses or parts of this ordinance, chapter or section shall, for any reason, be held invalid, the invalidity of such section, clause or part shall not affect or prejudice in any way the applicability and validity of any other provision of this ordinance. It is hereby declared to be the intention of the City Commission of the City of Enid that this section of the Enid Municipal Code would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part not been included.

Section V: Codification. This ordinance shall be codified as Title 1, Chapter 11, Section 1-11-4, of the Enid Municipal Code, 2014.

PASSED AND APPROVED by the Mayor and Board of Commissioners of the City of Enid, Oklahoma, on this ___day of December, 2017.

CITY OF ENID, OKLAHOMA

William E. Shewey, Mayor

(SEAL)

ATTEST:

Alissa Lack, City Clerk

Approved as to Form and Legality:

Carol Lahman, City Attorney