

ORDINANCE NO. 2013-16

AN ORDINANCE AMENDING ENID MUNICIPAL CODE, 2003, TITLE 1, ENTITLED "ADMINISTRATION," CHAPTER 11, ENTITLED "MUNICIPAL COURT," SECTION 1-11-2, ENTITLED "JURISDICTION," TO CLARIFYING THE MUNICIPAL COURT'S JURISDICTION; 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 1-11-2 of the Enid Municipal Code, 2003, is hereby amended to read as follows:

1-11-2: JURISDICTION³:

- A. The **m**Municipal **e**Court shall have original jurisdiction over both adults and juveniles to hear and determine all prosecutions wherein a violation of any ordinance of the **e**City is charged.
- B. The **m**Municipal **e**Court shall have no authority to enforce any ordinance making unlawful an act or omission declared by state statute to be punishable as a felony; in addition, a municipal ordinance may not impose a penalty greater than that established by statute for the same offense. (Ord. 2011-10, 7-19-2011)

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 All ordinances or parts thereof, which are inconsistent with this ordinance, are hereby repealed.

Section IV: 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acquired or liability incurred, nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby.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 V: 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 VI: Codification. This ordinance shall be codified as Title 1, Chapter 11, Section 1-11-2 of the Enid Municipal Code, 2003.

PASSED AND APPROVED by the Mayor and Board of Commissioners of the City of Enid, Oklahoma, on this 5th day of March 2013.

CITY OF ENID, OKLAHOMA

William E. Shewey, Mayor

(SEAL)

ATTEST:

Linda Parks, City Clerk

Approved as to Form and Legality:

Andrea L. Springer, City Attorney