

ORDINANCE NO. 2000-07

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF A MUNICIPAL COURT IN THE CITY OF CHEROKEE VILLAGE, SHARP AND FULTON COUNTIES, ARKANSAS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHEROKEE VILLAGE, ARKANSAS:

SECTION 1: That there is hereby created and established in the City of Cherokee Village, Sharp and Fulton Counties, the Municipal Court of the City of Cherokee Village, Arkansas.

SECTION 2: Jurisdiction, venue and procedure.

All matters of jurisdiction, venue and procedure in the municipal court shall be governed by the statutes and Constitution of the state, pertaining to and controlling municipal courts.

SECTION 3: Election and term of office of judge.

At each regular city election every four (4) years, there shall be elected a municipal judge whose terms of office shall be four (4) years or until his successor is elected and qualified as such.

SECTION 4: Qualification of judge.

The municipal judge may be any person who has attained the age of twenty-five (25) years, is of good moral character, learned in the law, a resident of the state for two (2) years, an elector of the county and an attorney-at-law in good standing for a period of six (6) years preceding the date of his appointment or election.

SECTION 5: Vacancies in office of judge.

Vacancies in the office of municipal judge shall be filled as provided by state law.

SECTION 6: Salary of judge.

The judge of the municipal court shall receive a salary as established from time to time by the City Council, payable in equal monthly installments.

SECTION 7: Office of municipal court clerk established.

There is hereby established and created the office of municipal court clerk for the City. The municipal judge shall appoint the municipal court clerk who shall hold such office until a successor has been appointed. The municipal court clerk shall perform in and for the municipal court the clerical work required or permitted by state law.

SECTION 8: Warrant Service Fees:

For each warrant of the Municipal Court of Cherokee Village, Arkansas, served on a Defendant appearing before said Court, there shall be collected from each such Defendant upon each plea of guilty, nolo contendere, or determination of guilt for misdemeanors or traffic violations in the Municipal Court, the sum of Twenty-five dollars (\$25.00), or as provided by state law, which sum shall be placed in the City of Cherokee Village's general fund.

SECTION 9: Emergency Provision

This ordinance being necessary for the immediate preservation of the public peace, health and safety and for the proper and necessary expediting of trials in the administration of justice, an emergency is hereby declared to exist and the same shall be in full force and effect immediately after its passage.

PASSED AND APPROVED BY THE CHEROKEE VILLAGE CITY COUNCIL.

DATED: December 4, 2000

APPROVED: _____

Marjorie A. Rogers, Mayor

ATTEST: _____

Susan E. Maynard, Clerk/Treasurer