

ORDINANCE NO. 2003-13

**AN ORDINANCE ESTABLISHING THE OFFICE OF CITY ATTORNEY
FOR THE CITY OF CHEROKEE VILLAGE, ARKANSAS**

WHEREAS, the public welfare, can best be realized by the establishment of the office of city attorney,

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Cherokee Village, Arkansas:

SECTION 1. That the office of City Attorney for the City of Cherokee Village, Arkansas is established.

SECTION 2. The qualifications, election, and term of the office of City Attorney shall be as provided by state law. The City Attorney shall be permitted to engage in the private practice of law during his term of office.

SECTION 3. It shall be the duties of the City Attorney to:

- 1) Represent the City in all civil actions;
- 2) Advise with all city officials, including the City Council, as needed;
- 3) Prepare legal documents or forms as needed.

SECTION 4. If not prohibited from doing so by any applicable rule or rules of professional conduct in effect during the term of office the City Attorney shall:

- 1) Prosecute all violations of city ordinances in all courts;
- 2) Prosecute in the name of the state in the district courts, circuit courts or the state appellate courts violations of state law, classified as misdemeanors, committed within the corporate limits of the city.

SECTION 5. The hourly compensation rate of the City Attorney shall be set at the rate which is mutually agreed upon between the Mayor and City Attorney and which will fairly compensate the City Attorney for his services; said fee to be comparable to that hourly rate charged by attorneys in private practice in the community for professional service rendered. The City Attorney shall prepare a monthly itemized statement for such fees and expenses, and shall submit them to the City Clerk/Treasurer who shall pay them from funds budgeted for such purposes.

SECTION 6. All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

PASSED AND APPROVED BY THE CHEROKEE VILLAGE CITY COUNCIL.

APPROVED:



DATED: December 18, 2003