

CITY OF HORSESHOE BAY

ORDINANCE NO. 06-12-12B

Municipal Court Judge

**AN ORDINANCE OF THE CITY OF HORSESHOE BAY, TEXAS,
APPOINTING A MUNICIPAL COURT JUDGE; AND PROVIDING FOR
FINDINGS OF FACT; REPEALER; SEVERABILITY; EFFECTIVE
DATE AND PROPER NOTICE AND MEETING**

WHEREAS, City Council of the City of Horseshoe Bay (“City Council”) has established a municipal court of record through adoption of Ordinance No. ORD 06-12-12A (“Municipal Court Ordinance”); and

WHEREAS, the Municipal Court Ordinance provides that a municipal court judge shall preside over the municipal court of record and be appointed by ordinance; and

WHEREAS, pursuant to Texas Local Government Code section 51.012, the City may adopt an ordinance, act, law or regulation, not inconsistent with state law, that is necessary for the government, interest, welfare, or good order of the City as a body politic; and

WHEREAS, pursuant to Texas Local Government Code section 51.001, the City Council may adopt an ordinance, rule or police regulation that is for the good government, peace or order of the City or the trade and commerce of the City; and

WHEREAS, the City Council finds that is necessary and advisable for the good government, peace and order of the City to appoint a municipal court judge to preside over the City’s municipal court of record;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HORSESHOE BAY, TEXAS:

1. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

2. APPOINTMENT

- A.** The City Council hereby appoints Kevin R. Madison as Municipal Court Judge pursuant to the Municipal Court Ordinance, finding Kevin R. Madison to be qualified to serve in that capacity.
- B.** Kevin R. Madison shall have all the powers and discharge all the duties of the office of

Municipal Court Judge, and shall be entitled to compensation, as approved by the City Council, for service in the position of Municipal Court Judge

3. REPEALER

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of any such conflict.

4. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

5. EFFECTIVE DATE

This Ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

6. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

ADOPTED, PASSED AND APPROVED on this, the 12th day of December, 2006.

CITY OF HORSESHOE BAY, TEXAS

_____/S/_____
Robert W. Lambert, Mayor

ATTEST:

_____/S/_____
Toni Vanderburg, City Secretary