ORDINANCE AMENDMENT
NO. OA – 2024 - 08

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF DALLAS, GEORGIA TO PROVIDE FOR A TERM OF OFFICE FOR THE MUNICIPAL COURT JUDGE; TO PROVIDE FOR REMOVAL OF JUDGE; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

WHEREAS, The Charter of the City of Dallas, Georgia does allow the Mayor and Council to adopt Ordinances to provide for a Municipal Court within the City of Dallas, Georgia and for the safety, health, and welfare of the citizens of the City of Dallas, Georgia; **AND**

WHEREAS, O.C.G.A. §36-32-2 provides that any Judge appointed to a Municipal Court position shall serve for a minimum term of two years and shall only be removed subject to the procedure in O.C.G.A. §36-32-2.1; **AND**

WHEREAS, The Mayor and the City Council of Dallas, Georgia have determined that a two-year term is desirable for the position of Dallas Municipal Court Judge; **AND**

WHEREAS, The Mayor and the City Council of Dallas, Georgia have determined that this amendment is in the best interest of the City's residents and for their safety, health and welfare and the public good; **AND**

THEREFORE, be it ordained by the Mayor and the City Council of Dallas, Georgia:

SECTION ONE

That **Chapter 2 – ADMINISTRATION**; **ARTICLE III. – OFFICERS AND EMPLOYEES; Sec. 2-71 Selection of chief judge and associate court judges**., of the Code of Ordinances be amended as follows:

Sec. 2-71. – Selection of chief judge and associate court judges.

(a) The Mayor of the City shall recommend and the Council of the City shall confirm and approve by majority vote, a qualified person to serve as the chief judge of the Municipal Court of the City. who shall serve until his resignation, death, disability or removal under section 4.11(d) of the Charter of the city.

1. No person shall be qualified or eligible to serve as a judge of the Municipal Court unless he or she shall be in compliance with the requirements of state law on qualifications to serve in such office.
2. All judges of the municipal court for the Municipal Court of Dallas shall be appointed by resolution of the City Council and shall serve a term of two years. The compensation of the judge shall be fixed by the City Council by adoption of a resolution. The position of judge created in this article shall not be a full-time position, and the person serving in said position may engage in the private practice of law; provided, however, a judge may not appear and represent a client before the court.
3. A judge of the Municipal Court shall serve for the designated term but may be removed from the position by resignation, by a two-thirds vote of the entire membership of the City Council or upon action taken by the State Judicial Qualifications Commission. All removal proceedings by the City shall be governed by O.C.G.A. §36-22-2.1.

(b) Any necessary associate judges shall be nominated by the chief judge and then approved by majority vote of the City Council of the City. Any associate judges shall serve at the pleasure of the chief judge and may be removed at any time with or without cause by the chief judge.

1. Compensation of associate judges shall be set by resolution of the Mayor and Council of the City.

(c) Compensation of associate judges shall be set by resolution of the mayor and council of the city.

SECTION TWO

All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

SECTION THREE

This Ordinance shall become effective immediately upon passage.

SO SHALL IT BE ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DALLAS, GEORGIA, THIS THE _____ DAY OF _____, 2024.

_____
L. James Kelly, Mayor

_____   _____
James R. Henson, Councilmember   Cooper Cochran, Councilmember

_____   _____
Nancy R. Arnold, Councilmember   Christopher B. Carter, Councilmember

_____   _____
Leah Alls, Councilmember   Candace Callaway, Councilmember

ATTEST:

_____   _____
Tina Clark, City Clerk of the City of Dallas, GA   Date