

STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST

ORDINANCE NO. _____

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF STONECREST, GEORGIA TO FIX THE NUMBER OF THE MUNICIPAL COURT JUDGES; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES ALLOWED BY LAW.

WHEREAS, the City of Stonecrest, Georgia (the “City”) is a municipal corporation created under the laws of the State of Georgia; and

WHEREAS, the duly elected governing authority of the City is the Mayor and City Council (“City Council”) thereof; and

WHEREAS, the City Charter Section 4.01 authorizes the establishment of a court to be known as the Municipal Court of the City of Stonecrest (“Municipal Court”); and

WHEREAS, the Municipal Court shall have jurisdiction and authority to try offenses against the laws and ordinances of such city and to punish for a violation of the same; and

WHEREAS, Pursuant to the City Charter Section 4.02(a) the Mayor, subject to approval by the city council, shall appoint a chief judge and judges to the Municipal Court; and

WHEREAS, Pursuant to the City of Stonecrest City Charter Section 4.02(a) the City Council shall fix the number of the judges for the Municipal Court; and

WHEREAS, the City Council finds that it is within the best interests of the City and the public to fix the number of judges.

**THE CITY COUNCIL OF THE CITY OF STONECREST, GEORGIA, HEREBY
ORDAINS, AS FOLLOWS:**

Section 1. As provided by law the City Council of the City of Stonecrest, Georgia shall fix the
number of Municipal Court Judges.

Section 2. That the number of Municipal Court Judges shall be set at _____.

Section 3. That the _____ Judges of the Municipal Court shall include the Municipal Court's
Chief Judge and other Judges.

Section 4. (a) It is hereby declared to be the intention of the Mayor and Council that, to the
greatest extent allowed by law, each and every section, paragraph, sentence, clause
or phrase of this Ordinance is severable from every other section, paragraph,
sentence, clause or phrase of this Ordinance.

(b) It is hereby further declared to be the intention of the Mayor and Council that,
to the greatest extent allowed by law, no section, paragraph, sentence, clause or
phrase of this Ordinance is mutually dependent upon any other section, paragraph,
sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this
Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional
or otherwise unenforceable by the valid judgment or decree of any court of
competent jurisdiction, it is the express intent of the Mayor and Council that such
invalidity, unconstitutionality or unenforceability shall, to the greatest extent
allowed by law, not render invalid, unconstitutional or otherwise unenforceable any
of the remaining phrases, clauses, sentences, paragraphs or sections of this
Ordinance and that, to the greatest extent allowed by law, all remaining phrases,

48 clauses, sentences, paragraphs and sections of this Ordinance shall remain valid,
49 constitutional, enforceable, and of full force and effect.

50 **Section 5.** All ordinances and parts of ordinances in conflict herewith are hereby expressly
51 repealed.

52 **Section 6.** The effective date of this Ordinance shall be the date of its adoption by the Mayor
53 and Council unless otherwise stated herein.

54 **Section 7.** The Ordinance shall be codified in a manner consistent with the laws of the State
55 of Georgia and the City of Stonecrest.

56 **Section 8.** It is the intention of the governing body, and it is hereby ordained that the
57 provisions of this Ordinance shall become and be made part of the Code of
58 Ordinances, City of Stonecrest, Georgia.

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60 **SO ORDAINED, this ____ day of _____ 2022.**
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CITY OF STONECREST, GEORGIA

George Turner, Mayor Pro Tem

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney