

## **ORDINANCE NO. 3791**

**AN ORDINANCE OF THE CITY OF NORTH RICHLAND HILLS, TEXAS APPOINTING THE JUDGE OF THE MUNICIPAL COURT OF RECORD DIVISION NO. 2 AND AN ASSOCIATE JUDGE OF THE MUNICIPAL COURT OF RECORD DIVISION NO. 2, IN THE CITY OF NORTH RICHLAND HILLS AND PROVIDING A SALARY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES AND REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of North Richland Hills is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, the City Council has adopted regulations governing its Municipal Court of Record in Chapter 58, Code of Ordinances, City of North Richland Hills, Texas, as amended; and

**WHEREAS**, Chapter 30 of the Texas Government Code relating to municipal courts of record provides that the judge of the municipal court of record shall be appointed by the City Council by ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS:**

**SECTION 1:** The City Council hereby finds the recitals above to be true and correct, and such recitals are hereby incorporated into this Ordinance as if written herein.

**SECTION 2:** In accordance with the Code of Ordinances of the City of North Richland Hills, Texas, as amended, Alan C. Wayland is hereby appointed as the Judge of the Municipal Court of Record Division No. 2 in the City of North Richland Hills, Texas for a term of two years.

**SECTION 3:** The Judge of the Municipal Court of Record Division No. 2 shall be paid a salary of \$500 per docket, which shall not be reduced during their term of office.

**SECTION 4:** Harris R. Hughey is hereby appointed to serve as an Associate Judge of the Municipal Court of Record Division No. 2 when the Judge of the Municipal Court of Record Division No. 2 is temporarily absent for any reason. When the Judge of the Municipal Court of Record Division

No. 2 is temporarily absent for any reason, and said Associate Judge serves in such absence, said Associate Judge shall receive the compensation designated for the Judge of the Municipal Court of Record Division No. 2 at the rate established by the City for such service by an Associate Judge.

**SECTION 5:** This Ordinance shall be cumulative of all provisions of the Code of Ordinances of the City of North Richland Hills, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

**SECTION 6:** All rights and remedies of the City of North Richland Hills are expressly saved as to any and all violations of the provisions of any ordinances in the Code of Ordinances of the City of North Richland Hills that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 7:** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are 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 and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 8:** This Ordinance shall be in full force and effect from and after its passage.

**AND IT IS SO ORDAINED.**

**PASSED AND APPROVED** on this 8<sup>th</sup> day of May 2023.

**CITY OF NORTH RICHLAND HILLS**

By: \_\_\_\_\_  
Oscar Trevino, Mayor

**ATTEST:**

Alicia Richardson, City Secretary

**APPROVED AS TO FORM AND LEGALITY:**

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Mareshia B. McGinnis, City Attorney

**APPROVED AS TO CONTENT:**

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Karen Manila, Assistant City Manager