

## **ORDINANCE NO. 3668**

**AN ORDINANCE OF THE CITY OF NORTH RICHLAND HILLS, TEXAS APPOINTING THE PRESIDING JUDGE AND SUBSTITUTE JUDGE OF THE MUNICIPAL COURT OF RECORD 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 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, Stewart Bass is hereby appointed as the Presiding Judge of the Municipal Court of Record in the City of North Richland Hills, Texas, for a term of two years.

**SECTION 3:** The Presiding Judge of the Municipal Court of record shall be paid a salary of \$\_\_\_\_\_ per year which shall not be reduced during his term of office. He shall also be allowed to participate in the City's employee group health plan in the same manner as employees, although he shall not be deemed an employee and shall not have any retirement or health benefits when his term of office has expired.

**SECTION 4:** Lorraine Irby is hereby appointed to serve as the Substitute Municipal Judge when the Presiding Judge of the Municipal Court of Record is temporarily absent for any reason. Said substitute Judge shall be compensated by the Presiding Judge of the Municipal Court of Record at

the rate previously established by the City for such service by the Substitute Judge. The City Manager may authorize payment of up to \$2,000 per year for the Substitute Judge when the Presiding Judge of the Municipal Court is absent for professional development purposes, in cases where he is required to recuse himself, for a death in his family, family emergency or personal illness.

**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 27<sup>th</sup> day of July 2020.

**CITY OF NORTH RICHLAND HILLS**

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

**ATTEST:**

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Alicia Richardson, City Secretary

**APPROVED AS TO FORM AND LEGALITY:**

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Maleshia B. McGinnis, City Attorney

**APPROVED AS TO CONTENT:**

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Mark Hindman, City Manager