

ORDINANCE NO. 98-11

AN ORDINANCE FOR THE PURPOSE OF ESTABLISHING A CITY COURT AND DETERMINING COMPENSATION FOR THE JUDGE OF SAID COURT.

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF COTTER, ARKANSAS:

WHEREAS, THERE IS A NEED FOR A CITY COURT TO PROVIDE A FORUM FOR THE TRIAL OF CRIMINAL CASES (INCLUDING ORDINANCE VIOLATIONS) IN THE CITY OF COTTER, ARKANSAS, AND

WHEREAS, THERE IS A NEED FOR ESTABLISHING COMPENSATION TO BE PAID THE JUDGE OF SAID COURT.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COTTER, ARKANSAS:

SECTION 1

THAT A CITY COURT IS HEREBY CREATED WITH THE POWER AND DUTIES SET FORTH IN THE STATUTES OF ARKANSAS AND THE MAYOR IS AUTHORIZED AS PROVIDED BY LAW TO DESIGNATE A LICENSED ATTORNEY TO SERVE AS JUDGE OF SAID COURT AT THE WILL OF THE MAYOR. ALL FINES AND PENALTIES ASSESSED BY SAID CITY COURT SHALL BE PAID INTO THE CITY TREASURY.

SECTION 2

DESIGNATION OF JUDGE AND COMPENSATION: THE MAYOR HEREBY DESIGNATES VAN A. GEARHART, WHO SERVES AS MUNICIPAL JUDGE OF MOUNTAIN HOME, ARKANSAS, TO SERVE AS CITY JUDGE OF COTTER, ARKANSAS BEGINNING JANUARY 1, 1999. THE CITY JUDGE SHALL BE PAID REASONABLE COMPENSATION BY THE CITY OF COTTER FROM THE GENERAL FUND AS CONTRACTED SERVICES; SUCH COMPENSATION SHALL BE AS DETERMINED BY THE CITY COUNCIL FROM TIME TO TIME. THE COMPENSATION TO BE PAID TO THE CITY JUDGE AT THE PRESENT TIME SHALL BE \$200.00 PER MONTH, BEGINNING JANUARY 1, 1999. THE JUDGE SHALL BE RESPONSIBLE FOR HIS OWN TRAVEL AND OTHER EXPENSES; EXCEPT, HOWEVER, THE CITY SHALL UPON SUBMISSION AND APPROVAL PAY ALL REASONABLE AND NECESSARY OFFICE EXPENSES OF THE COURT (SUCH AS FORMS AND SUPPLIES).

SECTION 3

THE JURISDICTION OF THE COTTER CITY COURT SHALL BE THE SAME AS THE JURISDICTION OF THE JUSTICES OF THE PEACE FOR CRIMINAL CASES, AND COSTS MAY BE ADJUSTED IN SAID COURT IN THE SAME AMOUNT AS NOW OR MAY HEREAFTER BE PROVIDED FOR IN JUSTICE OF THE PEACE COURT WITH THE RIGHT OF THE JUDGE OF SAID COURT TO ISSUE ALL WRITS, PROCESSES, DECREES AND JUDGMENTS AS MAY NOW OR HEREAFTER BE AUTHORIZED BY LAW.

SECTION 4

THE PROVISIONS OF THIS ORDINANCE ARE HEREBY DECLARED TO BE SEVERABLE. IF ANY SECTION, PARAGRAPH, SENTENCE OR CLAUSE OF THIS ORDINANCE SHALL BE HELD INVALID, THE INVALIDITY OF SUCH SECTION, PARAGRAPH, SENTENCE OR CLAUSE SHALL NOT EFFECT THE VALIDITY OF THE REMAINDER OF SAID ORDINANCE.

SECTION 5

THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE IMMEDIATELY FROM AND AFTER THE DATE OF ITS ADOPTION, THE PUBLIC SAFETY AND WELFARE SO DEMANDING.

PASSED AND ADOPTED THIS 19th DAY OF November, 1998.

CITY OF COTTER, ARKANSAS



Bill Jennings MAYOR

ATTEST:



Betty A. Anglin RECORDER/TREASURER

Seal