

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND ARTICLE III – OFFICERS AND EMPLOYEES OF THE
CODE OF THE CITY OF CANTON TO ADD SECTION 2-185 TO PROVIDE FOR A
ONE-YEAR TERM FOR MUNICIPAL COURT JUDGES AND TO PROVIDE
GROUNDS FOR REMOVAL**

WHEREAS the Georgia General Assembly has amended O.C.G.A. Section 36-32-2(a) to provide that municipal court judges must serve for a term of at least one year and until a successor is appointed; and

WHEREAS, the Georgia General Assembly enacted O.C.G.A. Section 36-32-2.2 to provide for the grounds of removal of municipal court judge; and

WHEREAS, the Charter for the City of Canton, in Section 4-11(d), provides that municipal court judges shall serve at will and may be removed from office at any time by the city council unless otherwise provided by ordinance;

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE GOVERNING
AUTHORITY OF THE CITY OF CANTON as follows:

1. Section 2-185 is added to read as follows:

Sec. 6-185. Municipal Court Judges

(a) Municipal Court Judges shall be appointed for terms of one year and until a successor is appointed. The initial term shall begin on July 1, 2016 and run for one year.

(b) Municipal Court Judges may be removed from office on the grounds set forth in and following the procedures set forth in O.C.G.A. Section 32-32-2.2, as may be amended.

3. If any portion of this Ordinance be declared invalid or unconstitutional by any court or competent jurisdiction or if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid. It is hereby declared to be the intent of the City Council to provide for separable and divisible parts and does hereby adopt any and all parts hereof as may not be held invalid for any reason.

4. This Ordinance shall become effective on the date the Mayor signs the ordinance indicating approval, ten days after the adoption of the ordinance if the Mayor has not signed nor vetoed, or immediately upon an affirmative vote of the City Council after the Mayor's veto, whichever shall first occur.

Attest:

Susan C. Stanton
CITY CLERK

Gene Hobgood, MAYOR
Date:

Approved as to form:

Robert M. Dyer, City Attorney

ORDINANCE NO. _____

First Reading _____

Adopted by Council _____

Approved by Mayor _____

Veto by Mayor _____

Second Vote by Council _____

Effective Date _____

Susan C. Stanton, City Clerk