

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF NEW BERLIN, TEXAS; AMENDING ORDINANCE NUMBER 2022-005 REGARDING THE APPOINTMENT, TERM, QUALIFICATIONS, DUTIES, COMPENSATION AND REMOVAL OF A MUNICIPAL COURT CLERK, AND PROVIDING FOR: REPEAL OF CONFLICTS, SEVERABILITY, A SAVINGS CLAUSE, MEETING OPEN TO THE PUBLIC AND AN EFFECTIVE DATE.

WHEREAS, the City of New Berlin, Texas is a Type B General Law City incorporated and functioning as such under the provisions of Chapter 11, Title 28, Revised Civil Statutes of Texas, 1925, as amended; and

WHEREAS, Chapter 29 of the Texas Government Code provides for the creation, jurisdiction and operation of a municipal court; and

WHEREAS, on November 21, 2022, the City of New Berlin, Texas created the Municipal Court; and

WHEREAS, on November 21, 2022, the City of New Berlin, Texas approved the appointment of Ms. Anna Tagle, for a two-year term beginning with the date of November 21, 2022, and setting compensation of \$18 per hour; and

WHEREAS, on March 29, 2023, Mayor Williams and City Administrator accepted Ms. Tagle's verbal resignation to be effective on that date; and

WHEREAS, on April 17, 2023, Mayor Williams briefed Council at their regular meeting regarding her resignation; and

WHEREAS, the City Council of New Berlin, Texas finds that the appointment of a Municipal Court Clerk is necessary to protect the public health, safety, and welfare of the city; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BERLIN, TEXAS:

SECTION 1. APPOINTMENT OF MUNICIPAL COURT CLERK.

The Mayor and/or City Secretary/City Administrator shall have the responsibility of hiring a Municipal Court Clerk and setting compensation.

SECTION 2. TERM.

In the original Ordinance a two (2) year term of appointment was established; This ordinance does not have a term of appointment for this position, but it is required that should the Municipal Court Clerk resign that they must provide a two-week notice.

SECTION 3. DUTIES

To perform all Municipal Court Functions established by the Mayor and City Municipal Judge.

SECTION 4. CONFLICT.

All Ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. SEVERABILITY.

If any section, subsection, paragraph, clause, phrase, or provision of this ordinance or the application of any section, subsection, paragraph, clause, phrase, or provision to any person or circumstance is adjudged to be invalid, the invalidity shall not affect other section, subsection, paragraph, clause, phrase, or provision or applications thereof which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 6. SAVINGS CLAUSE.

This Ordinance shall remain in full force and effect, save and except as amended or repealed.

SECTION 7. MEETING OPEN TO PUBLIC.


It is hereby found and determined that the meeting at which this Ordinance is passed is open to the public as required by law and that the public notice of the time, place, and purpose of said meeting was given as required.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall be effective upon passage and approval.

PASSED, APPROVED and ADOPTED ON the 7th day of August, 2023.

Ayes ___ Nays ___ Abstain ___


Walter C. Williams Jr, Mayor

ATTEST:


Roxann Pullin, City Secretary

