

1 **STATE OF GEORGIA**

2
3 **CITY OF COLLEGE PARK**

4
5 **ORDINANCE NO. 2017-09**

6
7 AN ORDINANCE TO AMEND CHAPTER 2 (“ADMINISTRATION”) OF THE CODE
8 OF ORDINANCES, CITY OF COLLEGE PARK, GEORGIA, BY ADDING A NEW
9 ARTICLE VII (“CITY COURT JUDGES”) AND ADDING NEW SECTION 2-105 (“CHIEF
10 CITY COURT JUDGE”) AND SECTION 2-106 (“PRO TEM CITY COURT JUDGE”); TO
11 PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO
12 PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND TO
13 PROVIDE FOR OTHER LAWFUL PURPOSES.

14 **WHEREAS**, the duly elected governing authority of the City of College Park, Georgia
15 (hereinafter the “City”) is the Mayor and Council thereof; and

16 **WHEREAS**, the governing authority desires to amend its Code of Ordinances to comply
17 with state law; and

18 **WHEREAS**, the governing authority of the City determines that compliance with state
19 law will provide for the health, safety, and welfare of the inhabitants of the City;

20 **NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR**
21 **AND COUNCIL OF THE CITY OF COLLEGE PARK, GEORGIA THAT:**

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23 **Section One.** Chapter 2 (“Administration”), of the Code of Ordinances, City of College
24 Park, Georgia is hereby amended by adding a new Article VII to be entitled “City Court Judges”
25 and by adding a new Section 2-105, to be entitled “Chief City Court Judge”, to read and to be
26 codified as follows:

29 “Sec.2-105. – Chief City Court Judge

30 The mayor and council may appoint an individual to serve as chief judge to preside over
31 the city’s municipal court. The chief judge shall be responsible for the general
32 supervision of the city court and shall promulgate all rules necessary for the supervision,
33 conduct, and administration of the court.”
34

35 **Section Two.** Chapter 2 (“Administration”), of the Code of Ordinances, City of College
36 Park, Georgia is hereby amended by adding a new Article VII to be entitled “City Court Judges”
37 and by adding a new Section 2-106, to be entitled “City Court Judge Pro Tem”, to read and to be
38 codified as follows:

39 “Sec. 2-106. - City Court Judge Pro Tem

40 The mayor and council may appoint a city court judge pro tem, who shall be acting city
41 court judge in the absence, disability or disqualification of the chief city court judge. The
42 acting city court judge shall have all the powers and perform all the duties of the chief
43 municipal court judge when necessary.”

44 **Section Three.** The preamble of this Ordinance shall be considered to be and is hereby
45 incorporated by reference as if fully set out herein.

46 **Section Four.** This Ordinance shall be codified in a manner consistent with the laws of
47 the State of Georgia and the City.

48 **Section Five** (a) It is hereby declared to be the intention of the Mayor and Council that
49 all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their
50 enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

51 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest
52 extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this
53 Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this
54 Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the
55 greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this

56 Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase
57 of this Ordinance.

58 (c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance
59 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise
60 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the
61 express intent of the Mayor and Council that such invalidity, unconstitutionality or
62 unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional
63 or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or
64 sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases,
65 clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional,
66 enforceable, and of full force and effect.

67 **Section Six.** All ordinances and parts of ordinances in conflict herewith are hereby
68 expressly repealed.

69 **Section Seven.** The effective date of this Ordinance shall be the date of adoption unless
70 otherwise stated herein.

71 **ORDAINED** this _____ day of _____, 2017.

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73 **[SIGNATURES CONTINUED TO NEXT PAGE]**

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CITY OF COLLEGE PARK, GEORGIA

Jack P. Longino, Mayor

86 **ATTEST:**

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Melissa Brooks, City Clerk

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93 **APPROVED AS TO FORM:**

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City Attorney