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ORDINANCE NO. 520

AN ORDINANCE BY THE CITY OF CLARKSTON TO AMEND THE CITY CHARTER TO BE CONSISTENT WITH STATE GENERAL LAW CONCERNING THE MINIMUM TERM OF MUNICIPAL COURT JUDGES; TO REPEAL CONFLICTING PROVISIONS; AND FOR OTHER PURPOSES.

WHEREAS, the City Charter currently provides for the City of Clarkston Municipal Court, which is overseen by a qualified judge who is appointed by the City Council on an annual basis; and

WHEREAS, State law was amended to require that any individual appointed as a judge of a municipal court must serve a minimum term of two (2) years; and

WHEREAS, the City desires to amend its Charter to be consistent with state law; and

WHEREAS, the City is authorized to amend its Charter pursuant to its home rule powers as set forth in O.C.G.A. § 36-35-3.

NOW THEREFORE, BE IT ORDAINED by the City of Clarkston as follows:

SECTION 1. City Charter Section 3.04 is hereby deleted and replaced with the following language:

“Sec. 3.04 – Municipal Court – Appointment of Judge.

The City of Clarkston Municipal Court shall be presided over by a qualified judge appointed by the City Council to a two-year term of office. Such judge shall receive such compensation as shall be fixed by the City Council and shall serve at the pleasure of the City Council, subject to applicable State law regarding the removal of the judge during his/her term of office.

SECTION 2. This Ordinance is intended to be severable. If any section, subsection, paragraph, sentence or word of this Ordinance is for any reason held to be invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed each section, subsection, paragraph, sentence or word of this Ordinance irrespective of the invalidity of any other section, subsection, paragraph, sentence or word.

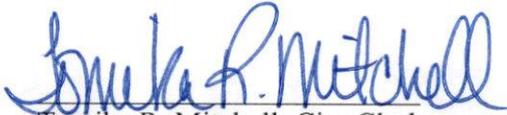
SECTION 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4. This Ordinance shall become effective immediately upon its final adoption by the City Council at the second of two consecutive regular meetings.

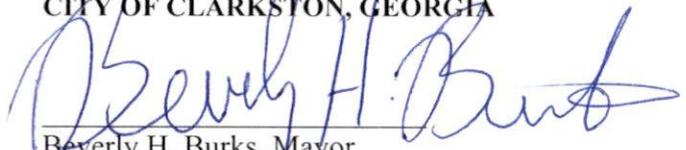
APPROVED, this 3rd day of June, 2025.

SO ORDAINED, this 1st day of July, 2025.

ATTEST:


Tomika R. Mitchell, City Clerk

CITY COUNCIL,
CITY OF CLARKSTON, GEORGIA


Beverly H. Burks, Mayor

Approved as to Form:


Stephen G. Quinn, City Attorney