

ORDINANCE 2010-170

AN ORDINANCE OF THE CITY OF MAGNOLIA, MONTGOMERY COUNTY, TEXAS REPEALING ORDINANCE NUMBER 9 PROVIDING FOR FILLING THE OFFICE OF JUDGE OF THE MUNICIPAL COURT BY APPOINTMENT; AND MAKING OTHER FINDINGS AND PROVISIONS

WHEREAS, the City of Magnolia City Council previously passed Ordinance No. 9 providing for filling the office of Judge of the Magnolia Municipal Court by Appointment on January 13th, 1970; and

WHEREAS, unforeseen circumstances have occurred and the municipal judge is unable to act until the end of the current term which expires when the Current Mayor term expires; and

WHEREAS, the Council finds it is in the best interests of the City of Magnolia that an ordinance be passed repealing Ordinance Number 9;

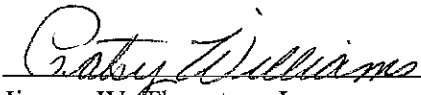
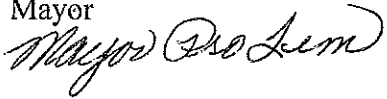
NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF MAGNOLIA, COUNTY OF MONTGOMERY, STATE OF TEXAS:

1. That the facts and recitation contained in the preamble of this Ordinance are hereby found and declared to be true and correct.
2. That Ordinance Number 9 is hereby repealed.
3. That pursuant to Texas Government Code Section 29.04 the Mayor is ex officio judge of the municipal court.
4. That if any section, sub-section, sentence, phrase, or clause of this Ordinance is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of the Ordinance shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof, or provision or regulation contained herein, shall become inoperative or fail by reason of any unconstitutionality or invalidity of any section, sub-section, sentence, phrase, or clause, portion, provision, or regulation of the Ordinance.
5. That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.
6. The City Council finds, determines and declares that a sufficient written notice was posted and this Ordinance was passed in accordance with the Open Meetings Act.

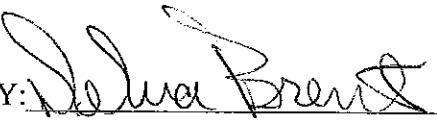
7. That this Ordinance shall be effective on the date of its passage.

PASSED AND APPROVED ON this day 9 of March,
2010.

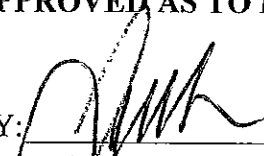
CITY OF MAGNOLIA, TEXAS


Jimmy W. Thornton, Jr.
Mayer


ATTEST:


BY: Debra Brent
Debra Brent
City Secretary

APPROVED AS TO FORM:


BY: Leonard V. Schneider
Leonard V. Schneider
City Attorney