

02020-03.02

AN ORDINANCE BY THE TOWN OF TALKING ROCK, GEORGIA

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF TALKING ROCK, GEORGIA, TO PROVIDE FOR THE OPERATION OF ITS MUNICIPAL COURT.

WHEREAS, the duly elected governing authority of the Town of Talking Rock, Georgia is empowered to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government pursuant to O.C.G.A. § 36-35-3, and is authorized by Section 4.11 of its Charter to adopt ordinances regulating the operation of its Municipal Court; and

WHEREAS, the duly elected governing authority of the Town of Talking Rock, Georgia is the Mayor and Council thereof;

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE TOWN OF TALKING ROCK:

Section 1

That Section 1-1-5(a) of the Code of the Town of Talking Rock, Georgia is hereby amended to state as follows:

“(a) Whenever in this code or in any ordinance of the town any act is prohibited or is made or declared to be unlawful or an offense, or whenever in this code or in any ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefor, the violation of that provision of this code or that ordinance shall be punished by a fine not to exceed \$1,000 or imprisonment for a term not exceeding six (6) months, or work on the public streets or public works of the town for a term not exceeding thirty (30) days or any other punishment as may be authorized by the Official Code of Georgia,

as amended, subject to all limitations contained in the charter of the town. Each day any violation of this code or of any ordinance shall continue shall constitute a separate offense.”

Section 2

That Chapter 3 of Title 2 of the Code of the Town of Talking Rock, Georgia is hereby amended to add the following provisions:

“CHAPTER 3 Municipal Court

§ 2-3-1 Judges of the Municipal Court

Sec. 2-3-1 Judges of the Municipal Court.

(a) The Town Council shall, annually, appoint a chief judge of the Municipal Court and may appoint such part-time, full-time, or stand-by judges as the Council shall deem appropriate. The Council may contract with Pickens County to appoint the Chief Magistrate of Pickens County as the chief judge of the Municipal Court.

(b) At the time of the initial appointment of the chief judge, the Council shall provide for compensation for said judge, which compensation may include reimbursement to Pickens County if the Council has contracted with the County for judicial services.

Sec. 2-4-1 Convening of Municipal Court.

The Municipal Court shall convene at any time set by the Council or chief judge, and at any location set by the Council or chief judge.”

Section 3

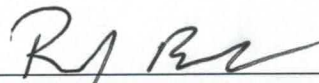
It is declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses and phrases of this amendment are severable; and if any phrase, clause, sentence, paragraph or section hereof shall be declared unconstitutional by the valid judgment or

decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this amendment.

All other provisions of the Code of Ordinances in conflict with this amendment are hereby repealed.

The adoption date of this ordinance is the date set forth below, and the effective date of this ordinance shall be its date of adoption.

ORDAINED this 5th day of March, 2020, the public health, safety and general welfare demanding it.



Mayor
Town of Talking Rock

Attest:



CITY CLERK