

**ORDINANCE NO. 2023-02**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF LUTHER, OKLAHOMA, PART 6, "COURT," CHAPTER 1, "MUNICIPAL COURT," OF THE LUTHER CODE OF ORDINANCES, AMENDING SECTION 6-104, "PRESIDING MUNICIPAL JUDGE;" AMENDING SECTION 6-105, "ALTERNATE JUDGE;" AMENDING SECTION 6-106, "ACTING/SPECIAL JUDGE;" REPEALING SECTION 6-107, "ALTERNATE JUDGE;" REPEALING SECTION 6-108, "ACTING JUDGE;" AMENDING SECTION 6-110; "REMOVAL OF JUDGE;" AMENDING SECTION 6-117, "RULES OF COURT;" ALL AMENDMENTS TO BRING THE PROVISION OF THESE SECTIONS INTO COMPLIANCE WITH AMENDMENTS TO STATE STATUTE; REPEALING ALL PRIOR ORDINANCES TO THE CONTRARY; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY**

**BE IT ORDAINED BY THE TRUSTEES OF THE TOWN OF LUTHER, AS FOLLOWS:**

**SECTION I.** Section 6-104 of the Code of Ordinances of the Town of Luther, Oklahoma, is hereby amended to read as follows:

**SECTION 6-104      PRESIDING MUNICIPAL JUDGE**

There shall be one Presiding Judge of the Town of Luther Municipal Court. The Presiding Judge shall be appointed by the Mayor with the consent of the Board of Trustees. The Presiding Judge shall be an attorney licensed to practice law in the State of Oklahoma and shall serve a term of two (2) years or until a successor is appointed and qualified or until removed by a majority vote of the Board of Trustees for cause. The term of appointment shall begin July 1st of each odd-numbered year. The Presiding Judge shall be subject to the code of judicial conduct and legal ethics.

**SECTION II.** Section 6-105 of the Code of Ordinances of the Town of Luther, Oklahoma, is hereby amended to read as follows:

**SECTION 6-105      ALTERNATE JUDGE**

The Mayor, with the consent of the Board of Trustees, may appoint an Alternate Judge of the Town of Luther Municipal Court. The Alternate Judge shall serve in the absence of the Presiding Municipal Judge. The Alternate Judge shall be an attorney licensed to practice law in the State of Oklahoma and shall serve a term of two (2) years or until a successor is appointed and qualified or until removed by a majority vote of the Board of Trustees for cause. The term of appointment shall begin July 1<sup>st</sup> of each odd-numbered year. The Alternate Judge shall be subject to the code of judicial conduct and legal ethics.

**SECTION III.** Section 6-106 of the Code of Ordinances of the Town of Luther, Oklahoma, is hereby amended to read as follows:

**SECTION 6-106      ACTING/SPECIAL JUDGE**

In the event of a conflict or other issue, the Board of Trustees may appoint an Acting or Special Judge of the Municipal Court. The Acting or Special Judge shall be appointed by the Mayor with the consent of the Board of Trustees and shall be an attorney licensed to practice law in the State of Oklahoma.

**SECTION IV.** Section 6-110 of the Code of Ordinances of the Town of Luther, Oklahoma, is hereby amended to read as follows:

**SECTION 6-110**      **REMOVAL OF JUDGES**

Municipal Court Judges shall be subject to removal from office by the Board of Trustees for any cause prescribed by the constitution and the statutes of the State of Oklahoma for the removal of public officers.

**SECTION V.** Section 6-117 of the Code of Ordinances of the Town of Luther, Oklahoma, is hereby amended to read as follows:

**SECTION 6-117**      **RULES OF COURT**

The Presiding Judge may prescribe rules consistent with the laws of the State of Oklahoma and with the ordinances of the Town for the proper conduct of the business of the court.

**SECTION VI.** Sections 6-107 and 6-108 of the Code of Ordinances of the Town of Luther, Oklahoma, are hereby repealed in their entirety.

**SECTION VII.** If any part or parts of this ordinance are deemed unconstitutional, invalid, or ineffective, the remaining portion shall not be affected, but shall remain in full force and effect.

**SECTION IX.** All ordinances in conflict herewith are hereby repealed.

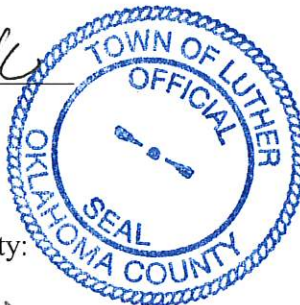
**SECTION X.** It being immediately necessary for the preservation of the public peace, health, safety, and welfare of the Town of Luther and the inhabitants thereof that this ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this ordinance shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED** and the Emergency Clause ruled upon separately this 26<sup>th</sup> day of October, 2023.


  
\_\_\_\_\_  
MAYOR WILLIAM TERRY ARPS

ATTEST:

  
\_\_\_\_\_  
Town Clerk



Approved as to form and legality:

  
\_\_\_\_\_  
Town Attorney