

A BILL FOR AN ORDINANCE CREATING AND )  
 ESTABLISHING THE OFFICES OF THE MUNICIPAL )  
 JUDGES FOR DEPARTMENTS NOS. 1 AND 2 OF )  
 LEBANON, PROVIDING FOR QUALIFICATIONS, )  
 MANNER OF APPOINTMENT AND REMOVAL, )  
 SALARIES, AND TERM OF OFFICE OF THE )  
 OFFICERS APPOINTED TO FILL THE )  
 OFFICES HEREBY CREATED. )

BILL NO. 18  
 ORDINANCE NO. 847

WHEREAS, on the 4th day of November, 1952, the City Charter was amended by the voters of the City of Lebanon, repealing Chapter 5, Sections 116 through to, and including Section 125, and establishing a municipal court consisting of two departments to be known as Department No. 1, and Department No. 2, and

WHEREAS, the Charter amendment establishing the municipal court provides that the persons to preside over and act as judges of said court shall be appointed and their terms of office and salary shall be set in the same manner as other non-elective officers of the city, and

WHEREAS, it is necessary that the Charter amendment be implemented by an ordinance creating the offices of municipal judges for the two departments and providing for the manner of appointment and term of office.

NOW THEREFORE THE PEOPLE OF THE CITY OF LEBANON ORDAIN AS FOLLOWS:

Section 1. That there is hereby created and established, in addition to the offices provided for by Section 33 of the City Charter as amended April 15, 1950, and in addition to the offices created and established by Ordinance No. 800, passed by the Council and approved by the Mayor on the 3rd day of January, 1951, the offices of municipal judges for Department No. 1 and Department No. 2 of the municipal court of the City of Lebanon.

Section 2. The officers selected to fill the offices created by this ordinance shall be appointed by the council in the manner provided by Section 34 of the City Charter for the appointment of non-elective officers. Such appointments shall be made by resolution approved by a majority of all members of the council, and the term of office of the officers appointed prior to January 1, 1953, shall commence upon the date set forth in the resolution making such appointment and shall terminate on December 31, 1952, Thereafter the term of office of each officer established by this ordinance shall commence on the date set forth in the resolution making such appointment and shall terminate upon the date set forth in the resolution of appointment or upon the date of the removal by the council, resignation or death of such officer.

Section 3. The officers appointed to fill the offices created by the ordinance shall hold their office at the will of the council and shall be subject to removal for cause at any time. The City Council shall have the authority to employ a person to perform any of the duties of the offices created by this ordinance and to postpone the appointment of such person to such office for such probationary period as the Council deems advisable in order to determine

the qualifications of such person for such position, Provided, however, that no office created by this ordinance shall remain vacant for a period of longer than ninety days.

Section 4. The qualifications of officers appointed pursuant to this ordinance shall be the same as prescribed by ordinance for all other non-elective officers of the city.

Section 5. Each and every person appointed by the council, pursuant to this ordinance, shall within ten days following such appointment file with the City Recorder, a statement accepting the appointment. If no such statement is filed, he or she shall have been deemed to have declined the office and thereafter such office shall be considered vacant.

Section 6. The provisions of Section 39, 40, 41, 42, and 135 of the City Charter of the City of Lebanon so far as the same relate to appointive officers created by this ordinance are by reference made a part here of as fully as if the same were set out in full herein.

Section 7. The compensation to be paid to the officers appointed pursuant to the provisions of the ordinance as judges of the two departments of the Municipal Court shall be as follows:

Judge of Department No. 1                      \$225.00                      Per <sup>Month</sup>~~year~~

Judge of Department No. 2                      \$10.00 per hour for each hour or fraction thereof devoted by the judge of Department No. 2 to the trial of a case or to any hearing held in connection with a case, for the purpose of adjudicating questions of law, provided, however, that after the first hour of such employment, 20 minutes or less during any succeeding hour shall not be construed as a fraction of such succeeding hour.

*Revised by 11/5/52*

Section 8. Inasmuch as the Recorder's Court was abolished by the amendment to the City Charter, there is an urgent need for the appointment of judges to preside over the two departments of the Municipal Court created by the Charter amendment and immediate passage of this ordinance is required for the peace, health, and safety of the people of the City of Lebanon. Therefore, an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately upon its passage by the council and approval by the Mayor.

Passed by the Council and approved by the Mayor this 17th day of November, 1952.

*R. L. ...*  
Mayor

ATTEST:

*Sida ...*  
City Recorder