

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS APPOINTING THE JUDGE OF THE MANSFIELD MUNICIPAL COURT OF RECORD; APPROVING THE CONTRACT APPOINTING JUDGE CASS ROBERT CALLAWAY AS PRESIDING JUDGE OF THE MANSFIELD MUNICIPAL COURT OF RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Mansfield is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and,

WHEREAS, the City Council of the City of Mansfield has created a municipal court of record pursuant to Chapter 30 of the Texas Government Code; and,

WHEREAS, pursuant to Section 37.03 of the Code of Mansfield, Texas, the City Council shall have the right and authority to name judges to preside over the judicial functions for the Mansfield Municipal Court of Record (“the Court”); and,

WHEREAS, on December 14, 2020, the City Council appointed Judge Cass Robert Callaway (“Callaway”) to serve as the presiding judge of the Court for a term expiring on July 1, 2022; and,

WHEREAS, Callaway is a resident of this state, is a citizen of the United States, is a licensed attorney in good standing, and has two or more years of experience in the practice of law in this state; and,

WHEREAS, the City Council seeks to appoint Callaway to serve as the Presiding Judge of the Court for another two-year term.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THAT:

SECTION 1.

It is hereby found that the office of municipal judge of the City of Mansfield is of benefit to the State of Texas and to the City of Mansfield.

SECTION 2.

In accordance with state law and the Code of Mansfield, Texas, Cass Robert Callaway is hereby reappointed as municipal judge of the Mansfield Municipal Court of Record, effective July 1, 2022. This appointment shall be for a term of office of two years expiring on July 1, 2024, or until resignation or removal, whichever is earlier.

SECTION 3.

The City Council hereby approves the contract to reappoint Judge Callaway as the Presiding Judge of the Court.

**SECTION 4.
CUMULATIVE CLAUSE**

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Mansfield, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

**SECTION 5.
SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause sentence, paragraph or section of this ordinance 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 ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 6.
EFFECTIVE DATE**

This ordinance shall be in full force and effect from and after its passage, as provided by the Mansfield City Charter and the laws of the State of Texas.

PASSED AND APPROVED on this the 27th day of June, 2022.

Michael Evans, Mayor

ATTEST:

Susana Marin, City Secretary

APPROVED AS TO FORM:

E. Allen Taylor, Jr., City Attorney