

ORDINANCE NO. 183

AN ORDINANCE PROVIDING FOR THE QUALIFICATIONS, APPOINTMENT, TERM OF OFFICE AND DUTIES OF ATTORNEY FOR THE CITY OF STILWELL, OKLAHOMA.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF STILWELL, OKLAHOMA:

SECTION 1. ATTORNEY; QUALIFICATIONS.

There shall be one attorney for the City of Stilwell. He shall be an attorney licensed to practice law in the State of Oklahoma. He shall be a licensed attorney who may engage in the practice of law in other courts, but he shall not accept employment inconsistent with his duties as attorney for the City of Stilwell or arising out of facts which give rise to or are connected with cases within the jurisdiction of the Municipal Court of the City of Stilwell, cases pending therein or which might become the subject of proceedings therein. He must be a resident of Adair County or maintain a law office therein. He may serve as Judge and/or attorney of other municipalities, if such service may be accomplished consistent with his duties as attorney for this City, with the consent of the Mayor and Council. A licensed attorney in the State of Oklahoma residing outside Adair County may be nominated and appointed as attorney for the City of Stilwell upon certification by the Mayor that there are no licensed attorneys resident within this County willing to accept appointment as attorney for the City of Stilwell.

SECTION 2. TERM OF OFFICE.

Official term of office for the attorney for the City of Stilwell shall be one (1) year, expiring on the first Monday in July of each year. The attorney, unless sooner removed for proper cause, shall serve until his successor is appointed and qualified.

SECTION 3. APPOINTMENT OF ATTORNEY.

The attorney shall be appointed by the Mayor with consent of the Governing Body. A proposed appointment shall be submitted in writing to the Governing Body at the last regularly scheduled meeting prior to the expiration of the term and the day upon which the appointment is to take effect, and shall be acted upon at the next regularly scheduled meeting. The Governing Body may decide upon the proposed appointment by a majority vote of a quorum present and acting. Failure of a decision upon a proposed appointment shall not prevent action thereon at a later regularly scheduled meeting of the Governing Body unless the Mayor, in writing, withdraws the proposed appointment.

SECTION 4. SALARY AND PAYMENTS.

The attorney shall receive a salary as set by the Governing Body by motion or resolution, paid in the same manner as the salary of other officials of this Municipality.

SECTION 5. REMOVAL OF ATTORNEY.

The attorney shall be subject to removal from office by the Governing Body for causes prescribed by the Constitution and laws of this State for the removal of public officers.

SECTION 6. VACANCY IN OFFICE OF ATTORNEY.

A vacancy in the office of attorney shall occur if the attorney:

1. Dies;
2. Resigns;
3. Ceases to possess the qualifications for the office; or
4. Is removed, and the removal proceedings have been affirmed finally in judicial proceedings or are no longer subject to Judicial review.

Upon the occurrence of a vacancy in the office of attorney, the Mayor shall appoint a successor to complete the unexpired term in the same manner as the original appointment is made.

SECTION 7. EFFECTIVE DATE.

For the immediate preservation of the public peace, health and safety, an emergency is hereby declared to exist by reason of which this Ordinance shall be in full force and effect immediately upon its passage and approval.

PASSED and APPROVED this 4<sup>th</sup> day of June, 1987.

HUBERT E. ZIMMERMAN, JR.  
Mayor

ATTEST: SUE CATRON  
City Clerk

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