

RECOMMENDED BY: THE MAYOR  
SUBMITTED BY: THE CITY ATTORNEY

**ORDINANCE NO. 19-94**

**AN ORDINANCE TO AMEND SECTION 8-1-1 OF THE GENERAL CODE OF THE CITY OF BIRMINGHAM TO ESTABLISH THE NUMBER OF FULL-TIME AND PART-TIME JUDGES FOR THE MUNICIPAL COURT OF THE CITY OF BIRMINGHAM.**

**SECTION 1.**

**BE IT ORDAINED** by the Council of the City of Birmingham that Section 8-1-1 of the General Code of the City of Birmingham to establish the number of judges, full-time and part-time, for the Municipal Court of the City of Birmingham be and hereby is amended to read as follows:

“Sec. 8-1-1. - Court established.

“(a) There is hereby created, established and set up a municipal court for the city to be known as “Municipal Court of the City of Birmingham,” pursuant Title 12, Chapter 14 of the Code of Alabama, 1975, as amended, and Title 8 of the General Code of the City of Birmingham, as amended.

“(b) (1) There shall be five full-time municipal judges. The full-time municipal judges shall be designated as follows:

- “a. Municipal court judge, full-time, place No. 1;
- “b. Municipal court judge, full-time, place No. 2;
- “c. Municipal court judge, full-time, place No. 3;
- “d. Municipal court judge, full-time, place No. 4;
- “e. Municipal court judge, full-time, place No. 5.

“(2) There shall be up to four part-time municipal judges. The part-time municipal judges shall be designated as follows:

- “a. Municipal court judge, part-time, place No. 1;
- “b. Municipal court judge, part-time, place No. 2;
- “c. Municipal court judge, part-time, place No. 3;
- “d. Municipal court judge, part-time, place No. 4;

“(3) There shall be one part-time municipal judge designated as Municipal court judge, part-time, place No. 5, which shall be a temporary office. The office of Municipal court judge, part-time, place No. 5, shall sunset and cease to exist two years after the passage of this ordinance or two years after the initial appointment filling the office, whichever is later.

“Each judge's specific court assignment and place number shall be designated by the presiding judge.

- “(c) Nothing in this section shall prevent the city council from increasing or decreasing the number of municipal judges, as needed, by ordinance and in accordance with the Mayor-Council Act of 1955.”

**SECTION 2. BE IT FURTHER ORDAINED** that all prior appointments by the Council in accordance with this ordinance prior to the date of its adoption are hereby ratified.

**SECTION 3. SEVERABILITY.** The provisions of this ordinance are severable. If any part of this ordinance is determined by a court of competent jurisdiction to be invalid, unenforceable or unconstitutional, such determination shall not affect any other part of this ordinance.

**SECTION 4. EFFECTIVE DATE.** This ordinance shall be effective when published as required by law.

Adopted by the Council July 2, 2019 and Approved by the Mayor July 10, 2019



A CERTIFIED COPY  
Lee Frazier, City Clerk  
Birmingham, Al

*Lee Frazier*