

**AN ORDINANCE AMENDING CHAPTER 115 “CITY OFFICIALS” OF  
THE MUNICIPAL CODE OF THE CITY OF TWIN OAKS TO ADD A  
NEW ARTICLE VII, PROSECUTING ATTORNEY**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN OAKS AS FOLLOWS:**

**Section 1:** Pursuant to RSMo. § 79.230, among other authority, there is hereby created an office of Prosecuting Attorney and, to that end, the Twin Oaks Municipal Code, Chapter 115 (“City Officials”), is hereby amended by adopting a new Article VII, Section 115.190, to read as follows:

**Article VII Prosecuting Attorney**

**Section 115.190 Prosecuting Attorney.**

- A. The Mayor, with the advice and consent of the Board of Aldermen, may appoint a suitable person as Prosecuting Attorney who shall hold office until his/her successor is appointed and qualified. The Prosecuting Attorney shall serve at the pleasure of the Mayor and Board of Aldermen. The compensation, terms, and conditions of the Prosecuting Attorney shall be fixed by contract.
- B. The office of Prosecuting Attorney shall be filled by a licensed and practicing attorney at law in the State of Missouri. Neither the Prosecuting Attorney nor any Assistant shall be required to give bond to the city.
- C. The Prosecuting Attorney shall:
  - 1. Act as Prosecuting Attorney for the City and shall prosecute all municipal ordinance violations in the City of Twin Oaks Municipal Court, a Division of the 21<sup>st</sup> Judicial Circuit, State of Missouri;
  - 2. Prosecute such applications for trial de novo and appeals thereon of municipal ordinance violations; and,
  - 3. Periodically report to the Mayor and the Board of Aldermen on the status of all municipal ordinance violation prosecutions.
- D. The Mayor, with the advice and consent of the Board of Aldermen, may appoint one or more Assistant (or Special) Prosecuting Attorneys from time to time to act as the Prosecuting Attorney when the Prosecuting Attorney is unavailable or has a disqualifying conflict. The Assistant Prosecuting Attorneys shall serve at the pleasure of the Mayor and Board of Aldermen. If no Assistant Prosecuting Attorney has been appointed, and the Prosecuting Attorney is unavailable or has a disqualifying conflict prior to a municipal court date, the mayor shall appoint an Assistant Prosecuting Attorney to serve until the first regular meeting of the Board of Aldermen, at which time the Board can act to approve the Mayor’s interim appointment.

**Section 2:** This ordinance shall be in full force and effect on and after its passage and approval by the Mayor.

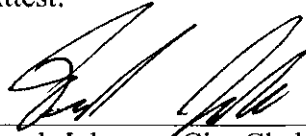
PASSED AFTER HAVING BEEN READ IN FULL OR BY TITLE TWO TIMES PRIOR TO PASSAGE BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN OAKS, MISSOURI, THIS 20<sup>th</sup> DAY OF JULY 2022.



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Russ Fortune, Mayor

Attest:



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Frank Johnson, City Clerk/Administrator