

ORDINANCE NO. 969(21)

AN ORDINANCE AMENDING SECTION 6-301, PART 6, CHAPTER 3 OF THE MOORE MUNICIPAL CODE, CORRECTING THE FINE THRESHOLD FOR RIGHT TO JURY TRIAL AS PROVIDED BY STATE LAW; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR REPEALER.

NOW THEREFORE, BE IT ORDAINED BY THE City Council of Moore, Oklahoma:

Sec 6-301 Right To Trial By Jury, Waiver

1. In all prosecutions for violations of ordinances punishable by fine of more than the amount specified under 11 O.S. Section 27-119, or by imprisonment, or by both fine and imprisonment, trial shall be by jury unless waived by the defendant. If trial by jury is waived, trial shall be by the court.
2. At arraignment, the defendant shall be asked whether he demands or waives trial by jury. His election shall be recorded in the minutes of the arraignment and entered on the docket of the court respecting proceedings in the case.
3. An election waiving jury trial, made at arraignment, may be changed by the defendant at any time prior to the day for which trial by the court is set. An election demanding jury trial may be changed at any time prior to the commencement of proceedings to impanel the jury for the trial; but if that change occurs after the case has been set for jury trial, it may not thereafter be rechanged so as again to demand trial by jury.


**Severability.** If any of the provisions of this ordinance are determined to be unconstitutional or unlawful by any court of competent jurisdiction, the remainder shall be severable and unaffected.


**Repealer.** Any ordinance or parts thereof in conflict with this section are hereby repealed.

PASSED AND APPROVED THIS 15 DAY OF MARCH 2021.

ATTEST:



  
~~GLENN LEWIS, Mayor~~  
Mark Hamm, Vice Mayor

  
~~VANESSA KEMP, City Clerk~~  
Kathryn Bernhalter, Deputy City Clerk

APPROVED AS TO FORM AND LEGALITY:



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RANDY C. BRINK, City Attorney

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Mark Hamm, Vice Mayor  
Kathryn Berhalter, Deputy City Clerk

# Proof of Publication

In the District Court of Cleveland County, State of Oklahoma

Case No: Ord #969 (21)

## Affidavit of Publication

State of Oklahoma, County of Cleveland, ss:

I, the undersigned publisher, editor or Authorized Agent of the Norman Transcript, do solemnly swear that the attached advertisement was published in said paper as follows:

1st Publication

March 19, 2021

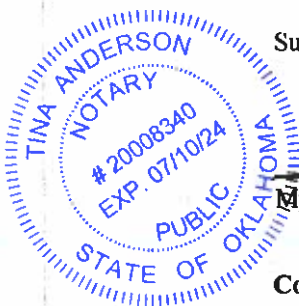
That said newspaper is Daily, in the city of Norman, Cleveland County, Oklahoma, a Daily newspaper qualified to publish legal notices, advertisements and publications as provided in Section 106 of Title 25, Oklahoma Statutes 1971, as amended, and complies with all other requirements of the laws of Oklahoma with reference to legal publications.

That said Notice, a true copy of which is attached hereto, was published in the regular edition of said newspaper during the period and time of publications and not in a supplement, on the above noted dates.

*B. White*

Signature

Subscribed and sworn before me on this 25th day of March 2021.



My commission expires .

7-10-24

Cost of Publication \$ 8.4

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Acct # 05100469

Copies: 1

### PAY TO

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Norman, OK 73070

Notary Public  
Commission #

20008340

A copy of this affidavit of publication was delivered to the Office of the Cleveland County Court Clerk on March 25, 2021.

Please include the case number on your check.