



September 2, 2026

To: Sam Anselm, City Administrator

From: Kellie Mayers, City Clerk

Re: Amendment to Section 18-23 – Municipal Judge Appointment and Vacancy Procedures

Executive Summary

The proposed bill amends Section 18-23 of the West Plains Municipal Code to clarify the process for designating an acting municipal judge and filling a vacancy in the office. The revisions incorporate terminology and procedures recommended by the Office of State Courts Administrator (OSCA) and align the code with the municipal judge appointment process under Missouri law.

Discussion

The current ordinance uses the terms “disqualified” and “elected municipal judge”, which do not accurately reflect the appointment process for the municipal judge position. The proposed amendment clarifies the procedures for temporary absence or illness and for filling a vacancy.

Fiscal Impact

None.

BILL NO. 4831

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WEST PLAINS, MISSOURI, AMENDING CHAPTER 18- COURTS: SECTION 18-23. – DESIGNATION OF ACTING MUNICIPAL JUDGE; VACANCY IN OFFICE OF MUNICIPAL JUDGE, OF THE CITY OF WEST PLAINS MUNICIPAL CODE.

WHEREAS, the city council desires to clarify the circumstances under which a person may be designated to serve as acting municipal judge when the City's Municipal Judge is temporarily absent; and

WHEREAS, the city council also desires to establish a clear procedure for filling a vacancy in the office of municipal judge; and

WHEREAS, the municipal judge is appointed by the mayor with the consent of a majority of council as outlined in section 18-22 of the city code and in accordance with RSMo chapter 479.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST PLAINS, MISSOURI AS FOLLOWS:

Section 1: That Chapter 18- Courts, Section 18-23. of City of West Plains municipal code is hereby amended to read as follows:

Sec. 18-23. – Designation of acting municipal judge; vacancy in office of municipal judge.

If the Municipal Judge is temporarily absent or ill and is temporarily not able to serve in such position, the mayor, with the consent of a majority of the council, may designate some competent, eligible person to act as provisional municipal judge until the Municipal Judge returns. In the event that a vacancy occurs in the office of a municipal judge for any reason, including but not limited to the expiration of the term of the appointment, resignation, or removal from office by the Commission on Retirement, Removal, and Discipline, the office may be filled by a competent, eligible person designated by the mayor with the consent of a majority of the council.

Section 2: That this ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF _____ 20____.

CITY OF WEST PLAINS, MISSOURI

BY: _____
MAYOR MICHAEL TOPLIFF

(SEAL)

ATTEST:

CITY CLERK KELLIE MAYERS