

VILLAGE OF BUCKEYE LAKE, OHIO
ORDINANCE 2014-27

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE LICKING COUNTY BOARD OF COMMISSIONERS FOR REIMBURSEMENT OF LEGAL COUNSEL FOR INDIGENT DEFENDANTS FOR THE VILLAGE OF BUCKEYE LAKE, LICKING COUNTY, OHIO.

WHEREAS, in circumstances where an indigent individual is charged with a violation of ordinances of the Village of Buckeye Lake, and that person requests appointed counsel, the Municipal Court will appoint an attorney to provide for the individual's defense; and

WHEREAS, the county provides legal representation for indigent adults through an appointed counsel system adopted in accordance with Ohio Revised Code Section 120.33; and

WHEREAS, the county may contract with a municipal corporation to provide legal representation for indigent persons charged with a violation of an ordinance of a municipal corporation for which the penalty or any possible adjudication includes the loss of liberty; and

WHEREAS, if there is no existing agreement between the Village of Buckeye Lake and the Licking County Board of Commissioners regarding reimbursement of the counsel appointed for the defendant, Licking County is unable to reimburse such attorney.

NOW THEREFORE, BE IT RESOLVED BY THE CITY/VILLAGE OF BUCKEYE LAKE, LICKING COUNTY, STATE OF OHIO, that

Section 1: The City Administrator or Village Manager previously entered into a contract with the Licking County Board of Commissioners for legal representation of indigent persons in Licking County Municipal Court who are charged with a violation of any ordinance of the Village for which the penalty or any possible adjudication includes potential loss of liberty.

Section II. *Pursuant to Section 5 of the Contract for Legal Representation of Indigent Persons, adopted on January 27, 2014, by Ordinance # 2013-28, the term of contract shall be extended for the period of January 1, 2015 and ending December 31, 2015, upon mutual consent of the parties, and proper appropriation of funding.*

Section III. This Ordinance shall become effective from and after the earliest period provided by law.

ADOPTED this 12th day of January, 2014~~4~~⁵

Attest: Valerie L. Hans Council Clerk, Valerie L. Hans
Jeryne Peterson Council President, Jeryne Peterson

Date filed with Mayor: 1-12, 2014~~4~~⁵

Date Approved by Mayor: 1-12, 2014~~4~~⁵

Clay Carroll
Mayor, Clay Carroll

Approved as to Form: Richard S. Bindley
Richard S. Bindley, Solicitor

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1st Reading _____ 2nd Reading _____ 3rd Reading X

Motion to SUSPEND the Rules 1st _____ 2nd _____

YEA ABSTAIN NAY

ZWISSLER, Kitty	_____	_____	_____
HERRON, Barry	_____	_____	_____
MCCORMICK, Mickey	_____	_____	_____
NEFF, Gerry	_____	_____	_____
PETERSON, Jeryne	_____	_____	_____
RUTON, Arletta	_____	_____	_____
WELLS, Peggy	_____	_____	_____

TOTALS _____ MOTION PASSES/FAILS (Majority Required)

Motion to ADOPT the Motion 1st Ruton 2nd McCormick

YEA ABSTAIN NAY

ZWISSLER, Kitty	<u>X</u>	_____	_____
X HERRON, Barry	<u>X</u>	_____	_____
MCCORMICK, Mickey	<u>X</u>	_____	_____
NEFF, Gerry	_____	_____	_____
PETERSON, Jeryne	<u>X</u>	_____	_____
RUTON, Arletta	<u>X</u>	_____	_____
WELLS, Peggy	<u>X</u>	_____	_____

TOTALS 6 _____ MOTION PASSES/FAILS (Majority Required)

I certify that the above action is a true and accurate account of the proceedings.

Valerie A. Hans
Valerie Hans
Clerk of Council