VILLAGE OF BUCKEYE LAKE, OHIO
ORDINANCE 2010-02

A 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 and 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 12, 2009, by Ordinance # 20090-02, the term of contract shall be extended for the period of January 1, 2010, and ending December 31, 2010,*** 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.

Passed this 8th day of FEBRUARY, 2010

Attest:

Council Clerk, Tim Matheny

Council President, Charlene Hayden

Mayor, Rick Baker