VILLAGE OF BUCKEYE LAKE, OHIO

ORDINANCE 2018-46

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 I: The Mayor 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 November 27, 2017, by Ordinance # 2017-20, the term of contract shall be extended for the period of January 1, 2019 and ending December 31, 2019,*** 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 10th day of December, 2018

Attest: Valerie L. Hans
Valerie L. Hans, Council Clerk

Catherine Olohan Zwissler
Catherine Olohan Zwissler, Council President

Date filed with Mayor: 12-10, 2018

Date Approved by Mayor: 12-10, 2018

Peggy A. Wells
Mayor, Peggy A. Wells