

RECORD OF ORDINANCES

Ordinance No. 12-67- 2021 Passed 12-7-, 2021

AN ORDINANCE AUTHORIZING THE MAYOR AND LAW DIRECTOR TO ENTER INTO A CONTRACT WITH THE PICKAWAY COUNTY COMMISSIONERS TO PROVIDE LEGAL REPRESENTATION TO DEFENDANTS WHO ARE INDIGENT IN CASES INVOLVING THE CIRCLEVILLE POLICE DEPARTMENT OR THE CIRCLEVILLE MUNICIPAL COURT FROM JULY 1, 2021 THROUGH JUNE 30, 2022.

WHEREAS, the City of Circleville is obligated under the laws of the State of Ohio and of the United States of America to provide legal counsel to indigent persons charged with petty offenses and loss of liberty offenses pursuant to the Ohio Revised Code or Circleville City Ordinances in its Municipal Court, as well as the Pickaway County Common Pleas Court and Juvenile Court, for offenses violating Circleville City Ordinances; and

WHEREAS, the City in furtherance of the execution of its legal responsibilities, as heretofore established, desires that legal services be provided to indigent citizens and others so appearing in the Circleville Municipal Court or in the other courts of this County involving violations of Circleville City Ordinances; and

WHEREAS, the Pickaway County Commissioners have previously entered into a written agreement to participate in the multi county branch of the Ohio Public Defender's Office in order to provide legal representation for all criminal cases arising in Pickaway County in which the defendant is indigent and in appeals of right in all criminal cases; and

WHEREAS, in order for the City of Circleville to properly reimburse the Pickaway County Commissioners for the services of the Ohio Public Defender's Office under the above contract, it is necessary to enter into a contract with the Board of County Commissioners to pay the City's proportionate share of services provided relating to prosecution taking place in the Circleville Municipal Court or under Circleville City Ordinances for the period of July 1, 2021 through June 30, 2022.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Circleville, County of Pickaway, as follows:

SECTION I. That the Mayor and the Law Director of the City of Circleville are hereby authorized to enter into a contract with the Pickaway County Commissioners to provide for legal representation to defendants who are indigent and in the appeals of right of indigent criminal defendants to the County Commissioner's contract with the multi county branch of the Ohio Public Defender's Office with the term of this contract to be for a period of twelve (12) months commencing July 1, 2021 and continuing until June 30, 2022 so as to coincide with the County Commissioner's contract with the Ohio Public Defender's Office who are on a fiscal year contract basis. In consideration of providing the above services to the City of Circleville, the contract shall provide for a payment to the Pickaway County Commissioners of a sum equal to \$824.00 which is one third (1/3) of the amount actually paid by the Pickaway County Commissioners to the Ohio Public Defender's Office under their contract payable in four quarterly installments due upon notification of the County Auditor's Office of the amount to be paid. A copy of this contract is attached hereto and marked Exhibit "A". All other terms and conditions of this contract shall be the same as those set forth in the agreement entered into between the Pickaway County Commissioners and the multi county branch of the Ohio Public Defender's Office. A copy of this agreement is attached hereto and marked Exhibit "B".

SECTION II. That the City Auditor is hereby authorized to appropriate from the County Appointed Counsel Fund Account Number 101.0710.55060 for the payment of legal representation to indigent defendants to cover the period of July 1, 2021 through June 30, 2022. The sum of \$824.00 which amount equal to one third (1/3) of the sum actually paid by the Pickaway County Commissioners to the Ohio Public Defender's Office under its contract for indigent representation payable in four quarterly installments upon notification of the Pickaway County Auditor's Office of the amount due from the City.

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SECTION III. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the City of Circleville and its inhabitants due to the immediate need to provide legal representation to indigent defendants pursuant to the City's responsibilities under the laws of the State of Ohio and the United States of America so that this ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor.

PASSED: 12-7-2012

12-7-2021
DATE

David M. Ford
PRESIDENT OF COUNCIL

ATTEST: *Luke M. Gray*

12-7-2012
DATE

William R. McElroy
MAYOR

APPROVED AS TO FORM:

Gary D. Kenworthy
GARY D. KENWORTHY
CIRCLEVILLE CITY LAW DIRECTOR

REVIEWED BY LAW DIRECTOR
AND APPROVED AS TO FORM