

Ordinance 02-99

ORDINANCE NO. 2-99

By: Anne H. Porter

An Ordinance to authorize the Mayor and Auditor to execute an agreement on behalf of the City with the Franklin County Public Defender Commission for the representation of indigents before the Franklin County Municipal Court, Criminal Division, charged with violations of Bexley law within the City's limits, and to declare an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. That the Mayor and Auditor are hereby authorized to execute an agreement on behalf of the City with the Franklin County Public Defender Commission in the form attached hereto and made a part of this Ordinance, said agreement providing representation at a cost of \$50 per case.

Section 2. That this Ordinance is an emergency measure necessary for the immediate preservation of the public peace, health and safety, said emergency being the need to assure uninterrupted representation of indigents, and shall go into effect upon its passage and approval by the Mayor.

Passed February 9, 1999

Jeff Bruch
President of Council

Attest: Richard A. Levan
Clerk of Council

Approved: 2/9, 1999

D. Madison
David H. Madison, Mayor

January 12, 1999 first reading
January 26, 1999 - second reading
February 9, 1999 - third reading
passed

CONTRACT

This Agreement, beginning on January 1, 1999, by and between the Franklin County Public Defender Commission, pursuant to Ohio Rev. Code, section 120.14(E), and the City of Bexley, for the defense of indigent defendants before the Franklin County Municipal Court; the parties agree as follows:

The Franklin County Public Defender Commission hereby agrees to represent, through the personnel employed by the Franklin County Public Defender Commission, all indigent persons, coming before the Franklin County Municipal Court, Criminal Division, charged with a violation of an ordinance of the City of Bexley, which occur within the limits of Bexley, Ohio; provided that the Franklin County Public Defender Commission, reserves the right to decline representation if a conflict of interest exists in any specific case filed in or coming before the Franklin County Municipal Court; and, provided further, that the Mayor of Bexley, Ohio, reserves the right to appoint other counsel to represent defendants charged with a violation of an ordinance of Bexley, Ohio, or traffic and/or criminal statutes of the State of Ohio, which occur within the jurisdictional limits of Bexley, Ohio in any specific case filed in or coming before the Franklin County Municipal Court.

The City of Bexley agrees to pay the sum of \$50.00 per case. Said sum due to be stated by invoice from the Franklin County Public Defender at quarterly intervals. Checks or warrants should be made payable to the Columbus City Treasurer - Public Defender Service.

This contract may be terminated by either party at any time before the expiration of the contract, by giving thirty (30) days written notice to the other party, of its intention to terminate.

The parties further agree that this Contract shall be in full force and effect from the date first written above through December 31, 1999, unless terminated earlier, as provided herein.

IN WITNESS WHEREOF, the parties have executed this Contract, this 27 day of May, 1999.

City of Bexley

BY: _____

Mayor of Bexley

BY: _____

Auditor

Franklin County Public Defender Commission

BY: _____

Richard F. Swope
Chairman