

ORDINANCE NO. 060-14
CITY OF CENTERVILLE, OHIO

Sponsored by Council Member Brooks Compton on the 16th day of June,
2014.

**AN ORDINANCE ADOPTING NEW CHAPTER 290 MAYOR'S COURT
TO THE CENTERVILLE MUNICIPAL CODE PROVIDING FOR THE
ESTABLISHMENT AND OPERATION OF A MUNICIPAL MAYOR'S
COURT.**

PREAMBLE AND PURPOSE

WHEREAS, Ohio Revised Code Chapter 1905 provides for the establishment of a Mayor's Court in a municipality having a population of more than two hundred and not being the site of a municipal court; and

WHEREAES, it is the desire of the City of Centerville to establish a Mayor's Court where the Mayor of the City has the jurisdiction to hear cases as allowed by the Ohio Revised Code Chapter 1905; and

WHEREAS, pursuant to Ohio Revised Code Section 1905.01, the Mayor of Centerville has jurisdiction to hear and determine any prosecution for the violation of a Centerville ordinance, and has jurisdiction in all criminal cases involving moving traffic violations occurring on State highways located within the corporate limits of Centerville, subject of the limitations of Ohio R.C. Sections 2937.08 and 2938.04; and

WHEREAS, the Mayor is to be governed by the laws pertaining to county courts with regards to keeping a docket and file; and

WHEREAS, it is determined to be in the best interest of Centerville residents to have a Mayor's Court; and

WHEREAS, Centerville City Council acknowledges there is the need to enact a new Section to the Centerville Municipal Code that will establish the Mayor's Court and provide for the operation of the Mayor's Court.

NOW, THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. That the following new Chapter 290 entitled Mayor's Court of the Centerville Municipal Code is hereby enacted as follows:

290.01 Clerk of Court.

- (a) There is hereby created an office of Clerk of Mayor's Court, who shall be empowered with the provisions of, and perform duties pursuant to, Ohio R.C. 1907.20.
- (b) The Clerk, before entering upon the duties of office, shall give bond of not less than five thousand dollars (\$5,000), conditioned upon the faithful performance of such duties.

290.02 Mayor's Court Improvement Fund.

- (a) There is hereby created a fund to be known as the Mayor's Court Improvement Fund. All applicable Mayor's Court costs received as Mayor's Court Improvement Fund costs, shall be paid into such separate fund.
- (b) Expenditures shall be made from the Mayor's Court Improvement Fund to finance the computerization and/or the acquisition and/or maintenance of legal research services for the Mayor's Court including, but not limited to, computer space; computer electrical; computer air condition; computer furniture; computer printer; computer software,; subscript to computer service(s); staff to operate the computer system, including fringes; supplies, i.e. computer paper, etc.; training expenses; maintenance of equipment; and computer needs studies.

290.03 Position of Magistrate Created.

The position of Magistrate is hereby created pursuant to Ohio R.C. 1905.05. Such Magistrate shall meet all the qualifications of Ohio R.C. 1905.05 and have such power and duties as is authorized by that section.

Section 2. The adoption of new Chapter 290 addressing "Mayor's Court" repeals any prior ordinances that may be inconsistent with these new Sections.

Section 3. This ordinance shall become effective from and after the earliest date allowed by law.

PASSED THIS 16th day of June, 2014.



Mayor of the City of Centerville, Ohio

ATTEST:

Debra A. James

Clerk of Council
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 06-14, passed by the Council of the City of Centerville, Ohio on the 16th day of June, 2014.

Debra A. James

Clerk of Council

Approved as to form,
consistency with existing
ordinances, the charter
and constitutional provisions:

Department of Law
Scott Liberman
Municipal Attorney