

Sponsor: *Bopp / R. Peters*

**ORDINANCE NO. 48-21**

**AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON AUTHORIZING THE MAYOR TO ENTER INTO THE INDIGENT DEFENSE CONTRACT WITH THE JACKSON COUNTY COMMISSIONERS TO PROVIDE LEGAL COUNSEL TO INDIGENT PERSONS CHARGED WITH VIOLATIONS OF THE JACKSON MUNICIPAL CODE FOR A PERIOD OF FIVE YEARS BEGINNING JANUARY 1, 2021 AND ENDING DECEMBER 31, 2025 IN THE TOTAL AMOUNT OF \$24,138.84 AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Jackson, Ohio is obligated to provide legal counsel to indigent persons charged with violation of its Municipal Code, greater than a minor misdemeanor; and

WHEREAS, the Jackson County Commissioners have contracted with the Ohio Public Defenders Commission to provide counsel to indigent persons and has made arrangements for this legal counsel to provide defenses to indigent persons charged with violations of the Jackson City Code; and

WHEREAS, many criminal violations within the City are now charged under State code and the number of violations of the Jackson City Code have declined so that there are fewer indigent persons for whom the City must provide legal counsel and it will be agreed that the City will pay a total of \$24,138.84 to be paid from line item 110-7750-53007 (professional services) in two payments in 2021 and the City will receive the benefit of the indigent defense contract services obtained by the County Commissioners for a period of five years, ending on December 31, 2025; and

WHEREAS, this matter constitutes an emergency as providing indigent counsel is required of the City and there is a deadline for payment and timely payment is necessary to further the health, safety and welfare of the City.

WHEREAS, a copy of the contract and invoice is attached hereto and is incorporated herein; and

**NOW, THEREFORE, BE IT ORDAINED THAT THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF THE CITY OF JACKSON THAT THE MAYOR IS HEREBY AUTHORIZED AND DIRECTED TO ENTER INTO THE AGREEMENT FOR INDIGENT DEFENSE SERVICES IN MUNICIPAL COURT AND TO CAUSE PAYMENT TO BE MADE IN THE AMOUNT OF \$24,138.84 IN THE YEAR 2021 FROM THE APPROPRIATE FUND AND DECLARING AN EMERGENCY.**

In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Ordinance shall be deemed to have passed but with no emergency clause, and shall take effect at the earliest time permitted by law.

It is hereby found and determined that all formal actions of this Council concerning and relating to adoption of this ordinance were adopted in an open meeting of this Council and the deliberations of this Council and any of its committees that resulted in such formal action were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 24<sup>th</sup> day of May, 2021.

David L. Feller  
President of Council

ATTEST:

Cindi R. Kuhn  
Clerk of the Legislative Authority

Approved this 24<sup>th</sup> day of May, 2021.

Barbara  
Mayor