

ORDINANCE NO. 05-2016 Passed 2/4, 2016

ORDINANCE AUTHORIZING A CONTRACT WITH THE WOOD COUNTY PUBLIC DEFENDER FOR THE REPRESENTATION OF INDIGENT PARTIES AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to the Ohio Constitution, The Ohio Revised Code, and the United States Constitution, criminal defendants, in most cases, are entitled to appointed counsel if they meet the indigency requirements; and

WHEREAS, absent a contractual agreement with the Wood County Public Defender, the Village must reimburse attorneys appointed by the court for indigent parties; and

WHEREAS, the Village has previously contracted with the Wood County Public Defender upon the same terms and conditions as set-forth below; and

WHEREAS, the Wood County Public Defender desires to provide services to those defendants who are cited under violations of only Village ordinances for the fee of one-hundred dollars (\$100.00) per case; and

WHEREAS, the Village desires to enter into such an agreement and finds the same to be fair and in the best interest of justice and necessary to protect the public health and peace.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BRADNER, COUNTY OF WOOD, AND STATE OF OHIO:

SECTION 1. That the Village enter into an agreement with the Wood County Public Defender (WCPD), whereby said WCPD will provide legal representation to indigent defendants cited only with violations of Bradner Ordinances for the sum of one-hundred dollars (\$100.00) per case.


SECTION 2. The Mayor shall be authorized to sign on behalf of the Village to bind the Village in such an agreement, and to execute any and all documents necessary for the consummation of such relationship.

SECTION 3. The term of the agreement shall be from January 1, 2016 through December 31, 2016.

SECTION 5. This ordinance constitutes an emergency measure necessary for the immediate preservation of the public peace, health, and safety of this Village, and shall go into immediate effect upon the passage thereof. The reason for the emergency is that it is urgently necessary for the Village to provide legal counsel to indigent defendants, pursuant to State and Federal law.

SECTION 6. All formal actions of Council relating to the adoption of this ordinance, and all deliberations of Council and any of its committees leading to such action were in meetings open to the public as required by law.

Passed 2/4/2016



Mayor

Attest:


Village Fiscal Officer