

ORDINANCE NO. 1998-3

AN ORDINANCE REQUIRING REIMBURSEMENT TO THE VILLAGE OF HAMERSVILLE FOR ITS EXPENSES INCURRED BY REASON OF THE CONFINEMENT OF PERSONS CONVICTED OF OFFENSES IN VIOLATION OF THE ORDINANCES OF THE VILLAGE OF HAMERSVILLE

WHEREAS, the Village of Hamersville has entered into an agreement with the Board of County Commissioners of Brown County, Ohio, to provide for the incarceration in the Brown County Adult Detention Facility (hereinafter referred to as "county jail") of persons convicted of offenses in violation of the Ordinances of the Village of Hamersville; and,

WHEREAS, said agreement requires the Village of Hamersville to pay to the County of Brown a per diem plus other necessary expenses incurred (including medical care) for sustaining such persons confined in the county jail; and,

WHEREAS, Ohio Revised Code Section 753.02 permits a municipality to recover reimbursement for such expenses of confinement from the person convicted of an offense,

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Hamersville, Brown County, Ohio, two-thirds (2/3) or more of all members thereof concurring, that:

Section 1: Any person who is convicted of an offense and who is confined in the county jail for which the Village of Hamersville incurs expense for such person's confinement shall be required to reimburse the Village of Hamersville for its expenses of confinement, including but not limited to, the expenses relating to the provision of food, clothing, shelter, medical care, personal hygiene products, including but not limited to, toothpaste, toothbrushes and feminine hygiene products, and up to two hours of overtime costs the Village of Hamersville incurred relating to the trial of such person.

Section 2: The amount of reimbursement to be paid the Village of Hamersville by such person convicted of an offense shall be the actual cost of such person's confinement plus the authorized trial overtime costs.

Section 3: The amount of reimbursement shall be determined by a court at a hearing held pursuant to Section 2929.18 of the Ohio Revised Code if the person is confined for a felony or Section 2929.223 if the person is confined for a misdemeanor.

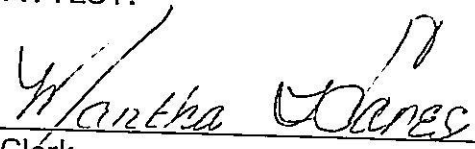
Section 4: Enforcement of this Ordinance shall be in accordance with the applicable provisions of Sections 753.02, 2929.18 and 2929.223 of the Ohio Revised Code.

Section 5: This Ordinance shall be effective from and after the earliest date allowed by law.

PASSED JUNE 8, 1998


Mayor

ATTEST:


Clerk