

# COUNCIL CHAMBER

City of Berea, Ohio

ORDINANCE No. 2013-76

By Margarette S. Key Sponsored By Mayor Cyril M. Kilem

## AN ORDINANCE

**ESTABLISHING THE CITY OF BEREA MUNICIPAL COURT THEFT DIVERSION FUND, TO BE KNOWN AS FUND NO. 287, FOR THE PURPOSE OF FUNDING THE COST OF THE BEREA MUNICIPAL COURT THEFT DIVERSION PROGRAM, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Ohio Revised Code Section 1901.36 permits a Municipal Court to charge all new cases filed through the Berea Municipal Court special project funds for various purposes; and

**WHEREAS**, the court has created a special project fund and the funds in that fund are to be used for the purpose of paying a portion of the Theft Diversion Program established by the Berea Municipal Court.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Berea, State of Ohio:

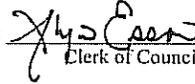
**SECTION 1.** That pursuant to Ohio Revised Code Section 1901.36, the Director of Finance of the City of Berea be and she is hereby authorized and directed to establish a Municipal Court Theft Diversion Fund, which shall be designated for accounting purposes as Fund No. 287 for the purpose of receiving and accounting for all funds from all new cases.

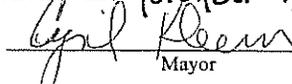
**SECTION 2.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION 3.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, or providing for the usual daily operation of a municipal department, and for the further reason that it is immediately necessary to establish the fund so that moneys received may be properly accounted for in compliance with applicable laws. Therefore, provided this Ordinance receives the affirmative vote of at least two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

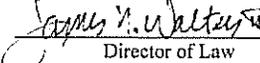
PASSED: November 4, 2013

  
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President of Council

ATTEST:   
Clerk of Council

APPROVED: November 7, 2013  
  
Mayor

Approved as to Form:

  
Director of Law