

ORDINANCE NO. 36-1989

Offered by Mayor Waszak

AN ORDINANCE ENACTING SECTION 171.03 OF THE ADMINISTRATIVE CODE PROVIDING FOR THE COLLECTION OF JUDGMENTS AND CONTEMPT OF MAYOR'S COURT ORDERS

BE IT ORDAINED by the Council of the Village of Richfield, State of Ohio:

SECTION 1: That Section 171.03 of the Administrative Code be enacted to read as follows:

"171.03 COLLECTION OF JUDGMENTS AND CONTEMPT OF MAYOR'S COURT ORDERS

(a) Whoever is convicted or, or pleads guilty to, a violation or violations of any Village of Richfield Ordinance or Ordinances and is assessed a fine, fines and/or Court Costs by Judgment of the Mayor's Court for said violation or violations, shall immediately pay the total sum due of said fine, fines and/or Court Costs to the Clerk of Courts or Assistant Clerk of Courts, subject to the exception contained in paragraph (b) of this Section.

(b) For good cause shown, the Clerk of Courts or Assistant Clerk of Courts may execute an agreement with the person or entity assessed the fine, fines and/or Court Costs by Judgment of the Mayor's Court, allowing said person or entity to have additional time to pay said fine, fines and/or Court Costs, provided that:

- (1) Such agreement shall be in writing, signed and executed by the Clerk of Courts or Assistant Clerk of Courts and the person or entity seeking additional time to pay the assessed fine, fines and/or Court Costs;
- (2) The agreement may provide for multiple payments to be made on specified dates during the additional time allowed, but the sum total of said multiple payments shall not exceed, nor be less than, the assessed fine, fines and/or Court Costs;

(3) The original of the agreement shall be kept by the Clerk of Courts or Assistant Clerk of Courts, with a copy of said agreement to be provided to the person or entity seeking additional time to pay the assessed fine, fines and/or Court Costs; and

(4) The additional time allowed under paragraph (b) hereof shall not exceed six months.

(c) Whoever knowingly fails or refuses to pay the fine, fines and/or Court Costs assessed under paragraph (a) hereof and/or knowingly fails or refuses to pay any payment or payments as provided for in an agreement executed pursuant to paragraph (b) hereof, is guilty of Contempt of Court, and the Court may impose any of the following penalties:

(1) For a first offense, a fine of not more than Two Hundred Dollars, a definite term of imprisonment of not more than thirty (30) days in jail, or both;

(2) For a second offense, a fine of not more than Five Hundred Dollars, a definite term of imprisonment of not more than thirty (30) days in jail, or both;

(3) For a third or subsequent offense, a fine of not more than One Thousand Dollars, a definite term of imprisonment of not more than ninety (90) days in jail, or both."

SECTION 2: This Ordinance shall take effect and be in force from and after the earliest date provided by law.

Passed: 5/16/89

David W. Howard
President of Council

Ralph R. Wauson
Mayor

Dated: 5/16/89

ATTEST:

Mary L. Hegley
Clerk of Council