

ORDINANCE NO. 07-18

AN ORDINANCE TO AMEND SECTION 313.011(d) OF THE CODIFIED ORDINANCES OF THE CITY OF EAST CLEVELAND TO ALLOW THE CITY TO INCREASE ITS CIVIL PENALTY PER NON-CRIMINAL VIOLATION OF THE VIDEO (FIXED AND MOBILE) TRAFFIC ENFORCEMENT ORDINANCE FROM \$95.00 TO \$105.00 AND DECLARING AN EMERGENCY FOR THE PUBLIC HEALTH SAFETY AND WELFARE.

Requested By: Mayor Brandon King
Sponsored By: Councilor Nathaniel Martin

WHEREAS, the City of East Cleveland has authorized the use of automated cameras to enforce the traffic laws as to red lights and speeding infractions; and

WHEREAS, the penalty for the violation of the City's Automatic Traffic Enforcement Program has been \$95.00 per ticket since authorized in Ordinance 07-06' and there is a need to hire a collection agency to obtain the unpaid automatic traffic enforcement tickets; and

WHEREAS, there is a need to increase the fee to \$105.00 per ticket in order to further deter offenders.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of East Cleveland, Ohio, four-fifths (4/5) of all members concurring:

SECTION 1. Section 313.011(d) of The East Cleveland Codified Ordinances currently reads as follows:

Section 313.011(d) Penalty; Administrative Appeal
(1) Any violation of subsection ©(1) herein shall be deemed a non-criminal violation for which a civil penalty of \$95.00 shall be assessed and for which no points authorized by Ohio Revised code section 4507.021 (Point system for license suspension") shall be assigned to the owner or driver of the vehicle.

SECTION 2. Section 313.011(d) of The East Cleveland Codified Ordinances is to be **AMENDED** to read as follows:

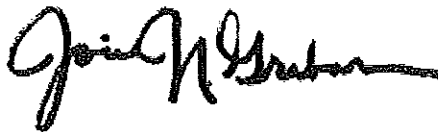
Section 313.011(d) Penalty; Administrative Appeal
(1) Any violation of subsection ©(1) herein shall be deemed a non-criminal violation for which a civil penalty of \$105.00 shall be assessed and for which no points authorized by Ohio Revised code section 4507.021 ("Point system for license suspension") shall be assigned to the owner or driver of the vehicle.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all such deliberations of this Council and of

any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements consistent with any applicable exemptions.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of four-fifths (4/5) of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.


PASSED: May 31, 2018



JOIE GRAHAM
PRESIDENT OF COUNCIL

6/4/18
Date

ATTEST:

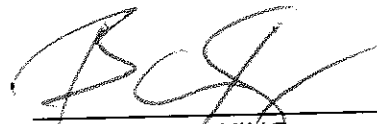


DR. KHADIJAH F. GUY
CLERK OF COUNCIL

6/4/18

Date

APPROVED:

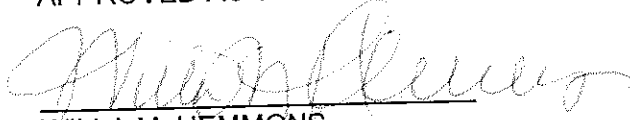


BRANDON L. KING
MAYOR

VETO:

YES _____ NO _____

APPROVED AS TO FORM:



WILLA M. HEMMONS
DIRECTOR OF LAW

Emergency First Read N/A Second Read N/A

| | <u>Yea</u> | <u>Nay</u> |
|-----------------------------|-------------------------------------|----------------|
| Councilor Joie N. Graham | <input checked="" type="checkbox"/> | _____ |
| Councilor Earnest L. Smith | <input checked="" type="checkbox"/> | _____ |
| Councilor Barbara J. Thomas | | <u>excused</u> |
| Councilor Nathaniel Martin | <input checked="" type="checkbox"/> | _____ |
| Councilor Timothy Austin | <input checked="" type="checkbox"/> | _____ |