



**H.B. 633**

127th General Assembly  
(As Introduced)

**Rep. Wolpert**

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**BILL SUMMARY**

- Defines "urban township" as a township having a population of 15,000 or more and a limited home rule government.
- Authorizes an urban township, on or after January 1, 2010, to establish a community court.
- Authorizes an urban township to adopt resolutions that create criminal offenses that are substantially equivalent to offenses contained in Title 29 or Title 45 of the Revised Code and that impose criminal penalties for those offenses to the same extent as the legislative authority of a municipal corporation.
- Authorizes, within 90 days after the bill's effective date, the legislative authorities of certain municipal corporations and urban townships to contract for the creation of a joint community court on or after January 1, 2010, if the territories of the subdivisions adjoin and are within the territorial jurisdiction of a single municipal or county court.
- Makes changes necessary to conform Revised Code sections to the bill.

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**CONTENT AND OPERATION**

**Relationship of the bill to Sub. H.B. 154**

H.B. 633 is related to Sub. H.B. 154 and will take effect only if and after Sub. H.B. 154 takes effect (Section 3). That bill does, among other things, all of the following<sup>1</sup> (see also **COMMENT**):

Abolishes mayor's courts effective January 1, 2010;

Authorizes each municipal corporation that on the bill's effective date has a legally functioning mayor's court and either has a population of 1,600 or more or is located on an island in Lake Erie to establish a community court;

Authorizes, within 90 days after the bill's effective date, the legislative authorities of certain municipal corporations to contract for the creation of a joint community court on or after January 1, 2010, if the territories of the municipal corporations adjoin and are within the territorial jurisdiction of a single municipal or county court;

Provides that a community court is a court of record and subject to supervision by the Supreme Court, is presided over by a magistrate who is a lawyer and who meets the qualifications for magistrates established by the Supreme Court, has a clerk appointed by the legislative authority of the municipal corporation, and generally has the same jurisdiction and powers as a mayor's court;

Provides that dockets and files of a community court are governed by the law pertaining to municipal courts;

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<sup>1</sup> As reported by the House Judiciary Committee, Sub. H.B. 154 included the provisions of H.B. 633. If Sub. H.B. 154 is amended on the House floor to remove the provisions relating to township community courts and criminal codes, H.B. 633 would be necessary to enact those removed provisions.

Provides that objections to a community court decision may be filed pursuant to the Civil Rules and that appeals from a judge's decision on the objections are taken to the court of appeals for the appellate district in which the community court is located;

Provides that an offender in a community court may be confined for failing to pay a fine only if the offender is financially able to pay;

Authorizes the Attorney General to bring an action to enjoin the operation of an unauthorized mayor's court or community court;

Requires the chief law enforcement officers of all municipal corporations to fingerprint certain persons taken into custody and to forward the fingerprints to the Bureau of Criminal Identification and Investigation;

Makes changes necessary to conform Revised Code sections to the provisions relating to community courts.

H.B. 633 authorizes "urban townships" (see "*Definition of urban township*" under "*Community courts in urban townships*," below) to establish community courts that are subject to most of the same provisions as are the community courts of municipal corporations. The bill also authorizes urban townships that establish community courts to adopt resolutions creating criminal offenses that are substantially equivalent to offenses contained in R.C. Titles 29 (criminal code) and 45 (motor vehicle law) (see "*Adoption and enforcement of resolutions by urban townships*," below).

Sub. H.B. 154 enacts 16 sections of the Revised Code that deal with community courts (R.C. 1905.41 through 1905.57). H.B. 633 enacts nine of the same sections, but with additions to create and govern township community courts. The provisions of Sub. H.B. 154 are summarized above and in the **COMMENT**. The rest of this analysis discusses the nine new sections of R.C. Chapter 1905, only insofar as they concern township community courts.

### *Community courts in urban townships*

#### *Definition of urban township*

The bill defines "urban township" as a township that has a population of 15,000 or more and that adopts a limited home rule government (R.C. 1905.43(A)).

#### *Creation and jurisdiction of township community courts*

The bill authorizes the legislative authority of an urban township, on or after January 1, 2010, to establish a community court by adopting a resolution to

that effect and filing it with the Supreme Court. Upon the filing of the resolution, the community court is established and must hear and determine cases within its jurisdiction that arise after it is established. The community court of an urban township has jurisdiction to hear and determine the following types of cases (R.C. 1905.43(B)(1)):

(1) Noncriminal cases arising under resolutions adopted pursuant to R.C. 504.04 (see "*Adoption and enforcement of resolutions by urban townships*," below);

(2) Criminal actions arising under resolutions adopted by the township establishing the court pursuant to R.C. 503.52 or 503.53 (adult entertainment establishments) or R.C. 504.04(E) (see "*Adoption and enforcement of resolutions by urban townships*," below), provided that jurisdiction is subject to the same limitations and conditions that apply to the community court of a municipal corporation under R.C. 1905.44 and 1905.45 (see **COMMENT**).

A community court of an urban township has territorial jurisdiction within the township, excluding the territory of any municipal corporation within the township that has its own community court (R.C. 1905.43(B)(2)).

#### *Magistrates and clerks of township community courts*

One or more magistrates preside over the community court. No person may be appointed magistrate unless the person has been admitted to the practice of law in Ohio, meets the qualifications for magistrates established by the Supreme Court, and, for a total of at least four years preceding the appointment or the commencement of service as magistrate, has been engaged in the practice of law in Ohio or served as a judge of a court of record in any jurisdiction in the United States, or both. (R.C. 1905.43(B)(3).)

The legislative authority of an urban township that has a community court may appoint a court clerk. The clerk serves at the pleasure of the legislative authority and receives compensation as set by the legislative authority. The compensation is payable at intervals determined by the legislative authority from the township treasury. Before entering upon the duties of the office, an appointed clerk must give bond of not less than \$5,000, as determined by the legislative authority, conditioned upon the faithful performance of the clerk's duties. The clerk has the same powers and duties as a clerk of a county court. (R.C. 1905.43(B)(4).)

#### *General applicability of R.C. Chapter 1905.*

The provisions of R.C. Chapter 1905. relating to community courts (see **COMMENT**) apply generally to the community courts of townships. Where

appropriate, these provisions include specific references to townships or township resolutions. In addition, the bill expressly states that R.C. Chapter 1905. applies to all community courts established pursuant to the section providing for township and joint community courts (see "*Joint community courts*," below), except where the context clearly indicates that the provision is not applicable to a particular type of community court (R.C. 1905.43(K)).

### *Joint community courts*

Within 90 days after the bill's effective date, the legislative authorities of the following political subdivisions may by municipal ordinance and township resolution agree to enter into a contract for the creation of a community court on or after January 1, 2010, having the territorial jurisdiction specified below, if the territories of the involved municipal corporations and townships adjoin and are all within the territorial jurisdiction of a single municipal or county court (R.C. 1905.43(C)(1) and (4)):

(1) A municipal corporation that had a legally functioning mayor's court on the bill's effective date and has a population of less than 1,600 and an adjoining urban township, with the court having territorial jurisdiction over the municipal corporation and the unincorporated areas of the township.

(2) Two urban townships, with the court having territorial jurisdiction over both townships.

Each ordinance and resolution must express the intent to enter into the contract and must indicate the other political subdivision with which the municipal corporation or township intends to contract. Each involved municipal corporation and township must provide a copy of its ordinance or resolution and the contract to the Supreme Court (R.C. 1905.43(C)(1) and (4)).

The legislative authority of each of the contracting political subdivisions must approve the contract within 180 days after the bill's effective date. The contract must provide for all of the following (R.C. 1905.43(D)):

(1) The location of the community court;

(2) The manner in which the costs of establishing and operating the court will be shared and the manner in which the money collected by the court will be distributed, which must be consistent with all provisions of the Revised Code that require the distribution of portions of that money to specific funds;

(3) The manner in which employees of the court will be appointed.

Before the legislative authority of a municipal corporation or township passes an ordinance or resolution approving a contract to create a community

court, it must hold a public hearing concerning the contract and provide at least 30 days' notice of the time and place of the meeting published in a newspaper of general circulation within the territory of the political subdivision. A board of township trustees may provide additional notice in accordance with R.C. 9.03, including the public hearing announcement, a summary of the terms of the contract, a statement that the contract is on file for public examination in the office of the township fiscal officer, and information pertaining to any tax changes that will or may occur as a result of the contract. During the 30-day period before the public hearing, a copy of the contract must be on file for public examination in the office of the clerk of the legislative authority of the municipal corporation or of the township fiscal officer. The public hearing must allow for public comment and recommendations on the proposed contract. The contracting political subdivisions may include in the contract any of those recommendations before approving the contract. (R.C. 1905.43(E).)

The legislative authorities of the contracting political subdivisions may enter into a contract to create a community court by adopting an ordinance or resolution approving the contract. The legislative authorities must provide a copy of the ordinance or resolution and of the contract to the Supreme Court. (R.C. 1905.43(F).)

A township resolution approving a contract to create a community court is subject to a referendum. When a referendum petition that is signed by 10% of the number of township electors who voted for Governor at the last general election for the Governor and that orders that the resolution be submitted to the township electors for their approval or rejection is presented to the board of township trustees within 30 days after the board adopted the resolution, the board must, after ten days and not later than 4 p.m. of the 75th day before the election, certify the text of the resolution to the board of elections. The board of elections must submit the resolution to the electors at the next general, primary, or special election occurring subsequent to 75 days after the certifying of the petition to the board of elections. The board must notify the Supreme Court of the results of the referendum. (R.C. 1905.43(G).)

A contract to create a community court may be amended, and it may be renewed, canceled, or terminated as provided in the contract (R.C. 1905.43(H)).

A community court created by contract has with regard to each contracting municipal corporation the jurisdiction set forth in R.C. 1905.44<sup>2</sup> and with regard to each contracting urban township the jurisdiction set forth in R.C. 1905.43(B) (see

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<sup>2</sup> R.C. 1905.44, as set forth in Sub. H.B. 154, gives municipal community courts jurisdiction that is similar to the jurisdiction exercised by mayor's courts under existing law. See **COMMENT**.

**"Creation and jurisdiction of township community courts"** under "**Community courts in urban townships**," above) (R.C. 1905.43(I)).

One or more magistrates preside over the joint community court. A magistrate of a joint community court must meet the same qualifications as a magistrate of a township community court (see above). (R.C. 1905.43(J).)

**Adoption and enforcement of resolutions by urban townships**

The bill authorizes the board of trustees of an urban township that has its own community court or a joint community court created by contract to adopt resolutions that create criminal offenses that are substantially equivalent to offenses contained in R.C. Title 29 (criminal code) or Title 45 (motor vehicle law) and that impose criminal penalties for those offenses to the same extent as the legislative authority of a municipal corporation. It prohibits the board from providing for both a criminal penalty and a civil fine for a violation of a resolution and specifies that a board of township trustees may impose a civil fine for a violation of a resolution that is adopted pursuant to R.C. Chapter 504. and that does not create a criminal offense. (R.C. 504.04(E) and 504.05.)

The bill specifies that the procedure in existing law by which a township police officer issues a citation applies to township resolutions that are enforced by the imposition of a civil fine and that the enforcement of township resolutions by injunctions, liens, and the collection of money judgments applies to resolutions that may be enforced by the imposition of a civil fine (R.C. 504.06(B) and 504.08).

Under the bill, the law director of an urban township, or the prosecuting attorney of the county pursuant to a contract between the prosecuting attorney and the township, must prosecute persons who violate resolutions that are adopted under the bill and that create criminal offenses. If the board of township trustees has not entered into a contract with the prosecuting attorney, the board may enter into a contract with the chief legal officer of a municipal corporation with which the township has created a joint community court for the prosecution of persons who violate resolutions that are adopted under the bill and that create criminal offenses. (R.C. 504.15(E).)

The bill defines for use in R.C. 4511.181 to 4511.199 (OVI offenses) "township OVI resolution" and "township OVI offense" as any township resolution prohibiting a person from operating a vehicle while under the influence of alcohol, a drug of abuse, or a combination of them or prohibiting a person from operating a vehicle with a prohibited concentration of alcohol, a controlled substance, or a metabolite of a controlled substance in the whole blood, blood serum or plasma, breath, or urine (R.C. 4511.181(G)). The bill adds references to urban townships, township resolutions, township OVI resolutions, and township

OVI offenses to numerous sections of the Revised Code so that urban township resolutions and offenses are treated in the same way as corresponding municipal ordinances and offenses (R.C. 109.42(A)(15), 109.572(A)(2)(b), 109.60, 120.03(B)(9), 120.14(E), 120.16(A)(2), 120.24(E), 120.26(A)(2), 120.33(A), 120.36(A)(2) and (5)(b), 309.08(C), 341.23(B), 503.44(D), 503.46(C), 1905.45, 1905.50, 1905.54, 1905.55, 1905.56, 1923.02, 2152.021, 2152.16, 2152.18, 2152.21, 2152.41, 2335.08, 2335.09, 2743.51, 2743.60, 2743.70, 2901.01, 2903.04, 2903.06, 2903.08, 2903.212, 2903.213, 2903.214, 2907.24, 2907.27, 2907.28, 2907.41, 2913.01, 2915.01, 2917.11, 2917.41, 2919.25, 2919.251, 2919.26, 2919.271, 2921.51, 2921.52, 2929.142, 2929.21, 2930.01, 2935.01, 2935.03, 2935.13, 2935.14, 2935.17, 2935.27, 2935.33, 2935.36, 2937.221, 2937.23, 2937.46, 2937.99, 2938.02, 2941.51, 2945.17, 2947.23, 2949.02, 2950.01, 2951.041, 2953.02, 2953.03, 2953.09, 2953.31, 2953.32, 2953.36, 3113.31, 3301.88, 3313.662, 3314.403, 3319.20, 3319.31, 3319.311, 3319.317, 3326.243, 3327.10, 3345.23, 3375.50, 3375.51, 3397.41, 3397.43, 4112.02, 4113.52, 4301.252, 4501.11, 4503.234, 4506.07, 4506.15, 4506.18, 4507.02, 4507.06, 4507.164, 4510.01, 4510.03, 4510.031, 4510.032, 4510.034, 4510.036, 4510.038, 4510.04, 4510.05, 4510.07, 4510.11, 4510.12, 4510.13, 4510.14, 4510.15, 4510.16, 4510.161, 4510.17, 4510.22, 4510.31, 4510.41, 4510.43, 4510.54, 4511.01, 4511.181, 4511.19, 4511.191, 4511.192, 4511.193, 4511.194, 4511.195, 4511.196, 4511.197, 4511.203, 4511.211, 4511.512, 4511.63, 4511.69, 4511.76, 4511.761, 4511.762, 4511.764, 4511.77, 4511.79, 4511.81, 4513.35, 4513.37, 4549.17, 4730.31, 4731.223, 4760.15, 4762.15, 5104.09, 5123.081, 5126.28, 5321.05, and 5503.04).

### **Conforming changes**

The bill amends numerous sections of the Revised Code to conform to the creation of township community courts or to harmonize references to section numbers (R.C. 504.04, 504.05, 504.06, 504.08, 753.08, 925.31, 2335.08, 2903.212, 2953.03, 4507.164, 4510.03, 4510.031, 4510.036, 4510.13, 4510.14, 4511.197, 4513.37, and 5503.04).

The bill authorizes the Ohio Public Defender Commission to adopt standards for contracts between a township and a county board of county commissioners, a county public defender commission, and a joint county public defender commission for the representation of indigent defendants charged with violations of township resolutions and provides for such contracts in the same manner as municipal corporations may enter into such contracts for violations of municipal ordinances (R.C. 120.03(B)(6), 120.14(E), 120.15(B)(3), 120.16(A)(2), 120.18(A), 120.24(E), 120.25(B)(2), 120.26(A)(2), 120.28(A), 120.33(A), and 120.36(A)).

The bill provides that the costs of medical tests and examinations of persons charged with certain sex-related offenses in violation of township

resolutions are to be paid by the township in the same manner as costs for medical tests and examinations of persons charged with violations of similar municipal ordinances are paid by municipal corporations (R.C. 2907.28(C)).

### **Concurrent jurisdiction of county courts**

Existing law provides that a county court has jurisdiction over violations of township resolutions adopted under R.C. 503.52 and 503.53 (adult entertainment establishments) and Chapter 504. (limited home rule townships). The bill states that for procedural purposes a case in which a person is charged with the violation of a township resolution is treated as a civil case, except as otherwise provided in the Revised Code and except that a violation of a township resolution that is adopted pursuant to R.C. 503.52, 503.53, or 504.04(E) (added by the bill) and that creates a criminal offense or imposes criminal penalties is treated as a criminal case. (R.C. 1907.012.)

### **Workhouses and jails**

Existing law authorizes a county or municipal corporation in which there is no workhouse to contract with any authority having control of the workhouse of any other city or with the directors of any district of a joint city and county workhouse or county workhouse to house misdemeanants convicted of a misdemeanor by any court or magistrate of that county or municipal corporation and authorizes payment from the general fund of that county or municipal corporation for the costs of housing and for the sheriff's mileage for transporting offenders to the workhouse (R.C. 341.23(A) and (B)). The bill applies these provisions to townships and township resolutions as well as to counties and municipal corporations.

### **Fingerprinting**

Under existing law, sheriffs and city police chiefs must fingerprint certain persons taken into custody and forward the fingerprints to the Bureau of Criminal Identification and Investigation and to the clerk of the court having jurisdiction over the prosecution or adjudication. Sub. H.B. 154 applies these requirements to the chief law enforcement officers of all municipal corporations. H.B. 633 further extends the requirements to the chief law enforcement officers of townships. (R.C. 109.60.)

### **Technical changes**

The bill makes language gender-neutral where necessary.

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## COMMENT

### *Application of mayor's court statutes to municipal community courts*

The bill authorizes urban townships to create community courts similar to the community courts of municipal corporations provided for in Sub. H.B. 154. Municipal community courts, in turn, are modeled on mayor's courts, although with some significant differences. Therefore, a comparison of municipal community courts under Sub. H.B. 154 with mayor's courts under current law may aid in understanding the township community courts authorized by the bill.

Sub. H.B. 154 repeals almost all the Revised Code sections relating to mayor's courts and enacts new sections for municipal community courts. For the most part, the new sections adopt the language and substance of the mayor's court statutes and apply them to community courts, with appropriate changes in terminology. Sub. H.B. 154 has no sections corresponding to R.C. 1905.03, 1905.031, and 1905.033, which deal with educational standards for mayors hearing OVI cases, standards for mayors hearing non-OVI cases, basic training and continuing education for mayors, annual registration with Supreme Court of mayors with a mayor's court, and required reports of mayor's courts. It moves part of one section to a different chapter of the Revised Code (R.C. 1905.29 to R.C. 737.24). Otherwise, Sub. H.B. 154 retains to some degree and applies to community courts the substance of most other mayor's court sections. The following chart compares the existing law for mayor's courts with Sub. H.B. 154's provisions for community courts of municipal corporations.

	<u><i>Mayor's Court</i></u>	<u><i>Community Court</i></u>
Jurisdiction	Municipal ordinances, minor traffic offenses, and certain moving traffic violations on state highways ( <i>R.C. 1905.01(A), (B), (C), (D), and (E)</i> )	Same plus agricultural marketing under R.C. 925.31, township resolutions (cases arising within the municipal corporation if the municipal corporation lies within the territory of an urban township that has a community court), and public utilities extending beyond the limits of the municipal corporation under R.C. 743.14 ( <i>R.C. 1905.44(A), (B), (C), and (D) and 1923.01(A)</i> )

	<u><i>Mayor's Court</i></u>	<u><i>Community Court</i></u>
Docket and files	Governed by county court law ( <i>R.C. 1905.01(F)</i> )	Governed by municipal court law ( <i>R.C. 1905.44(E)</i> )
Proceedings	Governed by county court law insofar as applicable if within jurisdiction of a county court ( <i>R.C. 1905.02</i> )	No provision
Jury	No jury; failure to waive jury requires transfer of case ( <i>R.C. 2937.08 and 2938.04</i> )	Same; also specifies that demand for jury requires transfer of forcible entry and detainer case ( <i>R.C. 1905.44(D)(4), 1923.10(B), 2937.08, and 2938.04</i> )
Transfer of cases	Mandatory transfer to county, municipal, or common pleas court if mayor's court lacks jurisdiction; optional transfer if concurrent jurisdiction; requires defendant to enter into recognizance upon transfer ( <i>R.C. 1905.032</i> )	Same except adds optional transfer of forcible entry and detainer actions and requires appearance bond instead of recognizance ( <i>R.C. 1905.45</i> )
Interest in case	Clerk, deputy clerk, and magistrate cannot be counsel or agent in case before court ( <i>R.C. 1905.04</i> )	Magistrate, clerk, and deputy clerk of a community court cannot be counsel or agent in case before court ( <i>R.C. 1905.46</i> )
Duties of police officers or marshal	Execute orders, serve writs, etc. ( <i>R.C. 1905.08</i> )	No provision
Railroad forming boundary	Boundary is middle of railroad right-of-way that separates adjoining villages ( <i>R.C. 1905.17</i> )  Municipal corporation has jurisdiction over entire width of right-of-way to punish violations of ordinances ( <i>R.C. 1905.31</i> )	Boundary is middle of railroad right-of-way that separates adjoining municipal corporations ( <i>R.C. 1905.48(A)</i> )  Municipal corporation has jurisdiction over entire width of right-of-way to punish violations of ordinances when middle of right-of-way does not form boundary ( <i>R.C. 1905.48(B)</i> )

	<u><i>Mayor's Court</i></u>	<u><i>Community Court</i></u>
Writs and process	May be issued by mayor or magistrate ( <i>R.C. 1905.20(B)</i> )	May be issued by magistrate; eliminates reference to seal ( <i>R.C. 1905.49</i> )
Suppressing disorder, keeping peace	Mayor has powers of sheriff to suppress disorder and keep the peace ( <i>R.C. 1905.20(A)</i> )	No provision
Mayor as arresting officer, assisting in arrest, or present at arrest	Prohibited from hearing case ( <i>R.C. 1905.20(C)</i> )	No provision
Suspension of driver's or driver's commercial license or permit or nonresident operating privilege in OVI or OVUAC cases	Must suspend in accordance with applicable law ( <i>R.C. 1905.201</i> )	Same ( <i>R.C. 1905.50</i> )
Docket, fees, salary, office, seal	Mayor and magistrate to keep docket and account for forfeitures, fees, costs, and fines collected; legislative authority to provide compensation to mayor and magistrate and office and seal for mayor ( <i>R.C. 1905.21</i> )	Same except magistrate instead of mayor, eliminates reference to seal, and requires municipal corporation to pay court's operating costs ( <i>R.C. 1905.51</i> )
Appeals	May be taken to municipal or county court; notice of appeal must be filed with mayor's court within ten days of judgment; filing of notice stays further proceedings; clerk of mayor's court must deliver certified transcript of trial proceedings and original papers to municipal or county court within 15 days of judgment; municipal or county court clerk must file transcript and papers and docket appeal new trial held in municipal or county court; appeal from mayor's	Objections may be filed with the community court clerk under Civil Rule 53(D)(3)(b); clerk must deliver the certified transcript of proceedings or affidavit of evidence, the original papers used on the trial, and written objections to the magistrate's decision to municipal or county court having territorial jurisdiction over the municipal corporation or township for independent review of and ruling on objections; appeals from decision of judge on

	<u><i>Mayor's Court</i></u>	<u><i>Community Court</i></u>
	court is a trial de novo ( <i>R.C. 1905.22, 1905.23, 1905.24, and 1905.25</i> )	objections may be taken to court of appeals by filing notice of appeal within 30 days of decision; filing of notice stays further proceedings; on filing of notice of appeal, community court clerk must deliver record described above and decision of the judge on review to court of appeals within 15 days of decision and judgment; court of appeals clerk must file transcript and papers and docket appeal; filing of appeal by convicted defendant does not suspend execution of sentence, but common pleas or appeals court may suspend pending appeal and must consider bail ( <i>R.C. 1905.52 and 2953.09(A)(2)(a)</i> )
Payment of witness fees	In cases for violation of ordinances, paid from treasury of municipal corporation ( <i>R.C. 1905.26</i> )	No provision
Powers of person presiding at trial	Mayor or magistrate may punish contempts, compel attendance of jurors and witnesses, and make rules for examination and trial of cases in the same manner as county court judges ( <i>R.C. 1905.28</i> )	Magistrate may punish contempts and compel the attendance of witnesses ( <i>R.C. 1905.53</i> )
Use of municipal jail	Mayor or president of legislative authority may grant temporary use of municipal prison, station house, or watchhouse to adjoining or contiguous townships ( <i>R.C. 1905.29</i> )	Same (identical language in existing section in municipal corporation law) ( <i>R.C. 737.24</i> )

	<u>Mayor's Court</u>	<u>Community Court</u>
Failure to pay fine	Mayor's court may order offender who fails to pay fine confined until fine is paid or secured to be paid or the offender is legally discharged ( <i>R.C. 1905.30 and 1905.34</i> )	Same if offender is financially able to pay fine and refuses to do so ( <i>R.C. 1905.54</i> )
Recovery of fines, penalties, and forfeitures	May be recovered by municipal corporation by action before any judge of a county court or other court of competent jurisdiction ( <i>R.C. 1905.32</i> )	Same ( <i>R.C. 1905.55</i> )
Imprisonment under ordinances of municipal corporation	Shall be in municipal workhouse or jail or, if none, in county jail at municipal expense, unless board of county commissioners on 90 days' notice prohibits such use; if within 90 days after notice, municipal corporation contracts for construction of jail or other correctional facility, it may use county jail until municipal facility built ( <i>R.C. 1905.35, 1905.36, and 1905.37</i> )	Shall be in municipal workhouse or jail or, if none, in county jail at municipal expense ( <i>R.C. 1905.56</i> )

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## HISTORY

ACTION

DATE

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