

ORDINANCE C-22-08

AN ORDINANCE TO AMEND VARIOUS SECTIONS OF CHAPTER 137 OF THE CODIFIED ORDINANCES OF GROVE CITY, OHIO, TITLED DEPARTMENT OF LAW

WHEREAS; the City Charter establishes the Department of Law and permits the Mayor to appoint a Director of the Department of Law; and

WHEREAS, due to the growth of the City, it is necessary for Council to obtain legal services that will be cost effective and of the most sophisticated level possible to meet the demands of a municipal government with diverse legal needs; and

WHEREAS, the financial savings and sophisticated solutions to the legal demands of the City will be realized by contracting with a law firm to be appointed as the Director of the Department of Law; and

WHEREAS, it is necessary for the Administrative Code to be amended to permit the Mayor, when appropriate, to appoint a law firm to serve as the Director of Law.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, COUNTY OF FRANKLIN, AND STATE OF OHIO, THAT:

SECTION 1. Section 137.01(b) is hereby amended as follows:

(b) The Director of Law shall be in charge of the Department of Law. ~~He shall be an attorney at law admitted to practice in the State of Ohio.~~ The Director of Law may be an individual attorney at law or a law firm comprised of attorneys at law licensed to practice in the State of Ohio. Where a law firm is appointed to administer the Department of Law, the Mayor shall designate an attorney as the firm at the Director of Law.

(c) In the event that the Mayor elects to appoint a law firm to perform all of the duties of the Director of Law, the provisions of Chapters 159 and 161 shall not be applicable.

SECTION 2. Section 137.02 is hereby amended as follows:

(a) The Director of Law shall be the legal advisor, attorney and counselor for the City and all offices, departments, boards and commissions thereof in matters relating to their official duties. ~~He~~ The Director of Law shall prepare all contracts, forms and other instruments in writing in which the City is concerned, and shall endorse on each ~~his~~ an approval as to the form and correctness thereof. ~~He~~ The Director shall attend all meetings of Council. ~~He~~ The Director of Law may appoint such assistants or special counsel which in ~~his~~ the Director's discretion are necessary, with the approval of the Mayor. ~~He~~ The Director of Law shall perform such other duties for the Municipality which may be imposed and requested by the ordinances or resolutions of Council.

(b) When required to do so by resolution of Council, the Director shall prosecute or defend for and on behalf of the City on complaints, suits and controversies in which the City is a party, and such other suits, matters and controversies as ~~he shall by ordinance or resolution be directed~~ by ordinance or resolution to prosecute or defend.

(c)

If the court hearing such case is satisfied that such taxpayer is entitled to the relief prayed for in his petition, and judgment is ordered in his favor, he the taxpayer shall be allowed his costs, including a reasonable compensation to his for an attorney representing the taxpayer in this action.

SECTION 3. Section 137.04 is hereby amended as follows:

(a) ~~The Director of Law is authorized to employ as his assistant members of the legal staff of the Prosecutor's Office of the City of Columbus, Ohio assistants~~ for the purpose of representing the City of Grove City in criminal and traffic cases pending or which in the future might be pending in Mayor's Court, or its local equivalent, and the Franklin County Municipal Court, Columbus, Ohio. The Director of Law may employ the legal staff of the Prosecutor's Office of the City of Columbus, Ohio, for the purpose of representing the City of Grove City in criminal and traffic cases pending or which in the future might be pending in the Franklin County Municipal Court, Columbus, Ohio.

(b) The assistants shall have and exercise the same powers as the Director of Law in connection with the prosecution of criminal and traffic cases in Mayor's Court, or its local equivalent, and Franklin County Municipal Court. Any assistant shall be an attorney at law licensed to practice in the State of Ohio.

SECTION 4. Section 137.06 is hereby amended as follows:

Any individual serving as the Director of Law and/or attorneys at a law firm appointed by the Mayor may devote such of his their time as may not be required for the performance of his their official Department of Law duties to his a private practice or other job(s) so long as insofar as so doing it the private practice or other job(s) shall in no way conflict with his the official Department of Law duties.

SECTION 5. This ordinance shall take effect at the earliest opportunity allowed by law.



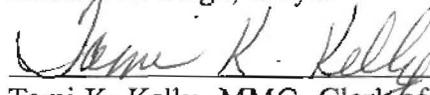
Ted A. Berry, President of Council

Passed: 03-17-08
Effective: 04-16-08



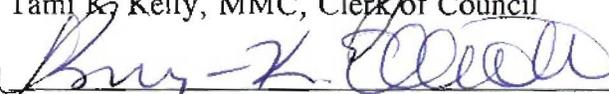
Richard L. Stage, Mayor

Attest:



Tami K. Kelly, MMC, Clerk of Council

I Certify that this ordinance is correct as to form.



Bryan K. Ellfott, Director of Law