

Ordinance No. 474-2021

**By Council Member Kelley
(by departmental request)**

AN EMERGENCY ORDINANCE

Authorizing the Clerk of the Cleveland Municipal Court and the Director of Finance, to employ one or more professional consultants to process and collect parking infraction tickets and other civil tickets, for a term not to exceed three years with a two-year option to renew, exercisable by the Clerk of the Cleveland Municipal Court or the Director of Finance, as appropriate.

WHEREAS, Section 4521.05(D) of the Revised Code and Section 459.03(d) of the Codified Ordinances of Cleveland, Ohio, 1976, authorizes the Clerk of the Cleveland Municipal Court, subject to the approval of Council, to contract with any nongovernmental entity to provide services in processing and collecting parking infraction tickets and judgments; and

Whereas, the processing and collection services required for parking infractions is comparable to that needed with respect to waste disposal infractions issued under Chapter 551; and

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That, notwithstanding any other provision of the codified ordinances to the contrary, the Clerk of the Cleveland Municipal Court is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to process and collect parking infraction tickets. The Director of Finance may enter into contract with the same entity for like services respecting civil infraction tickets issued under Chapter 551. Contract or contracts authorized by this section shall have terms not to exceed three years with a two-year option to renew, exercisable by the Clerk of the Cleveland Municipal Court or the Director of Finance, as appropriate.

The selection of the consultant or consultants for the services shall be made by the Clerk of the Cleveland Municipal Court, from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Clerk of the Cleveland Municipal Court for the purpose of compiling a list. The contract or

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contracts authorized by this section shall be prepared and approved for legal form and correctness by the Director of Law and shall state that in the event that a final court ruling invalidates Chapter 4521 of the Ohio Revised Code or Chapter 459 of the Codified Ordinances of Cleveland, Ohio 1976, as determined by the Director of Law, the contract or contracts may be terminated by the City.

Section 2. That the costs of the contract shall be paid from Fund No. 01-0116-6320 (RQS 0116, RL 2021-36).

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds 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.

SM:nl

6-7-2021

FOR: Earle Turner, Clerk of Courts and Director Dumas

