**ORDINANCE NO. 33-2019**

**REPEALING ORDINANCE NO. 33-1999 AND PROVIDING FOR THE COMPENSATION OF A MAGISTRATE FOR THE MAYOR’S COURT OF THE VILLAGE OF FAIRFAX, AND DECLARING AN EMERGENCY**

 **WHEREAS,** Council previously passed Ordinance No. 33-1999, providing for the compensation of a Magistrate for the Mayor’s Court of the Village of Fairfax; and

 **WHEREAS,** Ordinance No. 33-1999 is specific to the Magistrate newly appointed by the Mayor in 1999, John D. Holschuh, Jr., or his designees; and

 **WHEREAS,** after long and meritorious service to the Village of Fairfax, Mr. Holschuh is resigning his position as Magistrate; and

 **WHEREAS,** pursuant to R.C. 1905.05, the Mayor announced the appointment of Karla Burtch as the Magistrate for the Mayor’s Court of the Village of Fairfax following the effective date of Mr. Holschuh’s resignation; and

 **WHEREAS,** under R.C. 1905.05, this Council must approve compensation for the Mayor’s Court Magistrate; and

 **WHEREAS,** Ms. Burtch agreed to serve for compensation of two hundred dollars ($200.00) per Mayor’s Court session, which is the same amount paid to Mr. Holschuh; and

 **WHEREAS,** from time-to-time, the Village may designate a different person to sit as Magistrate in Ms. Burch’s absence;

 **NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of Fairfax, State of Ohio that:

 **SECTION I:** This Council hereby authorizes payment to Karla Burtch the sum of two hundred dollars (200.00) per session of the Village of Fairfax Mayor’s Court at which she presides as Magistrate. Such payment shall constitute full compensation for her services as Magistrate.

 **SECTION II:** This Council further authorizes payment to any designee of Karla Burtch the sum of two hundred dollars (200.00) per session of the Village of Fairfax Mayor’s Court at which such designee presides as Magistrate. Such payment shall constitute full compensation for any designee’s services as Magistrate.

 **SECTION III:**  The Mayor is hereby authorized to enter into an appropriate engagement letter or other contract memorializing the compensation set forth in Sections I or II above, including such customary and appropriate terms that do not alter the total compensation set forth in those sections. Nothing in such engagement letter or contract shall create any minimum or fixed term of service or ongoing obligation for the Village of Fairfax to use the services of any person as Magistrate, or otherwise alter the Mayor’s power to appoint or terminate the services of any Magistrate as provided by Ohio law.

 **SECTION IV:** Ordinance No. 33-1999 is hereby repealed as of the first date on which Ms. Burtch presides at Mayor’s Court as the appointed Magistrate for the Village of Fairfax.

 **SECTION V:** This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall be effective immediately. The reason for said declaration of emergency is the immediate need to have and compensate a Magistrate for the Mayor’s Court of the Village of Fairfax at all times.

Passed this \_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_, 2019.

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 Mayor

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Clerk-Treasurer

CERTIFICATE

I hereby certify this to be a true and correct copy of Ordinance No. 33-2019 passed by the Council of the Village of Fairfax at its meeting held on the \_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_, 2019.

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 Clerk-Treasurer