

ORDINANCE NO. 38-89

By: John H. Oberbay

An ordinance to authorize the Auditor to accept seized and forfeited cash, vehicles, and property relinquished in accordance with Ohio Revised Code Section 2933.43, to create the Law Enforcement Trust Fund and to declare an emergency.

WHEREAS, proceeds, profits and property gained from or used in criminal activity is a concern of the citizens of the City of Bexley; and

WHEREAS, the Bexley Police Department, by its own investigations and participation in investigations with other local and state agencies, seeks to address the problem; and

WHEREAS, cash, vehicles, real estate and other property seized and forfeited in conjunction with investigations could become City property pursuant to Ohio Revised Code Section 2933.43; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. That the Auditor is hereby authorized and directed to accept cash, vehicles and other property in accordance with Ohio Revised Code Section 2933.43.

Section 2. That there be and hereby is created the Law Enforcement Trust Fund.

Section 3. That the Auditor is hereby authorized and directed to place all cash received pursuant to Section 1 hereof into the Law Enforcement Trust Fund to be used as appropriated by Council, from time to time, solely for law enforcement purposes permitted under Section 2933.43.

Section 4. That all vehicles and property that the Auditor accepts shall be assigned to the Police Department to be used solely for law enforcement purposes or sold and the proceeds from the sale deposited in the Law Enforcement Trust Fund.

Section 5. That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety and welfare, said emergency being that the City cannot accept such monies and property unless authorized to do so, and shall go into full force and effect immediately upon its passage and approval by the Mayor.

Passed: Sept. 12, 1989

Albert Pryor
President of Council

Attest: John H. Oberbay
Clerk of Council

Approved: Sept. 12, 1989
David H. Madison
David H. Madison, Mayor

July 25, 1989 - 1st reading
Sept. 12, 1989 - 2nd reading
Susp. & Adopt.



THOMAS E. FERGUSON

AUDITOR OF STATE

COLUMBUS, OHIO 43266-0040

(614) 466-4514

DEPUTY AUDITORS:

**McCULLOUGH
WILLIAMS, III**
Administration
(614) 466-4514

October 10, 1989

**RICHARD G. NUSS,
CPA**
Department of Audit
(614) 466-4971

Mr. John W. Hornberger
Auditor
City of Bexley
2242 E. Main Street
Bexley, Ohio 43209

Dear Mr. Hornberger:

RUSSELL L. ROUCH
Management Advisory
Service
(614) 466-4717

I have reviewed your request for fund approval dated September 21, 1989, in which you request permission to establish a Law Enforcement Trust Fund and a Law Enforcement Mandatory Drug Fine Fund.

Permission for the Council of the City of Bexley to establish a Law Enforcement Mandatory Drug Fine Fund is hereby granted per Section 5705.12 of the Revised Code.

**ASSOCIATE
DEPUTY AUDITOR:**

DWAINE E. GOULD
Information Systems
Audits
(614) 466-4971

Permission for the Council of the City of Bexley to establish a Law Enforcement Trust Fund is granted by Section 5705.09 of the Revised Code.

You should keep a copy of this letter in the Council's files for audit and other purposes.

If you have any questions, you may call me at 1-800-345-2519.

Sincerely,

THOMAS E. FERGUSON
Auditor of State

A handwritten signature in cursive script that reads "Joseph L. Matuszewski".

Joseph L. Matuszewski
Project Manager

Offices of the
STATE AUDITOR
P.O. Box 1140
88 E. Broad Street
Broad at Third
Columbus, Ohio
43266-0040

JLM/jec

cc: Richard G. Nuss, Deputy Auditor, Department of Audit
Ron Mucha, Department of Taxation