

# **Bond Case Briefs**

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## **MUNICIPAL ORDINANCE - OHIO**

### **Walker v. Toledo**

**Supreme Court of Ohio - December 18, 2014 - N.E.3d - 2014 -Ohio- 5461**

Motorist, who paid civil penalty after his vehicle was photographed by automated red light enforcement system during a red light violation, brought putative class action against city and traffic enforcement camera company, alleging that penalty collected was unlawful, and seeking return of such money taken under the doctrine of unjust enrichment. The Court of Common Pleas dismissed complaint for failure to state a claim upon which relief could be granted. Motorist appealed. The Court of Appeals reversed and remanded. City and company sought review.

The Supreme Court of Ohio held that:

- Municipalities act within their constitutional home-rule powers when they establish automated systems for imposing civil liability on traffic-law violators through an administrative enforcement system;
- Constitutional provision and statute do not endow municipal courts with exclusive authority over traffic-ordinance violations;
- Statute that sets the jurisdiction of municipal courts does not confer exclusive jurisdiction over traffic-ordinance violations on municipal courts; and
- Municipalities have home-rule authority to establish presuit civil administrative proceedings.