

Bond Case Briefs

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PREEMPTION - OHIO

Newburgh Heights v. State

Supreme Court of Ohio - May 19, 2022 - N.E.3d - 2022 WL 1572051 - 2022-Ohio-1642

Village filed complaint seeking declaratory judgment and a motion for preliminary and permanent injunction against State, seeking to enjoin enforcement of provisions allegedly infringing on home rule authority to enact and operate photo traffic enforcement systems, including by reducing local funding, granting exclusive jurisdiction over photo enforcement actions to courts, and requiring local authorities to pay advance court deposits to cover costs.

City filed motion to intervene, complaint, and motions for injunctions on the same basis. After allowing intervention and following hearing, the Court of Common Pleas granted motions for preliminary injunction in part, but denied motions as to funding, jurisdiction, and deposits. Village and city appealed. The Court of Appeals affirmed in part, reversed in part, and remanded. The State filed a discretionary appeal.

The Supreme Court held that:

- No conflict existed between a municipality's ordinance allowing the use of traffic cameras and state law allowing a reduction of a municipality's share of the state's local-government funds based on the amount of traffic-camera fines collected, and
- No conflict existed between a municipality's ordinance allowing the use of traffic cameras and state law requiring a municipality to pay an advance deposit to cover court costs and fees when litigating a citation for a violation based on the use of traffic camera.