

SUPREME COURT OF OHIO

The Village of Newburgh Heights v. The State of Ohio

2022-Ohio-1642 (Ohio 2022) · No. 2021-0247 · Decided May 19, 2022

SUMMARY

The Supreme Court of Ohio held that statutes reducing a municipality’s share of state local-government funds by the amount of traffic-camera fines and requiring an advance deposit for court costs do not violate the Ohio Constitution’s Home Rule Amendment. The court concluded that neither provision conflicts with municipal ordinances authorizing traffic-camera enforcement. The judgment of the Eighth District Court of Appeals was reversed, and the matter was remanded.

CASE DETAILS

COURT	Supreme Court of Ohio
WRITING FOR THE COURT	Kennedy, J.; O'Connor, C.J.; Fischer, J.; DeWine, J.; Donnelly, J.; Stewart, J.; Brunner, J.
JURISDICTION	Ohio
DECIDED	May 19, 2022
DOCKET	2021-0247
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Discretionary appeal from the Eighth District Court of Appeals concerning the denial of preliminary injunctive relief in a declaratory-judgment action challenging Ohio traffic-camera statutes under the Ohio Constitution's Home Rule Amendment.
STANDARD OF REVIEW	De novo review of constitutional challenges to state and local legislation.
PRECEDENTIAL VALUE	Published, precedential opinion of the Supreme Court of Ohio
PARTIES	The State of Ohio v. The Village of Newburgh Heights, The City of East Cleveland

TOPICS

- home rule
- municipal law
- constitutional law
- statutory interpretation
- appellate procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Ohio's spending setoff, which reduces a municipality's share of local-government funds by the amount of traffic-camera fines collected, conflicts with municipal home-rule authority under Article XVIII, Section 3 of the Ohio Constitution.
2. Whether Ohio's requirement that municipalities pay an advance deposit for costs and fees when litigating traffic-camera citations conflicts with municipal home-rule authority under Article XVIII, Section 3.
3. Whether the challenged statutes unconstitutionally penalize or otherwise burden municipalities for exercising their authority to enforce local traffic laws through traffic cameras.

HOLDINGS

1. R.C. 5747.502's spending setoff does not violate the Ohio Constitution's Home Rule Amendment because it does not prohibit or invalidate a municipality's ordinance authorizing traffic cameras and therefore does not conflict with local law.
2. R.C. 4511.099's advance-deposit requirement does not violate the Home Rule Amendment because it regulates the costs of litigating in state-created courts and does not prohibit municipalities from using traffic cameras to enforce their ordinances.
3. The challenged spending setoff and deposit requirement are constitutional because they establish state funding priorities and court-cost requirements rather than restricting the municipalities' authority to enact or enforce traffic-camera ordinances.

KEY QUOTATIONS

“Municipalities shall have authority to exercise all powers of local self-government and to adopt and enforce within their limits such local police, sanitary and other similar regulations, as are not in conflict with general laws.” (§ 28)

*“The test for determining whether state and local laws conflict is ‘whether the ordinance permits or licenses that which the statute forbids * * *, and vice versa.’ ”* (§ 29)

“Municipalities remain free in the sphere of local self-government to use traffic cameras, and the General Assembly does not encroach on municipal power by setting its own funding priorities and providing for the maintenance of state courts.” (§ 35)

FACTUAL BACKGROUND

Newburgh Heights and East Cleveland operated programs using automated traffic cameras to enforce municipal traffic laws. Ohio law required municipalities to report traffic-camera fines, reduced their local-government-fund distributions by the amount of those fines, and reallocated the funds to the relevant transportation district. Ohio law also required municipalities litigating traffic-camera citations, except for school-zone violations, to pay an

advance deposit for court costs and fees. The municipalities argued that these measures infringed their authority under the Ohio Constitution's Home Rule Amendment.

PROCEDURAL HISTORY

Newburgh Heights sought a declaratory judgment and preliminary injunction against the spending setoff, exclusive-jurisdiction provisions, and deposit requirement applicable to traffic-camera citations. The trial court granted preliminary relief as to a police-presence statute not at issue on appeal but denied relief as to the spending setoff, exclusive jurisdiction, and deposit requirement. The Eighth District affirmed in part and reversed in part, holding that the spending setoff and deposit requirement unconstitutionally burdened municipal home-rule powers. The Supreme Court of Ohio accepted the state's discretionary appeal, reversed the Eighth District's judgment, and remanded to the trial court.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Remand to the trial court for further proceedings consistent with the opinion.

CASES CITED

- Cleveland v. State, 157 Ohio St.3d 330, 2019-Ohio-3820, 136 N.E.3d 466, ¶ 16
- Gibbons v. Ogden, 22 U.S. 1, 188, 6 L.Ed. 23 (1824)
- State ex rel. LetOhioVote.org v. Brunner, 123 Ohio St.3d 322, 2009-Ohio-4900, 916 N.E.2d 462, ¶ 50
- Toledo City School District Board of Education v. State Board of Education, 146 Ohio St.3d 356, 2016-Ohio-2806, 56 N.E.3d 950, ¶ 16
- Put-in-Bay v. Mathys, 163 Ohio St.3d 1, 2020-Ohio-4421, 167 N.E.3d 922, ¶ 11
- Tobacco Use Prevention & Control Foundation Board of Trustees v. Boyce, 127 Ohio St.3d 511, 2010-Ohio-6207, 941 N.E.2d 745, ¶ 10
- Kaminski v. Metal & Wire Products Co., 125 Ohio St.3d 250, 2010-Ohio-1027, 927 N.E.2d 1066, ¶ 60
- Williams v. Scudder, 102 Ohio St. 305, 307, 131 N.E. 481 (1921)
- State v. Medbery, 7 Ohio St. 522, 528 (1857)
- State ex rel. Youngstown v. Jones, 136 Ohio St. 130, 133, 24 N.E.2d 442 (1939)
- Mays v. Cincinnati, 1 Ohio St. 268, 273 (1853)
- Perrysburg v. Ridgway, 108 Ohio St. 245, 255, 140 N.E. 595 (1923)
- Cincinnati Bell Telephone Co. v. Cincinnati, 81 Ohio St.3d 599, 605, 693 N.E.2d 212 (1998)
- State ex rel. Zielonka v. Carrel, 99 Ohio St. 220, 227, 124 N.E. 134 (1919)
- Ysursa v. Pocatello Education Association, 555 U.S. 353, 363, 129 S.Ct. 1093, 172 L.Ed.2d 770 (2009)
- Centerville v. Knab, 162 Ohio St.3d 623, 2020-Ohio-5219, 166 N.E.3d 1167, ¶ 31

- East Liverpool v. Columbiana County Budget Commission, 114 Ohio St.3d 133, 2007-Ohio-3759, 870 N.E.2d 705, ¶ 20
- State v. Best, 42 Ohio St.2d 530, 330 N.E.2d 421 (1975)
- State ex rel. Pennington v. Bivens, 166 Ohio St.3d 241, 2021-Ohio-3134, 185 N.E.3d 41, ¶ 21
- Ohioans for Concealed Carry, Inc. v. Clyde, 120 Ohio St.3d 96, 2008-Ohio-4605, 896 N.E.2d 967, ¶ 26
- Struthers v. Sokol, 108 Ohio St. 263, 140 N.E. 519 (1923)
- Cave v. Conrad, 94 Ohio St.3d 299, 302, 762 N.E.2d 991 (2002)
- State ex rel. Michaels v. Morse, 165 Ohio St. 599, 607, 138 N.E.2d 660 (1956)
- State ex rel. Ramey v. Davis, 119 Ohio St. 596, 599, 165 N.E. 298 (1929)
- Behrle v. Beam, 6 Ohio St.3d 41, 42, 451 N.E.2d 237 (1983)
- Erickson v. Morrison, 165 Ohio St.3d 76, 2021-Ohio-746, 176 N.E.3d 1, ¶ 34

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