

ORDINANCE 2020-07
BY
MAYOR RAYMOND ARRIOLA

AN ORDINANCE AMENDING §34.15 OF THE CODE OF ORDINANCES OF THE MUNICIPALITY OF NEW LEBANON.

WHEREAS, §34.15 of the Code of Ordinances of the Municipality of New Lebanon which reads as follows:

§ 34.15 ADDITIONAL POLICE OFFICERS AND FIREFIGHTERS IN EMERGENCY SITUATION.

(A) Nothing in this section shall be construed as superseding or modifying in any way any provision of a contract entered into under R.C. § 737.04.

(B) In case of riot or other like emergency, the Mayor may appoint additional police officers for temporary service in the Police Department, or additional firefighters and officers for temporary service in the Fire Department, who need not be in the classified list of the Department. These additional persons shall be employed only for the time during which the emergency exists.

(C) The Mayor may call upon the sheriff of the county in which all or part of the municipal corporation lies or the Sheriff of any adjoining county, the Mayor or other chief executive of any municipal corporation in the same or any adjoining county, and the Chairperson of the Board of Township Trustees of any township in the same or any adjoining county, to furnish such law enforcement or fire protection personnel, or both, together with appropriate equipment and apparatus, as may be necessary to preserve the public peace and protect persons and property in the requesting municipal corporation in the event of riot. This aid shall be furnished to the Mayor requesting it, insofar as possible without withdrawing from the political subdivision furnishing the aid the minimum police and fire protection appearing necessary under the circumstances. In such case, law enforcement and fire protection personnel acting outside the territory of their regular employment shall be considered as performing services within the territory of their regular employment for purposes of compensation, pension or indemnity fund rights, workers' compensation, and other rights or benefits to which they may be entitled as incidents of their regular employment. The municipal corporation receiving aid shall reimburse the political subdivision furnishing it the cost of furnishing aid, including compensation of personnel expenses incurred by reason of the injury or death of any personnel while rendering aid, expenses of furnishing equipment and apparatus, compensation for damage to or loss of equipment or apparatus while in service outside the territory of its regular use, and other reasonable expenses as may be incurred by the political subdivision furnishing aid. Law enforcement officers acting pursuant to this section outside the territory of their regular employment have the same authority to enforce the law as when acting within the territory of their regular employment.

(R.C. § 737.10) ('80 Code, § 34.05)

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of New Lebanon, Ohio, that **§34.15 IS HEREBY AMENDED TO READ**

§ 34.15 ADDITIONAL POLICE OFFICERS AND FIREFIGHTERS IN EMERGENCY SITUATION.

(A) Nothing in this section shall be construed as superseding or modifying in any way any provision of a contract entered into under R.C. § 737.04.

(B) In case of riot or other like emergency, the Director of Public Safety, Municipal Manager, and/or the Mayor with guidance from the Chief of Police or Fire may appoint additional police

officers for temporary service in the Police Department, or additional firefighters and officers for temporary service in the Fire Department, who need not be in the classified list of the Department. These additional persons shall be employed only for the time during which the emergency exists.

(C) The Director of Public Safety, Municipal Manager, Chief of Police, and/or the Mayor may call upon the sheriff of the county in which all or part of the municipal corporation lies or the Sheriff of any adjoining county, may call upon neighboring jurisdictions to furnish such law enforcement or fire protection personnel, or both, together with appropriate equipment and apparatus, as may be necessary to preserve the public peace and protect persons and property in the requesting municipal corporation in the event of riot.

This aid shall be furnished, insofar as possible without withdrawing from the political subdivision furnishing the aid the minimum police and fire protection appearing necessary under the circumstances. In such case, law enforcement and fire protection personnel acting outside the territory of their regular employment shall be considered as performing services within the territory of their regular employment for purposes of compensation, pension or indemnity fund rights, workers' compensation, and other rights or benefits to which they may be entitled as incidents of their regular employment. The municipal corporation receiving aid shall reimburse the political subdivision furnishing it the cost of furnishing aid, including compensation of personnel expenses incurred by reason of the injury or death of any personnel while rendering aid, expenses of furnishing equipment and apparatus, compensation for damage to or loss of equipment or apparatus while in service outside the territory of its regular use, and other reasonable expenses as may be incurred by the political subdivision furnishing aid. Law enforcement officers acting pursuant to this section outside the territory of their regular employment have the same authority to enforce the law as when acting within the territory of their regular employment.

SECTION 1: This ordinance shall take effect and be in force from and after the earliest period by law.

Passed this 15th day of December, 2020.


First Reading: November 17, 2020

Second Reading: December 1, 2020

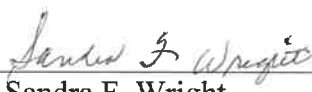
Third Reading: December 15, 2020

Effective Date: January 4, 2021

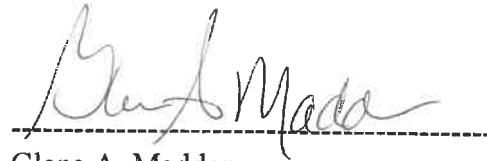
APPROVED:


Raymond Arriola
Mayor

ATTEST:


Sandra F. Wright
Clerk of Council

APPROVED:



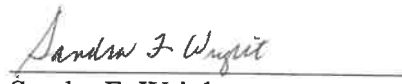
Glenn A. Madden
Municipal Manager

Dated:

December 15, 2020

CERTIFICATE

I, Sandra F. Wright, Clerk of Council of the Municipality of New Lebanon, Ohio do hereby certify the foregoing is a true and correct copy of Ordinance 2020-07 as passed by Council and approved by the Mayor and that the same has been published as required by Section 2.17 of the Charter of the Municipality of New Lebanon, Ohio.



Sandra F. Wright
Clerk of Council