

## **ORDINANCE NO. 07-17 AC CMS**

### **AN ORDINANCE AMENDING CHAPTER 141 OF THE CODIFIED ORDINANCES OF THE CITY OF OBERLIN WHICH RELATES TO THE ESTABLISHMENT AND OPERATION OF THE OBERLIN POLICE DEPARTMENT AND DECLARING AN EMERGENCY**

**BE IT ORDAINED** by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

**SECTION 1.** That Chapter 141 of the Codified Ordinances of the City of Oberlin, which relates to the establishment and operation of the Oberlin Police Department, be, and hereby is, amended to read as set forth in Exhibit A attached hereto and incorporated herein by reference.

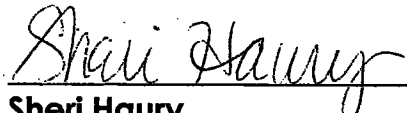
**SECTION 2.** It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION 3.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit:

**"to ensure the orderly operation of the Oberlin Police Department at the earliest possible date" and shall take effect immediately upon passage.**

**PASSED :**    **1<sup>st</sup> Reading – January 16, 2007 (E) (Exhibit Amended)**  
                  **2<sup>nd</sup> Reading –**  
                  **3<sup>rd</sup> Reading –**

ATTEST:

  
\_\_\_\_\_  
Sheri Haury  
INTERIM CLERK OF COUNCIL

  
\_\_\_\_\_  
Daniel Gardner  
PRESIDENT OF COUNCIL

POSTED: January 17, 2007

EFFECTIVE DATE: January 17, 2007

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## **EXHIBIT A**

### **ORDINANCE NO. 07-17 AC CMS**

#### **141.01 ESTABLISHMENT; OFFICERS.**

(a) There is hereby established a Police Department in the City, consisting of the following officer positions in such numbers as may be authorized by Oberlin City Council: Chief, Captain, Sergeant, Patrol Officer.

(b) The position of Chief of Police for the City shall be filled by appointment of the City Manager and shall be indefinite, the appointee to serve at the pleasure of the City Manager. The Police Chief shall perform the duties provided for in the Ohio Revised Code and such additional duties as shall be assigned by the City Manager and Council.

(c) All positions in the Police Department, except the position of Chief, shall be filled by civil service procedures heretofore established.

#### **141.02 DUTIES OF CITY MANAGER.**

The City Manager shall act as head of the Police Department and shall establish rules and regulations for the operation of the Department, subject to the approval of Council.

#### **141.03 PART-TIME PATROL OFFICERS.**

Part-time patrol officers shall be hired by the City Manager as he or she deems proper.

#### **141.04 POLICE DISPATCHERS DESIGNATED DEPUTY COURT CLERKS.**

In order to provide for the efficient operation of the Municipal Court, all City police dispatchers are hereby designated as Deputy Clerks of the Municipal Court and shall, in addition to their other duties, take the oath of office as Deputy Clerks of the Municipal Court. They shall perform such duties as Deputy Clerk, while on duty, as requested by the Clerk of Court of the Municipal Court.

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**141.05 SCHOOL CROSSING GUARDS.**

There is hereby established the position of school crossing guard for the City.

The duties of school crossing guards shall be to assist in the direction of traffic and, specifically, to guide school children across certain designated streets within the City. Performance of these duties shall be under the direction and supervision of the Police Department.

**141.06 PATROL OF CITY REAL ESTATE OUTSIDE CORPORATE LIMITS.**

(a) In addition to the duties prescribed by the laws of the State and other ordinances of the City it shall be an additional duty of the City Police Department to patrol, inspect and protect the real property owned by the City outside the corporate limits of the City, such patrolling, inspection and protection to be determined by the Police Chief.

(b) The Police Department shall respond to all calls for police assistance originating from the real property owned by the City.

**141.07 ELIGIBILITY; PATROL OFFICER.**

Any person who is twenty-one years of age or older is eligible for original appointment to the Police Department as a Patrol Officer; provided that he or she passes all the necessary civil service and physical examinations.

**141.08 AUXILIARY POLICE UNIT.**

(a) Pursuant to Ohio R.C. 737.051, there is hereby authorized and established an auxiliary police unit within the Police Department of the City. Any person who is eighteen years of age or older shall be eligible for appointment to the Auxiliary Police Unit.

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**(b) The purpose of the unit shall be to assist the Police Department with routine duties and to provide additional assistance during emergency situations. The Auxiliary Police shall not carry firearms. They may carry batons, stun guns, chemical agents and other less lethal weapons when trained by the Department.**

**(c) The proposed "Auxiliary Police Unit Department Manual" is hereby approved and incorporated herein by reference.**

**(d) Members of the Auxiliary Police Unit shall, in addition to all other duties, have the authority to issue citations for violations of City ordinances relating to motor vehicle parking regulations, bicycle operation regulations, garbage and refuse regulations and animal running at large or barking dog prohibitions.**