

City of Willoughby Hills

ORDINANCE NO. 2019-47

AN ORDINANCE AMENDING PART ONE – ADMINISTRATIVE CODE, CHAPTER 139 – POLICE DEPARTMENT, SECTION 139.04 – FEE FOR USE OF POLICE VEHICLES OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS, OHIO; REPEALING ANY AND ALL CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Interoffice Memo to Council President and Council Clerk, dated April 8, 2013, the Mayor requested the preparation of legislation to amend Section 139.04 – Fee for Use of Police Vehicles by increasing the established fee of \$20.00 per hour to \$35.00 per hour, per car with said fee to be applicable any time a request is granted to use a Police Vehicle in a non-emergency situation or non-official City use; and

WHEREAS, the Members of Council are in receipt of the Mayor's Interoffice Memo dated May 17, 2019 and the Police Department Memorandum dated May 12, 2019 (updated May 13, 2019) requesting an ordinance to amend Section 139.04 – Fee for Use of Police Vehicles; and

WHEREAS, in Police Chief's Police Department Memorandum, the Chief states that it was brought to his attention from the regional ODOT Supervisor that the City's fee for the use of police vehicles for road construction jobs is out of line with many area cities; and

WHEREAS, the Police Chief contacted area police departments to determine their fee amount with the following results: Wickliffe, Kirtland, Waite Hill, and Willoughby all charge \$10 per hour; Lake County Sheriff's Office charges \$15 per hour and Mentor charges a flat rate of \$50.00 per day; and

WHEREAS, the City is beginning a multi-month road construction project on IR-90 in conjunction with the Ohio Department of Transportation (ODOT) and the Police Chief is requesting Section 139.04 be amended as soon as possible.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:

SECTION 1. The existing **Section 139.04 – Fee for Use of Police Vehicles** of the Codified Ordinances of the City of Willoughby Hills be and it hereby is amended to read and provide in its entirety as follows:

“139.04 FEE FOR USE OF POLICE VEHICLES.

There is hereby established a fee for use of Police Vehicles. A fee of ten dollars (\$10.00) per hour per car is to be applicable any time a request is granted to use Police Vehicle(s) in a non-emergency situation or non-official City use. Such request is to be submitted to the Director of Public Safety or his duly appointed person for approval.”

SECTION 2. All Ordinances or parts thereof in conflict with the provisions of this Ordinance be, and they are hereby repealed as of the effective date of this Ordinance.

SECTION 3. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 4. This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willoughby Hills, insofar as it provides for the usual daily operation of the municipality and further reason being that the City is beginning a multi-month road construction project on IR-90 in conjunction with ODOT; wherefore this Ordinance shall be in full force and take effect from and after its adoption and approval by the Mayor.

PASSED: May 23, 2019

Submitted to the Mayor for his approval
on this 23 day of May, 2019

ATTEST:

Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council

Nancy E. Fellows

Nancy E. Fellows
President of Council

Approved by the Mayor

May 23, 2019

Robert M. Weger

Robert M. Weger
Mayor