

# RECORD OF ORDINANCES

Ordinance No. 2024-O-12

Passed August 6, 2024  
YEAR

## VILLAGE COUNCIL OF GREENWICH, OHIO ORDINANCE NO.: 2024-O-12

### AN ORDINANCE RESCINDING AND REPEALING SECTION 242.08 OF THE GREENWICH CODIFIED MUNICIPAL CODE OF ORDINANCES REGARDING MISCELLANEOUS POLICE DEPARTMENT PAY

WHEREAS, to update police department compensation, the Chief of Police recommends that Section 242.08 of the Greenwich Codified Municipal Code of Ordinances be rescinded and repealed; and

WHEREAS, the Chief of Police further reports that certain sections of 242.08 will be evaluated for possible inclusion into the policy manual.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF GREENWICH, STATE OF OHIO: (RC 731.18)

SECTION 1. AMEND. That Section 242.08 of the Greenwich Codified Municipal Code of Ordinances is hereby amended as follows:

#### SECTION 242.08 IS HEREBY RESCINDED AND REPEALED.

#### 242.08 MISCELLANEOUS POLICE DEPARTMENT PAY.

- ~~—(a) Upon completion of the initial hire probationary period (one year) each full-time police officer who is presently certificated or subsequently becomes certified, in the certification categories, computer administrator, Associate or Bachelor's degree in field related to law enforcement, EMT basic emergency medical technician, in-service instructor excluding firearms, data master operator, evidence room technician, and special response team.~~
- ~~—(b) Each officer shall be entitled to receive an additional two hours pay biweekly in addition to his or her regular rate of pay for each certification, may receive compensation for a maximum of three certifications.~~
- ~~—(c) Compensation for the additional certification listed in division (a) will be at the individual's current hourly rate, not premium pay (premium pay being one and one-half or two times regular hourly rate).~~
- ~~—(d) Employees who are assigned to duties receiving certification pay must be willing and able to use their training and certification as part of their assigned duties. The employer shall not withhold assignment of the certificate if the officer qualifies and the maximum numbers of employees in the Police Department that are assigned to the certification would not be exceeded.~~
- ~~—(e) Maximum number of certificates for the Police Department: Computer administrator, one police officer; Evidence room technician, one police officer; Special response team, one police officer; EMT basic emergency medical technician, all police officers that hold certification; In-service instructor excluding firearms, all police officers that hold certification.~~
- ~~—(f) Beginning in calendar year 2011, all police officers shall be required to participate in the Physical Abilities Testing Program, unless exempted for a medical reason. An employee who requests an exemption from any or all of the Physical Abilities Test by providing a written statement from a licensed physician may, at the sole discretion of the employer, be required to submit to a physical examination by a licensed physician selected by the employer, at the employer's expense. Employees who successfully complete the Physical Abilities Test in 2011 shall receive an incentive bonus in the amount of four hundred dollars (\$400.00). Employees who refuse to participate in any part of the Physical Abilities Testing program (other than due to a medical exemption) may be subject to disciplinary action (Written reprimand). Employees who are unsuccessful in their attempts to complete the Physical Abilities Test in 2011 shall not be subject to retest or administrative sanctions.~~
- ~~—(g) Beginning in calendar year 2012 and thereafter all police officers shall be required to participate in the Physical Abilities Testing Program, unless exempted for a medical reason. An employee who requests an exemption from any or all of the Physical Abilities Test by providing a written statement from a licensed physician, may at the sole discretion of the employer, be required to submit to a physical examination by a licensed physician selected by the employer, at the employer's expense. Employees who successfully complete the Physical Abilities Test in 2012 shall receive an incentive bonus in the amount of four hundred fifty dollars (\$450.00), payable the first pay after the test. Employees who decline to participate in any part of the Physical Abilities Testing program (other than due to a medical exemption) shall be terminated. Employees who are unsuccessful in their attempts to complete the Physical Abilities Test in 2012 shall be subject to retest or administrative sanctions.~~
- ~~—(h) All employees shall be tested once each year. This does not include any retests that an employee shall be required to complete in accordance with this program. The test shall be conducted on/about the first Saturday of the month of June, weather permitting. This shall be the only test day for the initial test for all employees.~~



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- ~~—(i) An employee may provide the employer with a written statement from a licensed physician stating that participation in any or all parts of the Physical Abilities test will be detrimental to the employee's health. In such cases, the employee shall not be required to participate in the prohibited part(s) of the Physical Abilities Testing procedures except as hereinafter provided.~~
  - ~~—(j) All employees shall be tested once each year. This does not include any retests that an employee shall be required to complete in accordance with this section.~~
  - ~~—(k) The test shall be conducted on or about the first Saturday of June, weather permitting. This shall be the only test day for the initial test for all employees.~~
  - ~~—(l) An employee who fails to achieve a satisfactory level of physical fitness may be subject to administrative action. An employee shall be deemed physically fit for the position of police officer if the employee achieves the minimum passing score on the test adopted by the Village as part of the physical abilities testing program. The Village may deem an employee unfit for duty for physical reasons, if the employee does not achieve the minimum passing score on the test at the conclusion of the retest periods set forth below.~~
  - ~~—(m) After the first failure to achieve a minimum passing score on the physical abilities test, an employee shall be retested again after 90 days, provided that an employee may after fourteen days after the first failure, be retested at the employee's written request. An employee requesting retesting shall be tested within fourteen days after the written request. An employee passing a mandatory, or requested retest, shall not be tested again until the next regularly scheduled test for that employee. An employee who fails a retest which the employee requested shall not be subject to administrative action because of such failure.~~
  - ~~—(n) An employee who fails the first required retest shall be issued a counseling letter suggesting how the employee could improve test performance, and shall be tested again after sixty days. An employee failing a second retest shall be issued a warning letter advising the employee that should the employee fail the next scheduled retest the employee may be deemed unfit for duty for physical reasons and may be separated from service.~~
  - ~~—(o) Counseling letters and written warning received for a failed physical abilities test shall not be recorded as disciplinary action. These entries shall be recorded only as notices to the employee and shall not be used as part of any progressive discipline.~~
  - ~~—(p) An employee receiving a written warning after failing the second retest shall be tested not less than thirty days later. If the employee fails to pass the physical abilities test after the thirty-day period, the employee may be deemed by the employer to be physically unfit to perform the duties of the position of police officer and shall be separated from service for physical ability reasons.~~
  - ~~—(q) In 2013 employees who improve their test score by more than 60 seconds from the previous year shall receive an additional incentive pay of \$100.00. In addition, an employee whose time is under four minutes shall receive an additional incentive pay of \$100.00.~~
- (Ord. 2011-09, Passed 10-18-11; Ord. 2012-04, Passed 6-5-12.)

SECTION 2. AMENDMENTS. That any amendments herein are indicated with additions appearing in **bold and underline** and deletions appearing in **bold and strikethrough**.

SECTION 3. EFFECT. That this Ordinance shall take effect as of the first regular pay period after passage.

SECTION 4. CODIFICATION. That the Council Clerk is hereby directed to submit the amendments herein to the codification service for the Village.

SECTION 5. PUBLIC MEETING. That it is found and determined that all formal action of this public body concerning or relating to the passage of this legislation were adopted in a public meeting open to the public at all times, and that all deliberations of the public body and any of its committees that resulted in such formal action, were in public meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of section 121.22 of the Ohio Revised Code.

WHEREFORE, this legislation shall be in full force and effect from and after the earliest period allowed by law.

PASSED AND ADOPTED on this 6 day of August, 2024.


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## ATTESTATION (RC 731.20)

We hereby attest and affirm that the foregoing legislation received the necessary affirmative roll call votes required for passage by R.C. 731.17.

  
MAYOR

  
FISCAL OFFICER

## LEGISLATION READINGS ORC 731.17(A)

- (1) Each ordinance and resolution shall be read by title only, provided the legislative authority may require any reading to be in full by a majority vote of its members.  
(2) Each ordinance or resolution shall be read on three different days, provided the legislative authority may dispense with this rule by a vote of at least three-fourths of its members.

First Reading: July 2, 24 Second Reading: 7/16/24 Third Reading: 8/6/24

## ROLL CALL VOTE ORC 731.17(A)(3)

The vote on the passage was taken by yeas and nays and entered upon the journal. Each ordinance or resolution shall be passed, except as otherwise provided by law, by a vote of at least a majority of all the members of the legislative authority. Yeas, nays, abstentions, excused or absent votes were recorded as follows:

  
Mike King

  
Randy Wilson

  
Lynne Phillips

  
Jason Hunter

  
Regina Lueck

  
Dorene Beverly

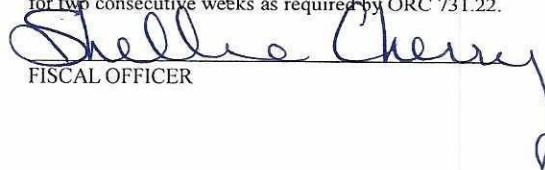
PREPARED BY AND APPROVED AS TO FORM [See also RC 731.21(B)]:

  
VILLAGE SOLICITOR, Steve Palmer

## CERTIFICATE OF PUBLICATION ORC 731.21 and 731.22

Pursuant to ORC 731.21(A)(3), I hereby certify that a succinct summary of the above legislation was/will be published using the following method: **ON THE WEBSITE AND SOCIAL MEDIA ACCOUNT OF THE MUNICIPAL CORPORATION**

The succinct summary was reviewed by the village solicitor as required by ORC 731.21(B). Publication was/will be made at least once a week for two consecutive weeks as required by ORC 731.22.

  
FISCAL OFFICER