

RECORD OF ORDINANCES

Ordinance No. 2024-0-15

Passed August 6, 2024
YEAR

VILLAGE COUNCIL OF GREENWICH, OHIO ORDINANCE NO.: 2024-0-15

AN ORDINANCE REPEALING AND REPLACING SECTION 242.06 OF THE GREENWICH CODIFIED MUNICIPAL CODE OF ORDINANCES REGARDING THE VILLAGE AUXILIARY POLICE UNIT.

WHEREAS, Section 737.161 of the Ohio Revised Code provides as follows:

Section 737.161 | Village auxiliary police unit

(A) The legislative authority of a village may establish, by ordinance, an auxiliary police unit within the police department of the village, and provide for the regulation of auxiliary police officers. The mayor shall be the executive head of the auxiliary police unit, shall make all appointments and removals of auxiliary police officers, subject to any general rules prescribed by the legislative authority by ordinance, and shall prescribe rules for the organization, training, administration, control, and conduct of the auxiliary police unit. The village marshal shall have exclusive control of the stationing and transferring of all auxiliary police officers, under such general rules as the mayor prescribes.

WHEREAS, the Village Solicitor has requested that the Village Council review the regulation of the Auxiliary Police Unit and amend and update Section 242.06 of the Greenwich Codified Municipal Code of Ordinances.

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

SECTION 1. AMEND. That Section 242.06 of the Greenwich Codified Municipal Code of Ordinances is hereby amended as follows:

SECTION 242.06 IS HEREBY RESCINDED REPEALED AND REPLACED

242.06 RESERVE POLICE OFFICERS.

~~— (a) There is hereby created within the Village Police Department a reserve police unit, the purposes of which shall be to augment the strength of the Police Department, to supplement the numbers of regular patrolmen, and to help safeguard and protect the general health, welfare and safety of the citizens and their property, and the members of which shall be appointed by the Mayor.~~

~~— (b) Reserve police officers shall serve so long as the Mayor may direct or until resignation submitted by any such member is accepted by the Mayor.~~

~~— (c) The members of the reserve police unit shall have no residency restriction, shall be at least 21 years of age and shall satisfy such other requirements as may be established in the rules established for the reserve police unit.~~

~~— (d) The Chief of Police shall be the commanding officer of the reserve police unit and shall have control of the assignment, training, stationing and direction of work of such unit. Upon the successful completion of a course of training as prescribed by the Ohio Peace Officers Training Council, each member of the reserve police unit shall have all police powers of a member of the regular Police Department of the Village, including full powers of arrest, but shall perform only such police duties as assigned by the Chief of Police and shall act only when in the prescribed uniform. Such reserve member shall take orders from all regular appointed members thereof.~~

~~— (e) The Mayor shall prescribe rules for the organization, administration, conduct and control of the Reserve Police Unit.~~

~~— (f) The Mayor is authorized to prescribe the type of uniform, or part thereof which shall be worn by members of the reserve police unit. The Chief of Police shall prescribe the time and place such uniform, or portion thereof, shall be worn.~~

~~— (g) All service performed by the members of the reserve police unit shall be on a voluntary basis, without compensation. Reserve members are expected to normally provide service for at least 12 hours per month.~~

~~— (h) There shall be no unauthorized use of any reserve equipment, badge, uniform or identification.~~
(Ord. 971. Passed 4-19-05)

SECTION 242.06 IS HEREBY REPLACED AS FOLLOWS:

242.06 VILLAGE AUXILIARY POLICE UNIT

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- (a) As permitted by Section 737.161 of the Ohio Revised Code, the Village Council hereby establishes an auxiliary police unit within the police department of the village.
- (b) Village Council may provide for the regulation of auxiliary police officers.
- (c) The mayor shall be the executive head of the auxiliary police unit, shall make all appointments and removals of auxiliary police officers, subject to any general rules prescribed by Village Council, and shall prescribe rules for the organization, training, administration, control, and conduct of the auxiliary police unit.
- (d) The village marshal / chief of police shall have exclusive control of the stationing and transferring of all auxiliary police officers, under such general rules as the mayor prescribes.
- (e) General Rules.
- All services performed by the members of the auxiliary police unit shall be unpaid, voluntary, without compensation, and without benefits.
 - Appointment to the Village Auxiliary Police Unit does not create an employment contract.
 - Members of the Auxiliary Police Unit may be removed at any time without cause by the mayor.
 - Residency. [Intentionally left blank]
- (f) Rules for the organization, training, administration control and conduct.
- Members of the Auxiliary Police Unit shall provide service for at least 12 hours per month.
 - The Chief of Police shall prescribe the uniform and the time and place where such uniform, or portion thereof, shall be worn.
 - Unauthorized use of any reserve equipment, badge, uniform or identification is prohibited.

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

SECTION 4. 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.

Jan Seadell
MAYOR

Shelley Cherry
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:

Yes
Mike King

Yes
Randy Wilson

Yes
Lynne Phillips

Yes
Jason Hunter

Yes
Regina Lueck

Yes
Dorene Beverly

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

Steve Palmer
VILLAGE SOLICITOR

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.

Shelley Cherry
FISCAL OFFICER