

A RESOLUTION ESTABLISHING A POLICY OF THE VILLAGE OF WINDHAM WITH RESPECT TO MUTUAL AID TO OTHER POLITICAL SUBDIVISIONS

WHEREAS, the Police Chief of the Village of Windham has requested the Council of the Village of Windham to establish a policy with respect to the rendering of Mutual Aid to other political subdivisions in conformity with Ohio law; and

WHEREAS, the Ohio Revised Code at section 737.041 authorized the Council of a Village to establish a Mutual Aid Policy; and

WHEREAS, the Council of the Village of Windham has decided on a Mutual Aid Policy and by this Resolution establishes that policy.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Windham, Portage County, Ohio, the majority or more of its members concurring:

SECTION 1: The following Mutual Aid Policy is hereby established:

(a) Pursuant to Section 737.041 of the Revised Code, as amended, the Council hereby authorizes the Mayor and the Chief of Police, and the officer on duty in charge of the police department, to render the services of the police department to other municipal corporations, counties, townships, park districts, multijurisdictional drug, gang or career criminal task forces, to a regional transit authority, or to a governmental entity of an adjoining state, in times of emergency, whether or not the Village has entered into mutual aid contracts for police services with any of said political subdivisions or governmental entities. The determination of "times of emergency" shall be made only by the Mayor, Chief of Police or the officer on duty in charge of the police department, upon a call for emergency police protection services by the state or another political subdivision of this state.

(b) Chapter 2744 of the Ohio Revised Code, as it applies to the operation of police departments, shall apply to the Village and to the members of its police department when the members are rendering police services outside of the Village, pursuant to this policy and Section 737.041 of the Revised Code.

(c) Personnel of the police department who render emergency services to other political subdivisions pursuant to this Resolution shall be entitled to participate in any pension or indemnity fund established by the Village to the same extent as while acting within the Village, and shall be entitled to all rights and benefits of Chapter 4123 of the Ohio Revised Code to the same extent as while performing services within the Village.

SECTION 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were accepted in an open meeting of this Council, and that

deliberations of this Council and any of its committees that resulted in such formal actions were in meeting open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

SECTION 3: That this resolution shall take effect and be in full force from and after the earliest period allowed by law.

First Reading March 22, 2011

Second Reading April 27, 2011

Passed in Council as an Emergency this 27th day of April, 2011.

Vote of Council: Ayes: Mr. Garrett, Mrs. Rininger, Mr. Snyder, Mrs. Barrett, Mrs. Miranda

Nays: None.

ATTEST:

APPROVED:

Lloyd Billman, Fiscal Officer

Robert Donham, II, Mayor

APPROVED AS TO FORM:

Thomas Reitz, Solicitor