

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 22-113

INTRODUCED BY: Mayor Antoskiewicz, Vos, Deitrich,
Carbone-McDonald
Co-Sponsor: Marnecheck

AN ORDINANCE AUTHORIZING THE CITY OF NORTH ROYALTON POLICE DEPARTMENT TO PROVIDE OCCASIONAL AID TO OTHER JURISDICTIONS WITHOUT CONTRACT, AND DECLARING AN EMERGENCY

WHEREAS: The preservation of the public peace and safety in neighboring jurisdictions will also enhance the public peace and safety in the City of North Royalton, and it is, therefore, deemed to be in the best interest of the inhabitants of the City of North Royalton to render police assistance on occasion to neighboring jurisdictions even though no mutual aid agreement is in effect; and

WHEREAS: Such Police service and protection is specifically authorized by Ohio Revised Code Section 737.041 (as amended in 2007) but subject to approval by this Council.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Upon request of a neighboring jurisdiction, whether or not contiguous to the City of North Royalton, the City of North Royalton Police Department may furnish police manpower and equipment to aid the requesting jurisdiction in an emergency to the extent such manpower and equipment are available.

Section 2. Any such request for assistance shall be made by the highest-ranking officer of the requesting party on duty at the time. The decision as to whether, and the extent to which, manpower and equipment are available for assistance shall be made by the Chief of Police of the City of North Royalton or by the officer in charge on duty at the time of the request.

Section 3. Even though a request for assistance has not been made, a City of North Royalton police officer who observes a police officer of another jurisdiction in distress or receives an urgent call for aid to any such officer in distress nearby, may, in the exercise of sound discretion and reasonable judgment, enter the other jurisdiction in order to render assistance to the officer in distress.

Section 4. Personnel of the North Royalton Police Department acting under this Ordinance outside of the City may participate in any pension or indemnity fund established by the City of North Royalton to the same extent as if they were acting within the City, and are entitled to all rights and benefits under O.R.C. Chapter 4123, the same as if they were performing police services within the City of North Royalton.

Section 5. In responding to a call for assistance under this Ordinance, the City of North Royalton Police personnel shall be considered to be acting within the scope of their employment while en route to or from, and while acting within, the requesting jurisdiction, and while acting within any other jurisdiction if engaged in fresh pursuit. To the extent O.R.C. Chapter 2744 is applicable to the operation of police departments, it is and shall be applicable to the City of North Royalton Police personnel rendering service outside the City pursuant to this Ordinance.

Section 6. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 7. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the city, and for the further reason that a vital safety function of the municipal government is affected hereby.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Paul F. Marnecheck
PRESIDENT OF COUNCIL

APPROVED: /s/ Larry Antoskiewicz
MAYOR

DATE PASSED: July 5, 2022

DATE APPROVED: July 11, 2022

ATTEST: /s/ Dana A. Schroeder
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended
Second reading suspended
Third reading July 5, 2022

YEAS: Marnecheck, Barath, Krejci,
Dietrich, Carbone-McDonald, Wos

NAYS: none

ABSENT: Nickell