

ORDINANCE NO. 01-24-03

**AN ORDINANCE
ENACTING A NEW CHAPTER 139, POLICE DEPARTMENT, OF
THE KIRTLAND HILLS CODIFIED ORDINANCES TO PROVIDE
FOR REGULATIONS THAT GOVERN THE POLICE
DEPARTMENT.**

WHEREAS, this Council wishes formally to provide authority for the Chief of Police and the Mayor to enact rules, regulations, policies and procedures; and

WHEREAS Council also desires to establish qualifications for its police officers and define overtime and compensatory time for its offices, as is permitted under the federal Fair Labor Standards Act; and

WHEREAS, Council also wishes to define the composition of the Police Department, subject to the Village budget and compensation ordinances.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
VILLAGE OF KIRTLAND HILLS, LAKE COUNTY, STATE OF OHIO:**

SECTION 1. That new Chapter 139, Police Department, of the Codified Ordinances of Kirtland Hills, be and the same hereby is enacted which shall read and provide, in its entirety, as follows:

**“CHAPTER 139
POLICE DEPARTMENT**

139.01 RULES, REGULATIONS, POLICIES AND PROCEDURES.

The Chief of Police, with the written approval of the Mayor, may promulgate rules, regulations, policies, and procedures which control and direct the operations of the Village Police Department.

139.02 MUTUAL AID.

Approval is hereby given for the Kirtland Hills Police Department to provide such police protection, including manpower and equipment, as is requested by any county, municipal corporation, township, or other law enforcement authority of the State of Ohio without the necessity of a written agreement with political subdivision that is responsible for the law enforcement agency; provided, that the health, safety, and welfare of the Village will not be compromised by the provision of such aid. The provision of police protection pursuant hereto shall be subject to such policies and procedures as are promulgated as provided in this Chapter.

139.03 QUALIFICATIONS OF POLICE OFFICERS.

As a sworn peace officer certified by the State of Ohio in accordance with the requirements specified in the Ohio Revised Code, a Kirtland Hills police officer shall be required to have the following qualifications in order to perform the essential job duties and responsibilities of a police officer:

- (a) Have Ohio Peace Officer Certification as required by the Ohio Revised Code, or be willing to attain certification within the time required by The Ohio Peace Officers Training Council;
- (b) Have a high level of physical capacity and fitness sufficient to engage and endure strenuous physical activities involving but not limited to lifting, pulling, pushing, carrying, walking, jogging, running, and for long periods of sitting and standing;
- (c) Have weight proportional to height and build;
- (d) Have firearms proficiency as required by mandated training by the State of Ohio and The Ohio Peace Officers Training Council;
- (e) Possess reasonable mental capabilities commensurate with police work such as the ability to make quick decisions concerning the protection of life and property;
- (f) Have an Ohio driver's license with a good driving record. He/she shall have no more than two (2) three (3) point moving violations over a three (3) year period. Any more than six (6) points amassed in a five (5) year period shall be grounds for disqualification from eligibility or dismissal from the department; and
- (g) Have successfully completed the required probationary period of twenty four (24) months.

139.04 28-DAY WORK PERIOD; OVERTIME.

Sworn full-time members of the Police Department, exclusive of the Chief of Police and the Lieutenant, shall be eligible for overtime or compensatory time, paid at a rate of one-and-one-half times the member's regular rate of pay as follows:

- (a) Council hereby formalizes the policy that its law enforcement personnel shall work a 28-day work period, and nonexempt law enforcement personnel shall be entitled to compensatory time off or overtime pay for all hours worked in excess of 171 hours during the 28-day work period. In accordance with this election, nonexempt employees of the Police Department shall be entitled to compensatory time off or overtime pay for all hours worked in excess of 171 hours per 28-day pay period.
- (b) Notwithstanding subsection (a) hereof an officer who works in any 24-hour period more hours than those included in the officer's scheduled shift shall be entitled to overtime pay or compensatory time for each hour worked in excess of the hours of the scheduled shift.

139.05 COMPOSITION.

The Kirtland Hills Police Department shall be composed of one Chief, one Lieutenant, one Sergeant, up to ten full-time patrol officers and up to ten part-time patrol officers.”

SECTION 2. That any ordinance or any part of any ordinance that conflicts with this ordinance is repealed to the extent of the conflict.

SECTION 3. That 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 of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this Ordinance shall take effect at the earliest time permitted by law.

PASSED January 29 2019

Brenda Huber
CLERK/TREASURER

John T. Teal
MAYOR