

EXHIBIT A

ORDINANCE 50-2023

CHAPTER 35: POLICE DEPARTMENT

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§ 35.01 COMPLEMENT.

(A) The Police Chief ~~is~~ shall serve as the ~~executive~~ Executive ~~director~~ Director of the Police Department. ~~The Police Chief and serves~~ operates under the general direction of the City Administrator, - and is appointed by the Mayor. The position is categorized in the unclassified service.

(B) The Police Department will include the Police Chief and other classified positions deemed necessary by the Chief of Police and City Administrator to ensure the department's safe and efficient operations. Classified positions shall be approved by the Civil Service Commission. In addition to the Police Chief, the Police Department shall consist of the following classified positions:

- ~~—(1) One Assistant Chief of Police;~~
- ~~—(2) Four Lieutenants;~~
- ~~—(3) Four Sergeants;~~
- ~~—(4) Thirty permanent and/or probationary police officers;~~
- ~~—(5) One Administrative Secretary;~~
- ~~—(6) Seven Violations Bureau Clerk Dispatchers.~~

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(C) The Mayor may, in order to augment the regular personnel of the Police Department, employ special, temporary, or part-time Police Officers on the Police Department of the city.

(Ord. 27-1997, passed 4-2-97; Am. Ord. 34-1997, passed 4-16-97; Am. Ord. 46-1999, passed 9-1-99; Am. Ord. 32-2004, passed 7-21-04; Am. Ord. 17-2007, passed 3-21-07)

§ 35.02 APPOINTMENTS AND PROMOTIONS.

Appointments and promotions shall be made by the Mayor subject to all applicable rules and regulations of the Civil Service Commission. (Ord. 30-1974, passed 4-17-74)

§ 35.03 PHYSICAL EXAMINATION.

(A) All candidates for positions on the Police Department of the city ~~in which they would participate-participating as members of in~~ the ~~Police Relief and Ohio Police and Fire Pension Fund (OP&F)~~ shall, prior to their initial appointment to the Department, ~~present to the Mayor a report of successfully complete~~ a physical examination ~~made of the candidates by a physician licensed in the state acceptable to the standards established by the pension system.~~ ~~The examination must be acceptable to the Mayor and the Civil Service Commission.~~

(B) The term INITIAL APPOINTMENT is defined as that appointment which establishes the person as a member of the Police Department. (Ord. 30-1974, passed 4-17-74)

§ 35.04 ~~APPOINTMENT OF CHIEF OF POLICE; REMOVAL. (RESERVED)~~

~~—The municipality shall have a Chief of Police, appointed by the Mayor, subject to the requirements of the Civil Service rules and regulations, who shall continue in office until removed therefrom as provided by the Civil Service rules and regulations.~~

~~(Ord. 64-1972, passed 12-20-72)~~

§ 35.05 POLICE OFFICERS.

The Mayor shall, when provided for by the legislative authority of the municipality, and subject to its confirmation, subject to the requirements of the Civil Service rules and regulations, appoint all Police Officers, ~~Night Watchmen~~, and Special Police Officers. All such officers shall continue in office until removed therefrom for the cause and in the manner provided by the Civil Service rules and regulations. ('68 Code, § 10.4) (Am. Ord. 32-2004, passed 7-21-04)

§ 35.06 (RESERVED.)

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§ 35.07 AUXILIARY POLICE UNITS.

The municipality shall have such Auxiliary Police units within the Police Department as the legislative authority shall provide to be operated under regulations as are described by ordinance. The legislative authority of the municipality may establish, by ordinance, an Auxiliary Police Unit within the Police Department, 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 the Auxiliary Police Officers, subject to any general regulations prescribed by the legislative authority by ordinance, and subject to the requirements of the Civil Service rules and regulations, and shall prescribe rules and regulations for the organization, training, administration, control, and conduct of the Auxiliary Police Unit. The Police Chief shall have exclusive control of the stationing and transferring of all Auxiliary Police Officers under such general rules and regulations as the Mayor prescribes. ('68 Code, § 10.8)

§ 35.08 PROBATIONARY PERIOD; FINAL APPOINTMENT.

Any appointment made under § 35.02 hereof shall be for a probationary period of one year continuous service, and no final appointment shall be made until the appointee has satisfactorily served his probationary period. Probationary periods begin upon successful completion of all required training and certifications.

(Ord. 64-1972, passed 12-20-72)

§ 35.09 GENERAL POWERS.

The Chief of Police shall be the Peace Officer of the city and the ~~executive~~ Executive head, Director of the Police Department, under the direction of the Mayor and City Administrator. ~~of the Police Department.~~ The Chief of Police, and ~~policemen such other officers~~ under him, shall have the powers conferred by law on police officers in all cities of the state, and such other powers, not inconsistent with the nature of their offices, as are conferred by ordinance. (R.C. § 737.1806) ('68 Code, § 10.12)

§ 35.10 TAX DEFERRED SERVICE CREDIT PURCHASE PLAN.

(A) The city hereby adopts a plan, as set forth in division (F) of this section, to allow employees who are members of the ~~PFDPF~~ Ohio Police & Fire Pension Fund (OP&F) to purchase additional service credit and/or to redeposit withdrawn contributions on a tax deferred basis as permitted by Internal Revenue Code Section 414(h)(2).

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(B) A contribution made under this plan, although designated as an employee contribution, is picked up by the city and is paid by the city as an employer contribution.

(C) A member electing to make contributions under this plan shall not have the option of receiving the money directly instead of having it paid by the employer to the pension plan.

(D) The plan is in addition to any other plan that may exist allowing for the purchase of service credit in a ~~PFDPF~~ OP&F.

(E) The ~~Clerk of Council/Finance Director~~ Finance Officer/Tax Commissioner is hereby authorized to implement this plan in accordance with directives of the ~~PFDPF~~ OP&F.

(F) Tax deferred service credit purchase plan.

(1) Effective June 1, 1998 employees and elective officials of the city who are contributing members of the ~~Police and Firemen's Disability and Pension Fund (PFDPF) Ohio Police & Fire Pension Fund (OP&F) of the State of Ohio~~, may purchase additional service credit pursuant to R.C. §§ 742.221, 742.23, 742.24, 742.251, 742.371, 742.372, 742.373, 742.375, 742.376, 742.379, 742.52 and 742.56 on a tax deferred basis, and the city shall withhold from the gross pay of each person electing to purchase service credit the appropriate installment payment as a payroll deduction and shall "pick-up" (meaning assume and pay) such deduction, and pay to the ~~PFDPF~~ OP&F such same deduction as a picked up contribution so as to be treated as an employer contribution pursuant to Internal Revenue Code section 414(h)(2). A person electing this "pick-up" deduction shall not have the option of choosing to receive the payroll deduction directly instead of having this deduction picked up by the city. A payroll deduction plan shall not last longer than 60 months, or if less, the period of service to be purchased.

(2) An election to purchase service credit pursuant to this tax deferred plan is irrevocable. Members who elect to participate in this plan cannot increase, decrease or terminate the amount of the picked-up deduction until the repayment or purchase is completed in full, or until employment is terminated. All terminology used in this plan shall have the same meaning as encompassed in Ohio Administrative Code rule 742-5-08 and any other rule of the OAC or the Ohio Revised Code where such section, rule, or definition is essential to accomplish the purchase of service credit on a tax deferred basis.

(3) The ~~Clerk of Council/Finance Director~~ Finance Officer/Tax Commissioner shall not accept an election to purchase service credit by payroll deduction for more than one type of service credit at the same time, nor for service credit which is being purchased by a lump sum payment.

(4) The ~~Clerk of Council/Finance Director~~ Finance Officer/Tax Commissioner shall implement the provisions of this plan in coordination with the ~~PFDPF~~ OP&F. The ~~Clerk of Council/Finance Director~~ Finance Officer/Tax Commissioner shall report to the ~~PFDPF~~ OP&F all members who have authorized payroll deductions pursuant to this tax deferred plan.

(5) This plan is a tax deferred plan which means that Federal Income taxes will not be paid by the employee, or withheld by the employer, on the amounts deducted for the purchase of

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service credit. Taxes shall be paid on such amounts at the time of retirement or refund of such amounts from the ~~PFDPF~~-OP&F.

(Ord. 33-1998, passed 5-20-98)