

ORDINANCE NO.: 32 -2007
INTRODUCED BY: Gambatese

AN ORDINANCE AMENDING CHAPTER 141, DIVISION OF POLICE, TO ADOPT NEW SECTION 141.27 ENTITLED "CITY JAIL; USE BY OTHER GOVERNMENT ENTITIES".

WHEREAS, there has been an increasing demand for use of City of Richmond Heights jail space by other government entities due to overcrowding of their facilities; and

WHEREAS, there is a need to establish a per diem charge per prisoner to these other governmental agencies to cover the costs of housing such prisoners;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: Chapter 141, Division of Police, of the Codified Ordinances of the City of Richmond Heights is hereby amended to add new Section 141.27, entitled "City Jail; Use by Other Government Entities", to read as follows:

"141.27 CITY JAIL; USE BY OTHER GOVERNMENT ENTITIES.

(a) The City's jail facilities shall be made available to other governmental entities on an emergency and/or temporary basis for the housing of their prisoners at the discretion of the Chief of Police, or his designee, based upon the availability of prisoner space and the proper administration of the Division of Police, its jail facilities and its personnel.

(b) The Director of Public Safety shall establish a charge per prisoner, per day, and for the coverage/reimbursement of all related expenses through a schedule of charges for the use of the City jail facilities for the housing and care of prisoners of other government entities. For purposes of this section, the term "per day" means any fraction of a calendar day.

(c) The Chief of Police, or any administrative personnel of the Division of Police assigned by the Chief, shall keep an accurate record of the use made of the City's jail facilities by any other government entity and shall promptly advise the Director of Finance of the amount due therefor pursuant to the schedule of charges established by the Director of Public Safety.

(d) Upon receipt of notice of the use of the City jail and the amount to be charged, the Director of Finance shall promptly issue an invoice to the government entity using the jail facility. The funds received therefrom shall be deposited into the General Fund."

Section 2: 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 3: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

Daniel J. Ursu, Mayor

APPROVED: _____

ATTEST: _____

Betsy Traben
Clerk of Council

David H. Roche
President of Council