

ORDINANCE NO. 78-16

BY: **DEBORAH LIME**
(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A PURCHASE AGREEMENT FOR THE SALE OF K-9 DOG FELIX OF THE PARMA POLICE DEPARTMENT, AND DECLARING AN EMERGENCY

WHEREAS, the Police K-9 dog Felix (the “dog”) has been assigned to Officer Daniel Toporowych and is estimated to have a remaining useful service period of three (3) years; and,

WHEREAS, as a result of injury, Officer Toporowych has been and remains on injury furlough; and,

WHEREAS, while the dog has an estimated service period of three (3) years, the cost of retraining with a new officer within the department is expected to be in excess of \$18,000.00, and the City Council has determined that the retraining cost over the expected service period is not in the best interest of the department; and,

WHEREAS, this arrangement is made pursuant to provisions in the Ohio Revised Code Section 9.62 for the disposition of police dogs wherein a police dog taken out of service is first offered to the officer to whom the dog is assigned; and,

WHEREAS, Officer Toporowych is desirous of maintaining control of the dog and has agreed to compensate the City of Parma for the present value of training of a replacement dog; and,

WHEREAS, Officer Toporowych has offered to make a donation to the City of Parma to offset, in part, the training costs of a new police dog so that between the sale price and donation the City of Parma receives the sum of \$3,500.00; and,

WHEREAS, the City Council has determined that the dog should be offered to Officer Toporowych pursuant to ORC Section 9.62 in the amount of \$1.00 and accepts the donation of \$3,499.00 toward training costs of a new dog; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. That the Council of the City of Parma determines that the Director of Public Safety shall enter into a Purchase Agreement with Parma Police Officer Daniel Toporowych for the transfer of ownership of the dog for the sum of \$1.00 and Police Officer Daniel Toporowych shall concurrently make a donation to the Parma Police Department in the amount of \$3,499.00 to offset the training costs for a new dog, and that such Purchase Agreement is hereby attached as Exhibit “A” in substantially similar form.

Agreement for the sale of Police K-9 Dog Felix of the Parma Police Department, and declaring an emergency

Section 2. That the Director of Public Safety is hereby authorized to execute said Agreement and to take such action and to execute such other documents and amendments thereto as may be necessary as approved by the Law Director.

Section 3. That the Council of the City of Parma hereby acknowledges and accepts the payment and donation in the total amount of \$3,500.00 from Officer Daniel Toporowych to be used by the Parma Police Department for the training of a new dog and such payment and donation to be deposited into Fund No. _____, Account No. _____.

Section 4. 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 the 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 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Parma, and for the further reason that this measure is necessary in order for the transfer of the dog to take place in the near future, and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____ APPROVED: _____
CLERK OF COUNCIL

FILED WITH
THE MAYOR: _____ MAYOR, CITY OF PARMA, OHIO