

7/6/2020

L-91-2020 1st

ORDINANCE NO. 91-2020

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

AN ORDINANCE TO AMEND SECTION 143.32 “LAW ENFORCEMENT TRUST FUND” WITHIN CHAPTER 143 “DIVISION OF POLICE” OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

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

Section 1. That Section 143.32 “Law Enforcement Trust Fund” of the Codified Ordinances of the City of Parma, which presently reads as follows:

“143.32 LAW ENFORCEMENT TRUST FUND.

(a) There is hereby established, subject to the approval of the Bureau of Inspection and Supervision of Public Offices of the State, a Law Enforcement Trust Fund Account for the purposes set forth in Ohio R.C. 2981.13.

(b) All moneys designated for deposit in the Law Enforcement Trust Fund Account pursuant to the Ohio Revised Code, shall be deposited in such Account.

(c) Moneys deposited in the Law Enforcement Trust Fund Account shall be allocated by Council only to the Division of Police for the following purposes:

(1) To pay the costs of protracted or complex investigations or prosecutions;

(2) To provide reasonable technical training or expertise;

(3) To provide matching funds to obtain Federal grants in support of programs designed to educate adults or children about the dangers associated with the use of drugs of abuse;

(4) To pay the costs of emergency action taken under Ohio R.C. 3745.13 relative to the operation of an illegal methamphetamine laboratory if the forfeited property or money involved was that of a person responsible for the operation of the laboratory; or

(5) For such law enforcement purposes that Council or the Division of Police determines to be appropriate.

(d) The City Auditor is hereby directed to furnish a certified copy of this section to the Bureau of Inspection and Supervision of Public Offices of the State and to request the approval of such Bureau for the establishment of such Account.”

is hereby amended to read as follows:

“143.32 LAW ENFORCEMENT TRUST FUND.

(a) There is hereby established, subject to the approval of the Bureau of Inspection and Supervision of Public Offices of the State, a Law Enforcement Trust Fund Account for the purposes set forth in Ohio R.C. 2981.13.

(b) THERE IS HEREBY ESTABLISHED A SEPARATE LAW ENFORCEMENT TRUST FUND ACCOUNT FOR FEDERAL FUNDS PURSUANT TO THE GUIDELINES LISTED IN THE GUIDE TO EQUITABLE SHARING FOR STATE AND LOCAL LAW ENFORCEMENT AGENCIES AND FEDERAL LAWS.

(c) All monies designated for deposit in the Law Enforcement Trust Fund Accounts pursuant to the Ohio Revised Code and federal law, shall be deposited in their respective Accounts.

(d) Moneys deposited in the Law Enforcement Trust Fund Account pursuant to Ohio R.C. 2981.13 shall be allocated by Council only to the Division of Police for the following purposes:

- (1) To pay the costs of protracted or complex investigations or prosecutions;
- (2) To provide reasonable technical training or expertise;
- (3) To provide matching funds to obtain Federal grants in support of programs designed to educate adults or children about the dangers associated with the use of drugs of abuse;
- (4) To pay the costs of emergency action taken under Ohio R.C. 3745.13 relative to the operation of an illegal methamphetamine laboratory if the forfeited property or money involved was that of a person responsible for the operation of the laboratory; or
- (5) For such law enforcement purposes that Council or the Division of Police determines to be appropriate.

(e) MONEYS DEPOSITED IN THE LAW ENFORCEMENT TRUST FUND ACCOUNT PURSUANT TO FEDERAL LAWS SHALL BE ALLOCATED BY COUNCIL ONLY TO THE DIVISION OF POLICE FOR A PERMISSIBLE PURPOSE LISTED IN THE GUIDE TO EQUITABLE SHARING FOR STATE, LOCAL, AND TRIBAL LAW ENFORCEMENT AGENCIES CURRENT VERSION AT THE TIME OF THE REQUEST TO COUNCIL.

(f) The City Auditor is hereby directed to furnish a certified copy of this section to the Bureau of Inspection and Supervision of Public Offices of the State and to request the approval of such Bureau for the establishment of the **STATE LAW** Account.

(g) THE CHIEF OF POLICE AND DESIGNATED OFFICIAL OF THE GOVERNING BODY ARE REQUIRED TO APPROVE, SIGN, AND FILE AN EQUITABLE SHARING AGREEMENT AND CERTIFICATION FORM (EASC) WITH THE MONEY LAUNDERING AND ASSET RECOVERY SECTION (MLARS) YEARLY IN ACCORDANCE WITH THE GUIDE FOR EQUITABLE SHARING FOR STATE, LOCAL, AND TRIBAL LAW ENFORCEMENT AGENCIES.”

Section 2. That Section 143.32 “Law Enforcement Trust Fund of the Codified Ordinances of the City of Parma, as it existed heretofore, is hereby repealed.

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 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 4. 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 to make these amendments in the Parma Codified Ordinances, 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