



## Legislation Text

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AN ORDINANCE CREATING AND ESTABLISHING A BOARD TO ADMINISTER CLAIMS OF THE VOLUNTEER PEACE OFFICERS' DEPENDENTS FUND (VPODF); AND TO DECLARE AN EMERGENCY.

WHEREAS, Senate Bill 11 (The Jason Gresko Act), codified in R.C. Chapter 143, created the Volunteer Peace Officers' Dependents Fund (VPODF) which provides death benefits to survivors of volunteer peace officers killed in the line of duty and disability benefits to disabled volunteer peace officers; and

WHEREAS, R.C. Chapter 143 took effect on March 23, 2016; and

WHEREAS, R.C. 143.01(C) defines "volunteer peace officer" as "any person who is employed as a police officer, sheriff's deputy, constable, or deputy marshal in a part-time, reserve, or volunteer capacity by a county sheriff's department or the police department of a municipal corporation, township, township police district, or joint police district and is not a member of the public employees retirement system, Ohio police and fire pension fund, state highway patrol retirement system, or the Cincinnati retirement system;" and

WHEREAS, each political subdivision with a police or sheriff's department that employs volunteer peace officers is a member of the Fund, and each Fund member must establish a board to administer claims for the benefits from the Fund; and

WHEREAS, each Fund member must pay to the treasurer of State, to the credit of the Fund, an initial premium, ranging from \$300 to \$500, based upon the member's assessed property valuation; and

WHEREAS, if the City does not pay this premium, the Director of Commerce will certify the failure as an assessment against the City to the Franklin County Auditor. The county auditor then shall withhold the amount of the assessment, together with interest at the rate of six percent from the due date of the premium, from the next ensuing tax settlement due the City and pay the amount to the treasurer of State to the credit of the VPODF; and

WHEREAS, the total of all initial premiums collected by the treasurer of State under R.C. 143.06 is the basic capital account of the VPODF. No further contributions are required of fund members until claims against the Fund have reduced it to ninety-five percent or less of its basic capital account; and

WHEREAS, all participating political subdivisions must create a Board, elect its members, and forward certain information to the Ohio Department of Commerce by April 22, 2016; and

WHEREAS, Council for the City of Gahanna now wants to create this Board; and

WHEREAS, it is imperative to move forward with this legislation to meet the required submission date and all for the preservation of the public peace, property, health, safety and welfare.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GAHANNA, COUNTY OF FRANKLIN, STATE OF OHIO:

Section 1. The City of Gahanna Volunteer Peace Officers' Dependents Fund (VPODF) Board is hereby created and established to Administer Claims from the Volunteer Peace Officers' Dependents Fund.

Section 2. As required by R.C. 143.02, the Board shall have the following members:

- Two members elected by Council for the City of Gahanna (Elected Officials)
- Two members elected by the City of Gahanna volunteer police officers (Auxiliary Units or Reserve Officers of the Police Department)
- One member elected by the other four members (cannot be a public employee, member of the legislative authority, or police officer of the City, but must be a resident of the City registered to vote in the City)

Section 3. As required by R.C. 143.03, the Board shall meet promptly after election of its members and organize. The Board shall select from among its members a chairperson and a secretary.

Section 4. No later than April 22, 2016, the secretary shall submit the following to the Ohio Department of Commerce:

- The name and address of each board member and an indication of the group or authority that elected the member; and
- The names of the chairperson and secretary; and
- A certificate indicating the current assessed property valuation of the City that is prepared by the clerk of the City of Gahanna.

Section 5. Board members shall serve without compensation.

Section 6. Board members' initial terms are in effect until December 31, 2016. Subsequent board member terms will be January 1 - December 31. All subsequent elections shall be governed by R.C. 143.02(C), and as amended from time to time by the General Assembly.

Section 7. As allowed by R.C. 143.04, the Board may adopt rules as necessary for handling and processing claims for benefits.

Section 8. It is hereby found and determined that all formal action of this Council concerning and relating to the passage of this Ordinance were adopted in open meeting of this Council, and that any and all deliberations of this 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 of the laws of the State of Ohio.

Section 9. All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereof.

Section 10. That, for the reasons set forth in the preamble hereinabove, this Ordinance is declared emergency legislation and shall be in full force and effect immediately upon passage by this Council and on date of signature approval by the Mayor.