

139.01 COMPOSITION; APPOINTMENT

- (a) The Police Department shall consist of a Chief of Police, up to two (2) Supervisory employees, up to three (3) full time patrolmen, and up to fifteen (15) part-time officers and up to fifteen (15) auxiliary officers as the Mayor and Council may from time to time deem appropriate.
 - (1) The Chief of Police and all full-time members of the Police Department shall be appointed by the Mayor, subject to confirmation by Council, as provided in Ohio R.C. 737.15 and 737.16.
 - (2) There shall be no residency requirement of any kind connected with the position of Police Chief.
- (b) The part-time positions in subsection (a) hereof may or may not be filled at any time and are provided in order to give the Mayor and Chief of Police the ability to provide for coverage of the Village, and at the time allow for vacation and sick days taken by full-time employees.
 - (1) The Chief of Police, in his discretion, may schedule part time police officers to insure police coverage for the Village, but at no time shall a part time police officer work for more than seventy-nine hours per eighty hour pay period/tour of duty.
 - (2) As part time police officers, they will not be covered under the Village health insurance plan except as otherwise required by the laws of Ohio, will not be entitled to accumulate sick leave, nor be entitled to holiday pay.
 - (3) All current non-full time officers duly appointed prior to 12/31/1993 shall be classified as part time officers.

139.02 EMPLOYMENT.

The following provisions establish requirements and procedures for obtaining an original appointment to the Police Department

- (a) Qualification. Minimum qualifications for employment are hereby established as follows:
 - (1) Ohio residency;
 - (2) U.S. citizenship;
 - (3) Twenty-one years of age;
 - (4) Weight appropriate to height;

- (5) No criminal record of felony convictions or pleas of guilty or no contest or repeated traffic offenses;
 - (6) A high school diploma or a general equivalency diploma;
 - (7) A vision of at least 20/100 uncorrected, correctable to 20/20; and
 - (8) No medical disabilities which would adversely affect the performance of duty.
 - (9) Ohio Peace Officer Certification.
- (b) Recruitment. The Chief of Police shall be the chief recruiting officer of the Department, and shall strive to recruit the best qualified people for full-time and part time employment.
- (1) The Chief of Police shall maintain an eligibility list for applicants to the Police Department.
 - (2) When a position is to be filled, the Chief of Police will go through all applicants applications and meet all qualifications as set in subsection (a) hereof.
- (c) Hiring Procedures. The steps to select candidates for employment are described as follows:
- (1) Application. The candidate shall prepare a Police Department employment application form and, submit it to the Chief of Police.
 - (2) Screening. The Chief of Police will determine if the applicant meets the minimum qualifications; check references, neighbors and past employment; and process all information through LEADS and BCI.
 - (3) Interview. An oral interview shall be scheduled by the Chief of Police and if deemed necessary before the Mayor and police council liaison.
 - (4) Selection and appointment. Selection of the candidate shall be made and forwarded to the Mayor with a specific recommendation for employment. Full-time and part-time employment will be appointed by the Mayor, and subject to the concurrence by Council.
 - (5) Medical examination. Appointment of full time officers will follow under Ohio Revised Code Section 737.16 for medical examination. Appointment of part time officers will consist of a medical examination as directed by the Chief of Police. This examination shall be at the expense of the Village.

139.03 ORIGINAL APPOINTMENT OF POLICE OFFICERS.

- (a) Probationary Period. All appointments made under Sections 737.15 & 737.16 of the Revised Code shall be for a probationary period of six months continuous service, and none shall be finally made until the appointee has satisfactorily served his probationary period. At the end of the probationary period the mayor shall transmit to the legislative authority of the village a record of such employee's service with his recommendations thereon and he may, with the concurrence of the legislative authority, remove or finally appoint the employee.
- (b) Training Program. All full-time and part-time personnel shall be required to complete the State mandated police training program as prescribed by the Ohio Peace Officer Training Council prior to being permitted to work alone and in uniform.
- (c) Salaries. Salaries for all members of the Police Department shall be in accordance with the current salary ordinance passed by Council. Increases in rate of pay shall be given as passed by Council

139.04 TRAINING.

- (a) The Chief of Police shall be the chief training officer of the Department, and shall hold regular training sessions with all officers of the Department. Such training sessions shall serve to keep the Police Officers advised of recent developments in the law; the role of the Officers within the Department and the community, and procedures and refinements for the operation of the Officers in their duties as Police Officers for the Village.
- (b) The Chief shall arrange for each officer to attend at least annually a formal seminar on training. Adequate seminars are available within the immediate geographical area of the Village, and it is not anticipated that overnight accommodations will be required for the Officers to attend the seminars. The Village shall assume any registration costs and/or legitimate expense attached to attendance at such seminars.
- (c) The Chief of Police shall require all full-time and part time Officers of the Department to receive such additions to their formal Police training as will keep such Officers fully trained in accordance with the standards promulgated by the Ohio Peace Officers Training Council.
- (d) The Chief of Police shall be granted a reasonable time, not to exceed ninety days, for his Officers to receive whatever updating in training is necessary for them to comply with the terms of this section.

(e) This section shall not affect new appointments to the Police Department for the reason that new appointments, will have obtained the most current Police Officer education required by the Ohio Peace Officers Training Council.

139.05 PROMOTIONS.

- (a) Definition. As used in this section “Supervisory employee” and “supervisory position” means any Police Officer above the rank of Patrolman and below the rank of Chief.
- (b) Policy. No personnel shall be employed for or promoted to a supervisory position except according to the procedures established in this section, nor shall any person be employed for or promoted to a supervisory position unless he has met the standards of qualification established hereunder.
- (c) Qualifications. The standards of qualification for employment or promotion to a supervisory position shall be:
- (1) The qualifications established in Section 139.02(a).
 - (2) Employed as a full-time patrolman for at least three years.
- (d) Procedures. The procedures for hiring or promotion to a supervisory position are as follows:
- (1) The procedures to announce an opening in a supervisory position are those prescribed in Section 139.02(b)(2).
 - (2) The procedures to apply to be employed for or to be promoted to a supervisory position shall be that the Chief of Police will post a notice on the Police Department main bulletin board and the promotion will be posted along with details of the promotion and the closing date for applications to be turned in.
- (e) Probationary Period. Any appointment or promotion to a supervisory position shall be conditional upon satisfactory performance of the duties of such position for a minimum period of one year from the date of employment or promotion.
- (g) Exception. Completion of all procedures prescribed by this section shall not preclude the right of the Mayor, after consultation with the Safety Committee of Council, to leave such position unfilled.

139.06 SUSPENSIONS AND REMOVAL OF FULL & PART POLICE OFFICERS. OHIO REVISED CODE SECTION 737.19

(a) If an employee is suspended under this section, the Chief immediately shall certify this fact in writing, together with the cause for the suspension, to the mayor of the village and immediately shall serve a true copy of the charges upon the person against whom they are made. Within five days after receiving this certification, the mayor shall inquire into the cause of the suspension and shall render a judgment on it. If the mayor sustains the charges, the judgment of the mayor may be for the person's suspension, reduction in rank, or removal from the department.

(b) Suspensions of more than three days, reduction in rank, or removal from the department under this section may be appealed to the legislative authority of the village within five days from the date of the mayor's judgment. The legislative authority shall hear the appeal at its next regularly scheduled meeting. The person against whom the judgment has been rendered may appear in person and by counsel at the hearing, examine all witnesses, and answer all charges against that person.

(c) At the conclusion of the hearing, the legislative authority may dismiss the charges, uphold the mayor's judgment, or modify the judgment to one of suspension for not more than sixty days, reduction in rank, or removal from the department.

(d) Action of the legislative authority removing or suspending the accused from the department requires the affirmative vote of two-thirds of all members elected to it.

(e) In the case of removal from the department, the person so removed may appeal on questions of law and fact the decision of the legislative authority to the court of common pleas of the county in which the village is situated. The person shall take the appeal within ten days from the date of the finding of the legislative authority.

139.07 SUSPENSION OR REMOVAL OF POLICE CHIEF.

The Chief of Police shall be suspended or removed pursuant to Ohio R.C. 737.171 which states:

(a) If the mayor of a village has reason to believe that a duly appointed Chief of the village has been guilty of incompetency, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, or any other acts of misfeasance, malfeasance, or nonfeasance in the performance of the marshal's official duty, the mayor shall file with the legislative authority of the village written charges against that person setting forth in detail the reason for the charges, and immediately shall serve a true copy of the charges upon the person against whom they are made.

(b) Charges filed under this section shall be heard at the next regular meeting of the legislative authority occurring not less than five days after the date those charges have been served on the person against whom they are made. The person against whom those charges are filed may appear in person and by counsel at the hearing, examine all witnesses, and answer all charges against that person.

(c) At the conclusion of the hearing, the legislative authority may dismiss the charges, suspend the accused from office for not more than sixty days, or remove the accused from office.

(d) Action of the legislative authority removing or suspending the accused from office requires the affirmative vote of two-thirds of all members elected to it.

(e) In the case of removal from office, the person so removed may appeal on questions of law and fact the decision of the legislative authority to the court of common pleas of the county in which the village is situated. The person shall take the appeal within ten days from the date of the finding of the legislative authority.

139.08 UNIFORM AND EQUIPMENT.

- (a) The Chief of Police shall designate the items of clothing and equipment which shall be required for each Officer, subject to confirmation by Council.
- (b) Only those items designated in accordance with subsection (a) hereof may be purchased with the Uniform Allowance for Police Personnel.
- (c) Uniform allowance is allocated in the first month of the beginning of the New Year and shall consist of \$550.00 for full-time officers and \$300.00 for part-time officers. \$250.00 for auxiliary officers.
- (d) Any officer who does not complete the six month probationary period will be required to reimburse the Village for the amount of uniform allowance used.

139.09 SPECIAL APPOINTMENTS.

- (a) The Chief shall make appointments within the Department to fulfill the following needs for a Juvenile Officer, Property Custodian and other such needs as required to maintain control.

139.10 AUXILIARY POLICE UNIT.

- (a) There is hereby created within the Village of Peninsula Police Department an Auxiliary Police Unit, the members of which shall be appointed by the Mayor. The Mayor shall report to Council within 45 days the appointment of an Auxiliary officer. All Current non full-time officers duly appointed after January 1, 1994 shall be classified as auxiliary officers.
- (b) Auxiliary Police officers shall serve so long as the Mayor may direct, or until a resignation submitted by any such member is accepted by the Mayor.
- (c) The members of the Auxiliary Police Unit shall be residents of the State, and may not be under the age of twenty-one years at the time of their appointment, and such other requirements as provided by rules adopted under subsection (e) hereof.
- (d) The Chief of Police shall be the commanding officer of the Auxiliary Police Unit and shall have control of the assignment, training, stationing, and the direction of work of such unit. The Auxiliary Police Unit will have all police powers, but shall perform only such police duties as assigned by the Chief of Police and shall act only when in the prescribed uniform or partial uniform. Such Auxiliary members shall obey the chain of command of the Police Department and shall take orders from all regular appointed members thereof.
- (e) The rules and regulations of the Police.
- (f) Auxiliary Officers are subject to removal from their positions if the Mayor, upon recommendation by the Chief of Police, finds that the officer was guilty of incompetence, gross neglect of duty, gross immorality, habitual drunkenness, failure to obey order given to them by proper authority, or for any other reasonable cause. The Mayor shall make the final decision on termination of the Auxiliary Officer, and the specific requirements of Section 737.19 of the Ohio Revised Code do not apply to an Auxiliary Officer. The Mayor shall report to Council within 45 days the termination of an Auxiliary Officer.
- (g) As Auxiliary Officers, they will not be covered under the Village health insurance, will not be entitled to accumulate sick leave, nor be entitled to holiday pay.

139.11 POLICE POLICY & PROCEDURE MANUAL.

- (a) The Mayor is hereby authorized to approve the Police Department's Police Procedures Manual as submitted to Council by the Chief of Police and Mayor.
- (b) A copy of the Police Procedures Manual shall be maintained by the Chief of Police for public inspection.

139.12 CIVILIAN OBSERVER (RIDER) PROGRAM IN POLICE CARS.

- (a) Members of the Police Department may allow casual riders or observers in the police car including policemen, prisoners, village employees and elected officials. This section should not be construed to affect in any way the transportation of victims and/or witnesses necessary for the investigation and prosecution of crimes. The section also should not be construed to affect in any way the transportation of citizens in need to aid by the police at any time.
- (b) Any casual or civilian riders shall fill out and sign a Civilian Ride Along Program Application before riding. The Chief of Police will have final approval on all riders.

139.13 COURT APPEARANCE PAY.

- (a) If any full or part-time police officer is required in the function of his/her job with the Village to appear in Court for any reason other than Jury Duty, he/she shall be deemed to have worked a minimum of three hours. However, any witness or mileage fees received by the officer by the Court for so serving shall be turned over to the Village.

139.14 MINIMUM OF HOURS FOR TRAINING.

- (a) All officers will receive the minimum hours of training as scheduled by the Chief of Police. All department meetings and firearms qualifications hours will be set by the Chief and each officer to be paid for there attendance with a minimum of two hours.