

CITY OF OBETZ
RECORD OF ORDINANCES



ORDINANCE: 13 – 22

PASSED: February 28, 2022

AN ORDINANCE TO AUTHORIZE THE PURCHASE OF AN EMPLOYEE DISHONESTY AND FAITHFUL PERFORMANCE INSURANCE POLICY RATHER THAN INDIVIDUAL SURETY BONDS, AND DECLARING AN EMERGENCY

WHEREAS, the City of Obetz is a member of the Public Entities Pool (PEP), a political subdivision risk pool established pursuant to Ohio Revised Code ("ORC") 2744.081; and,

WHEREAS, in accordance with ORC 3.061, the "political subdivisions" (meaning counties, townships, and "municipal corporations," including villages and cities) must adopt a policy by resolution to allow the use of an "employee dishonesty and faithful performance of duty" coverage document, rather than a surety bond, to cover loss by fraudulent or dishonest actions of employees and failure of employees to faithfully perform duties; and,

WHEREAS, the following shall apply to the policy: (1) An officer, employee, or appointee shall be considered qualified to hold the office or employment, without acquiring a bond, on the date the oath of office is taken, certified, and filed as required by law; (2) An officer, employee, or appointee shall have the employee dishonesty and faithful performance of duty policy in effect before the individual's term of office or employment and the officer, employee or appointee shall not commence the discharge of duties until coverage is documented; (3) All officers, employees, or appointees who would otherwise be required to file a bond before commencing the discharge of duties shall be covered by and are subject to the employee dishonesty and faithful performance of duty policy instead of a surety bond requirement; (4) The coverage amount for an officer, employee, or appointee under an employee dishonesty and faithful performance of duty policy shall be equal to or greater than the maximum amount of the bond otherwise required by law; (5) Elected officials, prior to taking the oath of office and holding office, shall obtain approval of the intent to use the PEP coverage agreement and affirm that the public entity's coverage complies with ORC 6. 3.061. Said approval shall be obtained the City of Obetz; and,

WHEREAS, the City of Obetz' "employee dishonesty and faithful performance of duty policy" through the PEP coverage document complies with ORC 3.061.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OBETZ, OHIO, THAT:

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Section 1. The Council of the City of Obetz hereby authorizes the public entity to purchase and use an "employee dishonesty and faithful performance of duty policy" through PEP instead of individual surety bonds for officers, employees, and appointees who are otherwise required by law to acquire a bond before entering upon the discharge of duties.

Section 2. This Ordinance is hereby declared to be an emergency measure, necessary for the preservation of the public health, safety and welfare, such emergency arising from the need to ensure the City has adequate insurance and protection; WHEREFORE, this Ordinance shall take effect and be in force from and after its passage.

Passed this 28 day of February, 2022.

ATTESTS:

Stacey Boumis
Stacey Boumis, Clerk of Council

Angela M. Kirk
Angela M. Kirk, Mayor

Michael R. Flaherty
Michael Flaherty, Council President Pro-Tem

APPROVED AS TO FORM

Eugene Hollins
Eugene Hollins, Esq., Law Director

CERTIFICATION OF PUBLICATION

Pursuant to the City Charter, I, Stacey E. Boumis, Clerk of Council of the City of Obetz, Ohio, do hereby certify that Ordinance 13-22 was duly posted at 11:00 AM (time) on the 7 day of March, 2022, at the Obetz Government Center, Obetz Athletic Club, and Obetz Community Center as well as on the Obetz website.



Stacey Boumis
Stacey Boumis, Clerk

3/7/22
Date