ORDINANCE NO: 2019-99
INTRODUCED BY: ADMINISTRATION

AN ORDINANCE AMENDING SECTION 159.02 OF CHAPTER 159 OF THE CODIFIED ORDINANCES TO PERMIT THE USE OF INSURANCE IN PLACE OF AN INDEMNITY BOND, AND DECLARING AN EMERGENCY

WHEREAS, the City currently by Ordinance requires certain employees of the City and the Lyndhurst Municipal Court to obtain bonds to protect the City and the Court from employee fraud and dishonesty; and

WHEREAS, the Ohio Legislature has recently permitted a city to obtain a policy insuring against employee fraud and dishonesty; and

WHEREAS, Council desires to make such a policy in lieu of such a bond possible with the concurrence of the Mayor and the Municipal Judge. Now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNDHURST, CUYAHOGA COUNTY, STATE OF OHIO:

SECTION 1. Section 159.02 of the Codified Ordinances of the City of Lyndhurst titled "Bonds" is hereby amended to read as follows (new material appears like THIS and deleted material appears like this):

159.02 BONDS.
(a)   Bonds in the amounts hereinafter provided for shall be required of the officials hereinafter designated as indemnity to the City while in the performance of their official duties.

The officials and maximum bond amounts are as follows:

Bailiff of the Lyndhurst Municipal Court	$3,000.
Deputy Bailiff of the Lyndhurst Municipal Court	3,000.
Clerk of the Lyndhurst Municipal Court	50,000.
Director of Finance	50,000.
All other officials who may handle public moneys from time to time	faithful performance blanket position bond of $10,000.

The bonds for the Clerk of Court, Bailiff and Deputy Bailiff are provided for in the Ohio Revised Code and in the event a subsequent statutory change may make the amount higher than provided for in this section, such statutory amount shall control for such officials.

(b) The indemnity bonds herein provided for shall be given by such officials at the commencement of each term of the officials. The Director of Finance is hereby authorized and directed to pay the premiums required for such indemnity bonds.

(C) AT THE OPTION OF THE MAYOR OF THE CITY AND THE JUDGE OF THE LYNDHURST MUNICIPAL COURT, THE BONDS REQUIRED BY SECTIONS (A) AND (B), ABOVE, MAY BE REPLACED BY AN EMPLOYEE DISHONESTY AND FAITHFUL PERFORMANCE OF DUTY INSURANCE POLICY PURCHASED PURSUANT TO SECTION 3.061 OF THE OHIO REVISED CODE.

SECTION 2. All Ordinances or parts thereof heretofore adopted and in effect at the time of the passage of this Ordinance and inconsistent with the foregoing, are to that extent only hereby repealed, otherwise they shall remain in full force and effect and unaltered.

SECTION 3. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of the City of Lyndhurst for the reason that it will be more cost effective and will provide better protection for the City. Therefore, this Ordinance shall take effect immediately upon the affirmative vote of not less than five members elected to Council, and signature by the Mayor, or otherwise at the earliest time allowed by law.

PASSED: ___December 18, 2019___

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MAYOR

_____

VICE MAYOR

ATTEST: _____
          Clerk of Council

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Ordinance by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City on ___December 26, 2019___ and ___January 2, 2020___.

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Clerk of Council

First Reading: ___December 18, 2019___

Second Reading: ___Suspended___

Third Reading: ___Suspended___