

ORDINANCE NO. 2017-118

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A CONTRACT WITH THE BOARD OF COMMISSIONERS OF HANCOCK COUNTY, OHIO, FOR DOG WARDEN SERVICES IN THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Findlay, State of Ohio, two-thirds (2/3) of all members elected thereto concurring:

SECTION 1: That the Service Director of the City of Findlay, Ohio be and he is hereby authorized to enter into a contract with the Board of Commissioners for Hancock County, Ohio, for dog warden services for the City of Findlay, Ohio, retroactive to January 1, 2017.

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason that it is immediately necessary to authorize said contract so that it may be in force for the calendar years 2017 and 2018.

WHEREFORE, this Ordinance shall take effect and be in force from and after its passage and approval by the Mayor.



PRESIDENT OF COUNCIL/Pro-TEM



MAYOR

PASSED December 19, 2017

ATTEST Denise DeVore
CLERK OF COUNCIL

APPROVED December 19, 2017

RESOLUTION

November 2, 2017
Resolution No. 667 -17

RE: AUTHORIZING OF DOG WARDEN SERVICES AGREEMENT FOR CALENDAR YEARS 2017-18 BETWEEN THE CITY OF FINDLAY AND HANCOCK COUNTY.

The Board of County Commissioners, Hancock County, Ohio met in regular session on the 2nd day of November with the following Commissioners present.

Mark D. Gazarek , Brian J. Robertson , and Timothy K. Bechtol .

The Clerk advised that the Board was in compliance with the notice requirements of Section 121.22 of the Revised Code and the implementing rules adopted by the Board pursuant thereto for the meeting.

Bechtol moved for the adoption of the following resolution:

WHEREAS, the Council of the City of Findlay, Ohio, has enacted certain ordinances relating to the control of dogs within said City for the protection of the public health, safety and welfare; and

WHEREAS, the said Council wishes to continue said protection for the citizens of the City of Findlay, Ohio by enforcement of said ordinances while eliminating costly duplication of efforts between said City and County; and

WHEREAS, the Board of Hancock County Commissioners, Hancock County, Ohio has agreed and indicated their willingness to cooperate with the City of Findlay, Ohio, to contract with said City to provide the County Dog Warden's services in enforcing the aforesaid dog ordinances of said City of Findlay, Ohio.

WHEREAS, the City of Findlay agrees to pay the Board of Hancock County Commissioners, an annual sum of Twenty Thousand and 00/100 Dollars (\$20,000.00) for said services commencing in calendar years 2017 and 2018 as well as any terms for which the agreement is mutually extended.

NOW BE IT THEREFORE RESOLVED, that the Board of Hancock County Commissioners, hereby authorizes the contract with the City of Findlay for Dog Warden services for the amount of Twenty Thousand and 00/100 Dollars (\$20,000) annually; and

BE IT FURTHER RESOLVED, that all previous agreements are cancelled and replaced with the agreement attached hereto and incorporated herein as if fully rewritten.

Robertson seconded the Resolution, and the roll being called upon its adoption, the vote resulted as follows:

Board of Hancock County Commissioners

[Signature] yes
Mark D. Gazarek, President

[Signature] ye
Brian J. Robertson, Vice-President

[Signature] yes
Timothy K. Bechtol, Commissioner

ATTEST:

Sarah Mitchler
~~Beth Bishop, Clerk~~ Sarah Mitchler, Asst. Clerk
Board of Hancock County Commissioners

DATE: Nov. 2, 2017

T:\dogwarden/DogWarden2017-18Res

Auditor
Humane Society
Humane Society File
Dog Warden File
City of Findlay

AGREEMENT

THIS AGREEMENT, made and entered into this 19th day of ~~November~~ December, 2017, by and between the City of Findlay, Ohio, a municipal corporation organized and existing under the laws for the State of Ohio, by its duly elected qualified and acting Board of Hancock County Commissioners, hereinafter referred to as the "County".

WITNESSETH:

WHEREAS, the Council of the City of Findlay, Ohio, has enacted certain ordinances relating to the control of dogs within said City for the protection of the public health, safety and welfare; and,

WHEREAS, the said Council wished to continue said protection for the citizens of the City of Findlay, Ohio by enforcement of said ordinances while eliminating costly duplication of efforts between said City and County, and:

WHEREAS, the Board of Hancock County Commissioners, Hancock County, Ohio, has agreed and indicated their willingness to cooperate with the City of Findlay, Ohio, to contract with said City to provide the County Dog Warden's services in enforcing the aforesaid dog ordinances of said City of Findlay, Ohio.

NOW, THEREFORE, pursuant to Ordinance No. 2017-118 adopted by the council of The City of Findlay, Ohio, on the 19th day of December, 2017 and Resolution No. 667-17 adopted by the Board of Hancock County Commissioners, Hancock County, Ohio, on the 2nd day of November, 2017.

BE IT AGREED by and between the City and County as follows:


1. That the County, for a period of two (1) years, commencing retroactively on January 1, 2017, shall, by its agents and employees, enforce the Codified Ordinances of the City of Findlay, Ohio, within said City.
2. That the County, for said period shall assume full responsibility for said enforcement, including all of the functions of the dog warden of said City, including care and disposal of dogs, prosecution of actions, disposition of dogs, maintenance of records, collection of costs and all functions enumerated in the aforesaid sections of said Code of Ordinances at no cost or expense to the City except as hereinafter granted in consideration for the promises of the County herein contained.
3. That the County consents and agrees to diligently enforce the above referenced Sections of the Codified Ordinances of the City of Findlay, Ohio, holding the City harmless from any damages or claims of third parties arising out of said County's enforcement activities.
4. In consideration for the services to be rendered by the County under this agreement, the City covenants and agrees to pay to the Board of Hancock County Commissioners, for said County the sum of Twenty Thousand and 00/100 Dollars (\$20,000.00) annually, and continuing through each renewal period as set forth herein or until said contract is otherwise terminated.

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5. As further consideration for the services to be rendered by the County hereunder, said City agrees that all fees and fines levied under Chapter 505 of the Codified Ordinances of the city of Findlay, Ohio, with the exception of those otherwise payable into Court, shall be collected by and payable to said County.
6. That this agreement is further made for the purpose of enforcing the statute set forth in Chapter 955 of the Revised Code of Ohio.
7. This Agreement shall renew itself for additional one (1) year terms for a period not to exceed Three (3) years from the date of the expiration of the initial agreement, unless written notice to terminate is given by either party no later than sixty (60) days prior to the commencement of a new term, or unless the Agreement is terminated pursuant to other terms of this Agreement. Said renewal years will include 2019, 2020 and 2021.

IN WITNESS WHEREOF, the City of Findlay and the County of Hancock, State of Ohio, acting by and through its Board of County Commissioners, have cause these presents to be signed as of the day and year first mentioned hereinabove.

City of Findlay, Ohio


Lydia Mihalik, Mayor

Date: Dec 21, 2017

Approved as to Form:


Don Rasmussen
City Law Director

Board of Hancock County Commissioners


Mark D. Gazarek, President


Brian J. Robertson, Vice-President


Timothy K. Bechtol, Commissioner

Date: Nov. 2, 2017

Approved as to Form:

Lucinda M. Land
Assistant Hancock County Prosecutor