

ORDINANCE RECORD
COUNCIL OF THE CITY OF BRECKSVILLE

Ordinance No. 5301

**AN ORDINANCE AUTHORIZING THE MAYOR TO
EXECUTE A JAIL USE ACKNOWLEDGEMENT
WITH THE CITY OF SOLON TO PROVIDE
PRISONER HOUSING SERVICES FOR THE
BRECKSVILLE POLICE DEPARTMENT; AND
DECLARING AN EMERGENCY**

WHEREAS, the Solon Police Department operates a full-time correction facility that is capable of booking and housing prisoners from other departments; and

WHEREAS, outsourcing jail services has proven to be a more efficient and cost effective way of providing jail services for the city.

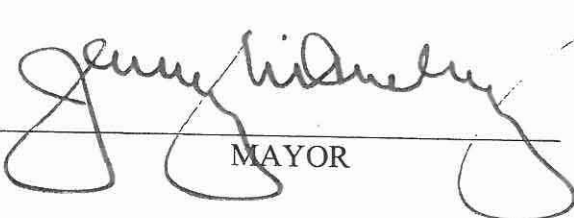
NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. The Mayor be, and he hereby is, authorized to execute a Jail Use Acknowledgement with the City of Solon to provide prisoner housing services for the Brecksville Police Department, a copy of said Jail Use Acknowledgement being attached hereto and expressly made a part hereof by reference, and marked Exhibit "A," pursuant to the fee schedule for inmate housing and ancillary jail costs in accordance with Solon Codified Ordinance 240.16, a copy of said Ordinance being attached hereto and expressly made a part hereof by reference, and marked Exhibit "B".


SECTION 2. The Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is that it is necessary to provide the services, therefore, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: February 4, 2020

APPROVED: February 4, 2020

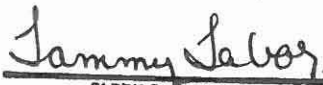


MAYOR



CLERK OF COUNCIL

I do hereby certify that the foregoing is a true and correct copy of Ordinance No. 5301 duly passed by the Council of the City of Brecksville, Ohio, on 2-4, 20 20 and that same was duly posted in accordance with the existing Charter of the City of Brecksville on 2-7, 20 20



CLERK OF COUNCIL

EXHIBIT "A"

CITY OF SOLON
DETENTION FACILITY
JAIL USE ACKNOWLEDGEMENT

Any Agency which is requesting usage of the Solon Detention Facility will comply with following:

1. Agree to the fee schedule for inmate housing and ancillary jail costs in accordance with Solon Codified Ordinance 240.16 (Individualized contracts are no longer required)
2. Prior to transporting an inmate to Solon, call the Master Control Room at 440-337-1452 to determine if space is available, or in the case of an OVI to determine if a breath testing operator is on duty.
3. Transport inmates to (and when needed or necessary from) the Solon Detention Facility.
4. Pay charges as specified in the Ordinance directly to the City of Solon, as billed.
5. Assume responsibility for costs associated with all medical/psychological/dental/vision care, prescription medication, and/or other extraordinary costs or services that may arise from Solon's confinement of the Agency's inmates.
6. Assume responsibility that all appropriate and necessary legal documents are served on those persons incarcerated by the Agency, with required copies to Solon.
7. Assume responsibility for the transportation and appearance of the Agency's inmates at all in-person court/legal proceedings.
8. Supply the City of Solon Correction Officers with sufficient information as may be reasonably required to ensure the completion of all necessary inmate documentation and processing.
9. Immediately transmit or deliver release documentation, issued by the court or by the Agency, to Solon. (Fax: 440-349-2797)
10. Verify the receipt of any release transmission by a verbal confirmation with Solon's Master Control Room.
11. Assume responsibility for the timely notice of release of inmates incarcerated by Agency.
12. Assume responsibility for notifying the crime victim of the arrest, detention, or release when required or requested under O.R.C. 2930 (Victim's Rights)
13. Transport the inmate from the facility to the Cuyahoga Sheriff's Jail should the inmate become the inmate of the Cuyahoga County Sheriff for any reason.
14. Collect DNA from the Agency's arrested felons when required the ORC.
15. Promptly notify, within 30 days, of any charges disputed by the agency.
16. **At least one contact phone number for 24/7/365 dispute resolution is required. This is a not a dispatch center but must be the Chief Executive or his/her assistant from the Agency requesting jail usage.***
17. **Maintain custody of illegal drugs and/or weapons, and file charges when appropriate, when an inmate is inadvertently transported to the jail in possession of either of illegal drugs and/weapons.**
18. **Notify crime victims as required by the Ohio Constitution (Marsy's law)**

Name: LT. ROBERT JOHNSON

Phone Number: * 216-225-9811

Checklist:

1. Call Solon at 440-337-1467.
2. Transport inmate to Solon and standby until medical screening is complete.
3. Advise the Correction Officer if fingerprints are required.
4. Ensure a proper authority to hold is delivered to Solon in-person or by fax.
5. Ensure that the release documentation is delivered and that the defendant is released on all agency cases.

Signature:

Date:

Original: *Solon* Copy: *Agency*

EXHIBIT "B"

City of Solon

Requested by the
Safety and Public Properties Committee

Record of Ordinances

ORDINANCE NO: 2015-163

INTRODUCED BY: Russo

AN ORDINANCE ENACTING A NEW SECTION 240.16 OF THE ADMINISTRATION CODE ENTITLED "FEES AND ANCILLARY COSTS FOR THE USE OF THE SOLON POLICE DEPARTMENT JAIL FACILITY" AND DECLARING AN EMERGENCY

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Solon, State of Ohio:

SECTION 1. That there is hereby enacted a new Section 240.16 of the Administration Code to read as follows:

"240.16 FEES AND ANCILLARY COSTS FOR THE USE OF THE SOLON POLICE DEPARTMENT JAIL FACILITY.

(a) The Solon Police Department Jail Facility may, at the sole discretion of the Chief of Police or his designee, be used by outside law enforcement agencies in a mutual aid status and be subject to the following fees and ancillary costs for any prisoner so incarcerated:

- 1) \$85 per day or any part of a day for prisoner housing and services,
- 2) \$25 for each Breath Alcohol Content (BAC) Test provided,
- 3) \$50 for each video arraignment session,
- 4) 100% of all medical, dental, vision, psychological, or prescription medication costs or other health care expense, and
- 5) Full reimbursement for the hourly costs of any posted guard at an outside medical facility for longer than two hours at the top overtime rate under the current police collective bargaining unit agreement.

(b) Agencies requesting such mutual aid shall provide all transportation to and from the facility; shall provide all necessary information and appropriate legal documentation justifying the incarceration including service on the incarcerated defendant; and, shall pay all accumulated fees and costs directly to the City of Solon as billed monthly.

(c) In the event that any incarcerated defendant requires transport to or admission to a hospital or other medical facility, the involved agency will be notified immediately and expected to take custody of the prisoner at the facility within two hours, or arrange for the prisoner's legal release or furlough.

(d) The City of Solon may, at any time, and at its sole discretion refuse to house prisoners due to available space, the medical or psychological condition of any proposed prisoner, or for any other operational reason including non-payment of past invoiced services.

(e) Nothing in this section shall be construed to limit the ability of the City to enter into mutually negotiated contracts for the provision of jail services with or without different terms and as authorized by the legislature."

SECTION 2. That all other Ordinances and Resolutions inconsistent herewith are hereby repealed.

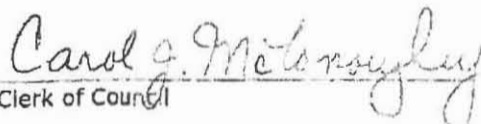
SECTION 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason that it is immediately necessary to codify the contract terms to provide a more efficient method of doing business; wherefore, provided this Ordinance receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed: July 20, 2015



Mayor

ATTEST:



Clerk of Council