

ORDINANCE NO. 13-1
INTRODUCED BY: Mr. Clark

AN ORDINANCE
ENACTING NEW CODIFIED ORDINANCE CHAPTER 1723 ENTITLED
WESTSHORE REGIONAL COMMUNITY EMERGENCY RESPONSE
TEAM (WSC). AND DECLARING AN EMERGENCY

WHEREAS, the Congress of the United States under the auspices of the Secretary of Homeland Security and the Federal Emergency Management Agency has encouraged the establishment of citizen volunteer groups into Community Emergency Response Teams (CERT); and

WHEREAS, Cities across the county have responded to this call for citizen volunteers by forming and sponsoring Community Emergency Response Teams; and

WHEREAS, the City of Bay Village endorsed the formation of the Westshore Regional Community Emergency Response Team (WSC) in 2007 under the Westshore Council of Governments, consisting of Bay Village, Fairview Park, Lakewood, North Olmsted, Rocky River, and Westlake, and continues to support the Team both financially and administratively; and

WHEREAS, the City safety forces may, in an emergency, need to employ the WSC for the benefit of the people of Bay Village; and

WHEREAS, the Council of the City of Bay Village deems it necessary to amend the Codified Ordinances, Part Seventeen, by creating a new Chapter 1723 titled Westshore Regional Community Emergency Response Team (WSC) in order to establish an appropriate chain of command to properly employ the WSC and to establish and define the relationship between the City and its sponsored volunteer CERT.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1: That the codified Ordinances of the City of Bay Village are hereby amended by enacting new Chapter 1723 to read as follows:

“CHAPTER 1723
WESTSHORE REGIONAL COMMUNITY EMERGENCY RESPONSE TEAM

This chapter shall be identified as the “WESTSHORE REGIONAL COMMUNITY EMERGENCY RESPONSE TEAM” (Hereafter WSC).

- (a) **General Definitions.**
(1) As used in the Codified Ordinances, unless another definition is provided or the context otherwise requires, The WSC shall hereinafter serve as a regionally sponsored volunteer organization as a unit of the City of North Olmsted

Department of Public Safety and the Westshore Council of Governments through the fire chief or their designee. The organization and structure of the WSC shall substantially comply with the organization and structure recommended by FEMA, the State of Ohio, Cuyahoga County EMA, and be compatible with the National Incident Management System.

- (2) “Westshore Council of Governments” or “Westshore Council of Government city/cities” shall refer to the cities of Bay Village, Fairview Park, Lakewood, North Olmsted, Rocky River, and Westlake.

(b) **Volunteer Status.**

- (1) All WSC members shall serve as volunteers ONLY.
- (2) WSC members shall not seek or accept any monetary compensation of any kind for volunteer service, shall acknowledge and agree that any loss or injury incurred during service shall be solely at the risk of the volunteer, waive any and all claims for him/herself, his/her heirs and assigns, and agree to hold harmless the City of Bay Village, Ohio, its employees and agents for any such loss or injury as well as the Westshore Council of Governments and its employees and agents, provided that such indemnity shall not be effective for damages that result from negligent or intentional acts of the City or the Westshore Council of Governments, their employees or agents.

(c) **Membership/Identification Cards.** Any person 18 years of age or older who is a resident of a Westshore Council of Governments city or is a resident in a city contiguous to a Westshore city may volunteer to become a member of the WSC if they meet all of the following requirements:

- (1) Submit a completed application for WSC membership.
- (2) Complete required FEMA training.
- (3) Abide by and fulfill membership requirements defined in the WSC Guidelines.
- (4) Submit to a background check.
 - (A) Every WSC applicant shall submit to a background check conducted by the appropriate representative of a Westshore city police department.
 - (B) Only upon successful completion thereof as per the WSC Guidelines, the volunteer shall be issued a WSC identification card, which he/she may retain during his/her continued active membership and good behavior.
 - (C) The identification card is and remains at all times the property of the WSC.
- (5) At such time as a volunteer leaves the organization for any reason or is expelled or has his/her membership terminated, he/she agrees to return the identification card to the WSC coordinator forthwith.

(d) **Termination.** Westshore safety directors or their designees may, at their discretion, terminate any volunteer from the WSC organization.

(e) **WSC Guidelines.** The WSC shall keep up to date such Guidelines necessary for the governance and efficient operation of the WSC.

(f) **WSC Activation.**

- (1) The WSC may be activated for the purposes of assisting public safety forces by the Municipal Safety Authority. The Municipal Safety Authority shall be the Mayor, the Director of Public Safety, the Fire Chief, or the Police Chief.
- (2) As a regional team under the Westshore Council of Governments, the Municipal Safety Authorities of any Westshore Council of Governments city may also activate the WSC.

(g) **Administration Representation.** A fire chief representing the Westshore Council of Governments or their designee shall attend all regularly scheduled WSC Advisory Committee meetings, shall represent all Westshore Council of Government cities at such meetings, and shall report to the Westshore fire chiefs and mayors on the activities, needs, and other relevant matters concerning the WSC.

(h) **Funding and Audits.**

- (1) As a Westshore Council of Governments sponsored organization, the WSC is designated as a 501(c)(3) tax-exempt organization.
- (2) Through the Westshore fire chiefs, the WSC may apply for funding from Westshore city councils in the same manner as other departments subject to the rules and regulations governing all municipal funds and further subject to the review, audit and oversight of the Westshore Council of Governments fiscal officer.
- (3) All books and records of the WSC shall be made available to all Westshore directors of finance and council finance committees in conjunction with the budgetary process.
- (4) No funds of the organization shall be used for any purpose other than the training and retention of volunteers, and the purchase and maintenance of equipment, supplies, disaster preparedness materials, and fundraising supplies necessary to fulfill the stated purpose(s) of the WSC.
- (5) No WSC funds shall be used for or paid to any person or persons serving as a volunteer in the WSC with the exception of authorized reimbursements.

(i) **WSC Equipment.**

- (1) All WSC equipment and supplies are and remains the property of the WSC and Westshore Council of Governments.
- (2) Equipment issued to WSC members including but not limited to CERT kits, shirts, hats, and identification cards are and remains the property of the WSC and the Westshore Council of Governments.
- (3) At such time as a volunteer leaves the organization for any reason or is expelled or has his/her membership terminated, he/she agrees to return the identification card to the WSC coordinator forthwith.

(j) **Donations.**

- (1) As a 501(c)(3) under the Westshore Council of Governments, the WSC may accept donations to the WSC from private sources including but not limited to

private citizens, corporations, non-governmental organizations (NGOs), charitable non-profit corporations, and other similar entities.

- (2) Donations may be in cash or in kind.
- (3) The WSC coordinator or his/her designee, upon request, will issue a charitable donation receipt to any donor.

(k) **Penalties.** Any person who violates provisions of Chapter 1729(i) and fails to return to the WSC an identification card, CERT kit, and/or other equipment issued to him/her will be subject to a replacement fee, which will be determined by the WSC coordinator.”

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety, and welfare, and for the further reason that it is immediately necessary to establish an appropriate chain of command to properly employ the WSC and to establish and define the relationship between the City, the Westshore Council of Governments, and its sponsored CERT, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED: January 14, 2013

/s/ Paul A. Koomar
President of Council

/s/ Joan T. Kemper
Clerk of Council

APPROVED: January 15, 2013

/s/ Deborah L. Sutherland
Mayor