

ORDINANCE NO. *14* -1990

Offered by Mr. Smith and Mayor Waszak

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ACCEPT SEIZED AND FORFEITED CASH, VEHICLES AND PROPERTY RELINQUISHED IN ACCORDANCE WITH THE CONTRABAND SEIZURE FORFEITURE ACT, OHIO REVISED CODE SECTION 2933.43 AND DECLARING AN EMERGENCY

WHEREAS, proceeds, profits and property gained from or used in criminal activity is a concern of the citizens of the Village of Richfield; and

WHEREAS, the Police Department, by its own investigations and participating in investigations with other local and state agencies, seeks to address the problem; and

WHEREAS, cash, vehicles, real estate and other property seized and forfeited in conjunction with the stated investigations could become Village property if the guidelines of Ohio Revised Code Section 2933.43 are followed; and

WHEREAS, an emergency exists in the usual operation of the Police Department, Department of Public Safety, in that it is immediately necessary to permit the Village to accept cash, vehicles and property received through criminal activity investigations, for the preservation of the public peace, health, property, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, State of Ohio:

SECTION 1: That the Mayor be, and he hereby is, authorized and directed to accept cash, vehicles and other property in accordance with the Contraband Seizure Forfeiture Act, Ohio Revised Code Section 2933.43; however, any acceptance of real estate by the Mayor shall be subject to approval by ordinance of Council.

SECTION 2: That the Mayor be, and he hereby is, authorized and directed to place all cash received into a special law enforcement trust fund with the Finance Director to be used solely for law enforcement purposes. Said fund shall be separate and apart from the special fund established in Ordinance No. *12 1/13* -1990.

SECTION 3: That all vehicles and property be assetted or brass tagged to the Police Department to be used solely for law enforcement purposes, or sold and the proceeds from the sale deposited in the special law enforcement trust fund, as directed by the Chief of Police.

SECTION 4: This Ordinance is determined to be an emergency measure necessary for the immediate preservation of the public, peace, health or safety for the reason that it is necessary for the usual daily operation of the Police Department and provided this Ordinance receives the affirmative vote of two-thirds of the members elected or appointed, it shall take effect and be in force from and after its approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest date provided by law.

Passed: 2/6/90



President of Council



Mayor

Dated: 2/6/90

ATTEST:



Clerk of Council