

## ORDINANCE NO. 12-39

By Mr. Altmaier

Authorizing the Mayor and Auditor to enter into a contract on behalf of the City of Bexley with the City of Columbus, Ohio, for furnishing Bexley with fire protection, and declaring an emergency.

Whereas, the contract with the City of Columbus, Ohio, to furnish fire protection to the City of Bexley expired on the 31st day of December, 1938, and it is deemed to be for the best interests of said respective municipalities that a contract shall be entered into with said City of Columbus for the furnishing of fire protection for a further period of five years beginning the 1st day of January, 1939 and ending on the 31st day of December, 1943, NOW, THEREFORE:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, STATE OF OHIO:

Section 1. That the Mayor and Auditor of the City of Bexley be, and they are hereby, authorized and directed to enter into a contract with the City of Columbus, Ohio for the furnishing of fire protection by said City of Columbus to the City of Bexley, and the inhabitants thereof, for the period of five years beginning January 1st, 1939 and ending December 31st, 1943, on the following terms and conditions: That said City of Columbus is to answer fire calls from said City of Bexley and its inhabitants and to send fire apparatus and firemen thereto for the purpose of extinguishing fires in said City of Bexley, Ohio, in like manner as fire calls are answered and fires extinguished in the City of Columbus, the said City of Bexley to pay therefor for the year 1939, \$16,250.00; for the year 1940, \$16,250.00; for the year 1941, \$16,250.00; for the year 1942, \$16,250.00; and for the year 1943, \$16,250.00, the amounts in each of said years to be paid in equal semi-annual installments on or before January 15, 1939 and July 15, 1939; January 15th, 1940 and July 15, 1940;

January 15, 1941 and July 15, 1941; January 15, 1942 and July 15, 1942; January 15th, 1943 and July 15, 1943. Provided, however, that in no case shall the City of Columbus be liable in damages to said City of Bexley, or any of its inhabitants, for failure to said City of Bexley, or for lack of speed in answering any such call, or for any inadequacy of equipment, negligent operation of apparatus, failure to extinguish any fire, or for any cause whatsoever growing out of such agreement and such use of the fire equipment and personnel of said City of Columbus. Said contract shall also provide that either party thereto may cancel and terminate said contract at any time before the expiration thereof by filing a ninety day written notice with the opposite party of its intention so to do.

Section 2. That the sum of \$16,250.00 is hereby appropriated for the payments falling due under said agreement for the year 1939; and the Auditor is hereby authorized and directed to issue proper vouchers for the amounts becoming due under said contract as the respective payments thereunder become due and payable.

Section 3. This ordinance is an emergency measure and necessary for the immediate preservation of the public peace, health and safety, said emergency being that said city is in the need of immediate fire protection, for which reason this ordinance shall at once go into force and effect.

Passed February 14, 1939.

Attest S. W. Roderick  
Clerk

Approved February 15, 1939.

F. H. Bonnet  
President of Council

W. A. Schneider  
Mayor

I, S. W. Roderick, Auditor of the City of Bexley, State of Ohio, do hereby certify that there is no newspaper published in said municipality and that publication of the foregoing ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by the Council as follows: Main Street and Parkview Avenue, Main Street and College Avenue, Main Street and Drexel Avenue, Broad Street and Drexel Avenue and Parkview Avenue and Clifton Avenue each for a period of fifteen days commencing on the 15th day of February, 1939.

*S. W. Roderick*  
S. W. Roderick  
Auditor of the City of Bexley

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