

ORDINANCE NO. 8-67

By W. A. Schneider

Authorizing the Mayor and Safety Director 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 has expired and it is deemed to be for the best interests of said respective municipalities that a contract shall be entered into for the furnishing of fire protection, including the services of Inhalator Squad of the Division of Fire, for the period beginning January 1, 1967 and ending on the 31st day of December, 1967, NOW, THEREFORE:

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

Section 1. That the Mayor and Safety Director be and he is 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, including the services of the Inhalator Squad of the Division of Fire, for the period of one year, beginning January 1, 1967 and ending December 31, 1967, which agreement shall be substantially as follows:

CONTRACT

THIS AGREEMENT, made and entered into this 28 day of March, 1967, by and between the City of Columbus, Ohio, by Frederick J. Simon, its Director of Public Safety, and City of Bexley, Ohio, by W. A. Schneider, its Mayor and Safety Director.

WHEREAS, by Ordinance No. 469-61, passed by the Council of the City of Columbus, Ohio, April 18, 1961, by its Director of Public Safety of the City of Columbus, on behalf of said City is authorized to enter into full coverage fire protection service including inhalator service with cities under the terms and conditions set forth in said Ordinance; and

WHEREAS, the City of Bexley, by Ordinance No. 8-67, passed March 28, 1967, by the Council of the City of Bexley, authority was granted by that body to the Mayor and Auditor, on behalf of said City, to contract with the said City of Columbus for such services; now, therefore,

FOR THE CONSIDERATION hereinafter named, the City of Columbus, Ohio, hereby agrees that its Division of Fire, Department of Public Safety, will answer fire calls from said City of Bexley and its inhabitants and send fire apparatus and firemen thereto for the purpose of extinguishing fires in said City of Bexley in like manner as fire calls are answered and fires extinguished in the City of Columbus, the said City of Bexley being also to receive the services of the Inhalator Squad of the Division of Fire, under this agreement.

IN CONSIDERATION for which the said City of Bexley agrees to pay to the City of Columbus for said services the sum of \$125,000.00 per year for the duration of this contract. The amount to be paid in equal semi-annual installments on or before July 15th of the year 1967.

IT IS FURTHER MUTUALLY UNDERSTOOD AND AGREED 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 answer any fire call, 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 this agreement or the use of the fire equipment and personnel of said City of Columbus.

IT IS MUTUALLY UNDERSTOOD AND AGREED that either party hereto may cancel and terminate this agreement upon giving a ninety (90) day written notice to the opposite party of its intention so to do.

This agreement shall take effect and be in force from January 1, 1967 to and including December 31, 1967.

IN WITNESS WHEREOF, the parties hereto have set their hands this ____ day of _____, 1967.

Signed and acknowledged in the presence of: CITY OF COLUMBUS, OHIO

By _____
Director of Public Safety

CITY OF BEXLEY, OHIO

By H. H. Schmeider
Mayor and Safety Director

APPROVED AS TO FORM:

John Young, City Attorney, Columbus

Howard C. Park, City Attorney, Bexley

Section 2. This ordinance is an emergency measure, necessary for the immediate preservation of the public peace, health and safety, said emergency being that the City is in immediate need of fire protection, for which reason this Ordinance shall go into immediate force and effect.

Passed: 3/28, 1967

Attest: Hanna Schmeider
Acting Clerk of Council

J. Rath Crabb
President of Council

Approved: 3/28, 1967

H. H. Schmeider
MAYOR

Postel 3/29/67