

By: Jed W. Morison

An Ordinance to amend Chapter 240 of the Administration Code by adding Section 240.11 and to amend Section 606.055(c) for the purpose of clarifying and affirming the application of the General Offenses Code to, and the powers of the Bexley Police Department over, lands outside the territorial limits of the City pursuant to Ohio Revised Code Section 715.50 and to declare an emergency.

WHEREAS, Ohio Revised Code Section 715.50 empowers a municipal corporation owning and using lands beyond its territorial limits for a municipal purpose to provide by ordinance all needful police or sanitary regulations for the protection of such property and for the prosecution of violations thereof; and

WHEREAS, the City is deemed to own and use Clowson Field and Wolfe Park, lands located in the City of Columbus, within the meaning of Section 715.50 and may acquire other properties outside for City in the future; and

WHEREAS, this Council believes it to be in the public interest to provide police regulations for the protection of such properties by making them subject to the General Offenses Code and the police powers of the Bexley Police Department;

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

Section 1. That Chapter 240 of the Administration Code is hereby amended by adding Section 240.11 as follows:

240.11 POWERS OF POLICE OFFICERS OUTSIDE CITY.

CITY POLICE OFFICERS SHALL EXERCISE ALL POLICE POWERS CONFERRED UPON THEM BY THE CITY CHARTER, THE STATUTES OF THE STATE AND THE ORDINANCES OF COUNCIL ON LANDS OUTSIDE THE TERRITORIAL LIMITS OF THE CITY WHICH ARE SUBJECT TO THE GENERAL OFFENSES CODE PURSUANT TO SECTION 606.055(C) THEREOF.

Section 2. That Section 606.055 of the General Offenses Code is hereby amended by deleting subsection (c) thereof in its entirety and substituting the following:

(c) This Municipality includes the land and water within its boundaries and the air space above such land and water, and real property outside the corporate limits, WHICH IS DEEMED TO BE OWNED AND USED FOR A MUNICIPAL PURPOSE BY this Municipality WITHIN THE MEANING OF OHIO REVISED CODE SECTION 715.50, INCLUDING, WITHOUT LIMITATION, LANDS KNOWN AS CLOWSON FIELD AND WOLFE PARK LOCATED WITHIN THE CITY OF COLUMBUS. Where the boundary between this Municipality and another jurisdiction is disputed, the disputed territory is conclusively presumed to be within this Municipality for purposes of this section.

Section 3. That subsection (c) of Section 606.055 as presently in effect is hereby repealed.

Section 4. That this Ordinance is an emergency measure necessary for the immediate preservation of the public peace, health and safety, said emergency being the necessity to assure continued police protection to lands controlled by the City outside of its territorial limits, and this Ordinance shall go into force and effect upon its passage and approval by the Mayor.

Passed: May 12, 1998

Jeffrey McAllen
President of Council

Attest: Richard A. Terri
Clerk of Council

Approved: May 12, 1998

David H. Madison, Mayor

4-14-98 first reading
4-28-98 second reading
5-12-98 third reading
passed