

Sponsor: James/Kitchen

ORDINANCE NO. 61-15

AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON TO ENTER INTO AN AGREEMENT WITH THE BOARD OF TRUSTEES OF FRANKLIN TOWNSHIP, JACKSON COUNTY, OHIO, FOR FIRE PROTECTION.

WHEREAS, the City of Jackson, Ohio operates and maintains a fire department to provide fire protection for the City; and

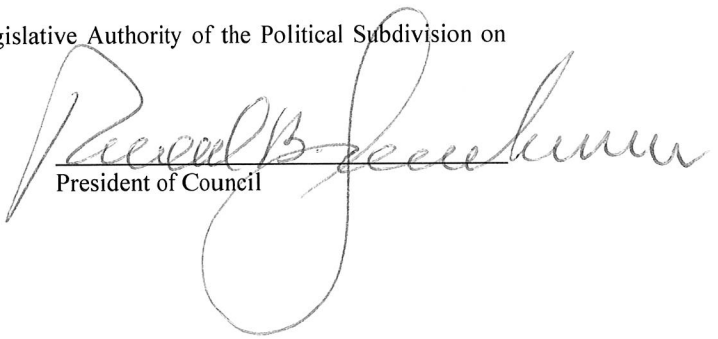
WHEREAS, Franklin Township in Jackson County, Ohio does not have a township fire department; and

WHEREAS, the City of Jackson, Ohio and Franklin Township desire, for a mutual benefit, to enter an agreement whereby the City will provide fire protection services to Franklin Township as set forth in the agreement attached hereto.

NOW, THEREFORE, BE IT ORDAINED THAT THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF THE CITY OF JACKSON THAT THE MAYOR IS HEREBY AUTHORIZED AND DIRECTED TO ENTER INTO THE AGREEMENT FOR FIRE PROTECTION SERVICES AS ATTACHED HERETO.

It is hereby found and determined that all formal actions of this Council concerning and relating to adoption of this ordinance were adopted in an open meeting of this Council and the deliberations of this Council and any of its committees that resulted in such formal action were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 9th day of November, 2015.


President of Council

ATTEST:


Clerk of the Legislative Authority

Approved this 9th day of November, 2015.


Mayor

AGREEMENT

This AGREEMENT is made and entered into this 9th day of November, 2015, by and between the City of Jackson, Ohio, an Ohio municipal corporation, and the Board of Trustees of Franklin Township, Jackson County, Ohio, WITNESSETH:

WHEREAS, the Council of the City of Jackson, Ohio, has authorized the City to enter into a contract with the Board of Trustees of Franklin Township, Jackson County, Ohio, in accordance with Ordinance No. 61-15, on the adoption of a Resolution by the Board of Trustees of Franklin Township providing therefore, for furnishing Fire Protection to the Franklin Township Fire District and the inhabitants of Franklin Township for a period of five (5) years, commencing on March 1, 2016, on the terms and conditions in said Ordinance set forth; and

WHEREAS, by Resolution duly adopted by the Board of Trustees of Franklin Township, Jackson County, Ohio, on November 9, 2015, said Trustees were authorized to enter into an Agreement with the City of Jackson, Ohio, for such services.

NOW, THEREFORE, the City of Jackson, Ohio, and the Board of Trustees of Franklin Township, Jackson County, Ohio, hereby agree as follows:

The City of Jackson, Ohio, through its Division of Fire, will answer all fire calls from Franklin Township Fire District and its inhabitants and send fire apparatus and firemen thereto for the purpose of extinguishing fires in the Franklin Township Fire District in like manner as fire calls are answered and fires extinguished in the City of Jackson, Ohio, except grass, brush and forest fires that do not immediately endanger improved property. In the event a fire call is received and responded to in the southern portion of the Franklin Township Fire District, at a point to be determined and agreed upon by the parties, the Jackson City Fire Department shall automatically request mutual aid.

This Agreement shall be for a period of five (5) years, beginning March 1, 2016, and ending February 29, 2020.

In consideration for which, the Board of Trustees of Franklin Township, Jackson County, Ohio, agrees to pay the City of Jackson, Ohio, for said services, in accordance with the following schedule:

- \$36,670.00, due and payable before March 1, 2016.
- \$37,770.00, due and payable before March 1, 2017.
- \$38,905.00, due and payable before March 1, 2018.
- \$40,075.00, due and payable before March 1, 2019.
- \$41,925.00, due and payable before March 1, 2020.

The Board of Trustees of Franklin Township, Jackson County, Ohio, hereby further agrees that it shall and will comply with all of the terms of Chapter 733 of the Codified Ordinances of the City of Jackson, Ohio. It is further agreed that Chapter 733 of the Codified Ordinances of the City of Jackson, Ohio, shall be attached hereto and made a part of this Agreement. The Board of Trustees of Franklin Township, Jackson County, Ohio, specifically agrees, among other provisions of Chapter 733 of the Codified Ordinances of the City of Jackson, Ohio, that should the City receive false alarms during the term of this Agreement, that after three (3) officially chargeable false alarms in any one (1) year period, then the Board of Trustees of Franklin Township, Jackson County, Ohio, shall and will pay to the City of Jackson, Ohio, the sum of One Hundred Dollars (\$100.00) for each officially chargeable false alarms in any one (1) year period. The Board of Trustees of Franklin Township, Jackson County, Ohio, further agrees to be bound by and comply with all other provisions as set forth in Chapter 733 of the Codified Ordinances of the City of Jackson, Ohio.

It is mutually understood and agreed that, in no case, shall the City of Jackson, Ohio, be liable in damages to the Board of Trustees of Franklin Township, Jackson County, Ohio, or any of the inhabitants of Franklin Township, for failure to answer any fire calls, 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 any cause whatsoever growing out of this Agreement or use of fire equipment and the personnel of the City of Jackson, Ohio.


It is mutually understood and agreed that either party hereto may cancel and terminate this Agreement before the expiration date thereof by giving a ninety (90) day written notice to the opposite party of its' intentions.


IN WITNESS WHEREOF, the said parties have caused their names to be subscribed hereto by their proper officers duly authorized in the premises as hereinafter set forth, on the day and year first written.

BOARD OF TRUSTEES OF
FRANKLIN TOWNSHIP,
JACKSON COUNTY, OHIO

CITY OF JACKSON, OHIO

By: 
TRUSTEE

By: 
MAYOR

By: 
TRUSTEE

By: 
TRUSTEE