

ORDINANCE NO. BG2010 - 37

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTERS 19 (POLICE)
AND 22 (TRAFFIC AND MOTOR VEHICLES) OF
THE CITY OF BOWLING GREEN CODE OF
ORDINANCES TO AMEND LANGUAGE RELATED
TO OFF-DUTY EMPLOYMENT AND PAYMENT
OF POLICE SERVICES FOR SPECIAL EVENTS

WHEREAS, the Police Department has been studying off-duty employment of its officers and the use of police officers for non-essential services for special events; and,

WHEREAS, presentations were made to the Board of Commissioners with proposed recommendations; and,

WHEREAS, it is in the best interest of the City to incorporate the recommendations regarding the provision of off-duty employment and police services for special events into the Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the City of Bowling Green, Kentucky as follows:

1. Chapter 19 (Police) is hereby amended as follows:

19-1 GENERAL PROVISIONS.

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19-1.06 Off-Duty Employment.

Any Police Officer working in any off-duty employment position shall comply with the City's Code of Ethics. All off-duty employment allowed by the Chief of Police that involves the officer working in uniform, carrying their service weapon, driving their police car or other actions creating the impression that the Police Officer is working for the City may be approved, but only by the execution of a written agreement satisfactory to the Chief of Police and the City's Law Department. All such agreements shall include language that the City shall be reimbursed the established service costs of contracted police officers at the portion of the established service cost set

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out below. The Chief Financial Officer is authorized to determine an established service cost for each rank of police officer and to modify those established service costs on an annual basis to account for cost of living increases. The number of police officers and the rank of those officers authorized in any such contract shall be within the discretion of the Chief of Police.

- 1. Private (for profit) and Post Secondary Education Institutions 100%
- 2. Non-profit organization and schools located in the City 50%

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2. Chapter 22 (Traffic and Motor Vehicles) is hereby amended as follows:

22-5 PARADES/SPECIAL EVENTS.

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22-5.16 Insurance, Hold Harmless Agreement and Security Plan Required.

a. If required by City Central, the permittee shall obtain and present evidence of comprehensive liability insurance naming the City as an additional insured in an amount and from an insurance company satisfactory to the City.

b. The permittee shall provide a hold harmless agreement in which the permittee agrees to defend, pay and hold harmless the City, its officers and employees, from any and all claims for personal or property injuries or damages arising from or in any way connected to the parade or special event.

c. The permittee shall cooperate with the City's Police Department in designing a security plan for the parade or special event that may will involve the use of City police, whether on-duty or off-duty, or police cadets. The decision to use City police officers, whether on-duty or off-duty, or police cadets and the number of such employees and the rank of the police officers provided shall be within the sole discretion of the Chief of Police based on the appropriateness of the request and the ability of the Police Department to provide staffing to fulfill the requested service. Any off-duty use of

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City police officers in which the police officer is in his police uniform or using City equipment shall require the approval of an agreement with the Police Department and the permittee. The City shall be reimbursed the established service costs of contracted police officers, on-duty police officers or police cadets at the portion of the established service cost set out below. The Chief Financial Officer is authorized to determine an established service cost for each rank of police officer and police cadets and to modify those established service costs on an annual basis to account for cost of living increases.

1. Private (for profit) and Post Secondary Education Institutions _____ 100%
2. Non-profit organization and schools located in the City _____ 50%
3. City sponsored parades/events (Veterans, Christmas and Martin Luther King) 0%

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3. The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

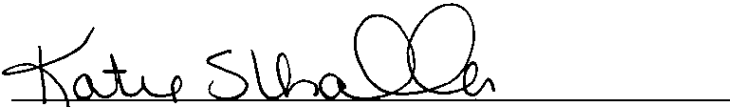
4. All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed.

5. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on November 16, 2010, and given final reading on December 7, 2010, and said Ordinance shall be in full force and effect on January 1, 2011 and upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

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ADOPTED: December 7, 2010

APPROVED: 
Mayor, Chairman of Board of Commissioners

ATTEST: 
City Clerk

SPONSORED BY: Kevin D. DeFebbo, City Manager, 11/03/2010, 10:30 a.m.