

PASSED: September 14, 2020
BY: Hattenbach

ORDINANCE NO. 2020-14

ORDINANCE ADOPTING POLICY ALLOWING USE OF EMPLOYEE
DISHONESTY AND FAITHFUL PERFORMANCE OF DUTY POLICY

WHEREAS, the Ohio Revised Code mandates that certain officers, employees or appointees of a political subdivision are required by law to have an individual surety bond before entering upon the discharge of official duties; and

WHEREAS, Ohio Revised Code section 3.061 states a political subdivision may adopt a policy, by ordinance or resolution, to allow for the use of an employee dishonesty and faithful performance of duty policy, rather than a surety bond, to cover losses caused by the fraudulent for dishonest actions of, and the failure to perform a duty prescribed by law for, officers, employees, or appointees that would otherwise be required to have an individual surety bond to qualify for the office or employment; and

WHEREAS, the Amberley Village charter states in Section 35.01 bonds of all elected officers, appointed officers and employees shall be as established by Council through ordinance; and

WHEREAS, the coverage offered by the employee dishonesty and faithful performance of duty policy exceeds the current coverage provided by surety bonds; and

WHEREAS, Council finds and determines that the proposed change is in the best interest of the Village;

NOW, THEREFORE, BE IT ORDAINED BY THE Council of Amberley Village, State of Ohio, seven (7) members elected thereto concurring:

SECTION 1: The Village shall adopt a policy to allow for the use of an employee dishonesty and faithful performance of duty insurance policy in place of a surety bond in compliance with Section 3.061 of the Ohio Revised Code.

SECTION 2: The coverage amount under the employee dishonesty and faithful performance of duty policy shall be equal or greater than the maximum amount of the bond otherwise required by law.

SECTION 3: This Ordinance shall take effect and be in force from and after the earlier period allowed by law.

Passed this 14th day of September, 2020.

Mayor Thomas C. Muething

Attest:

Tammy Reasoner, Clerk of Council

Ordinance Vote:

Moved: Hattenbach Seconded: Conway

Muething	Aye
Wolf	Aye
Bardach	Aye
Conway	Aye
Hattenbach	Aye
Kamine	Aye
Warren	Aye

I, Clerk of Council of Amberley Village, Ohio, certify that on the ____ day of September, 2020, the foregoing Ordinance was published pursuant to Article IX of the Home Rule Charter by posting true copies of said Ordinance at all of the places of public notice as designed by Sec. 31.40(B), Code of Ordinances.

Tammy Reasoner, Clerk of Council