

ORDINANCE NO. 40-26

**AN ORDINANCE AUTHORIZING
THE DISPOSAL OF MUNICIPAL PROPERTY
AND DECLARING AN EMERGENCY**

WHEREAS, Article VIII, Section 5, authorizes Council to dispose of property in any manner it deems appropriate if the property has a value of less than Ten Thousand Dollars (\$10,000.00); and

WHEREAS, the Avon Police Department owns a service dog (Draco), a three-year old black German Shepherd; and

WHEREAS, the dog's handler, Ptlm. Timothy Ackerman, is leaving the force and relocating to another state and would like to purchase the dog; and

WHEREAS, Ptlm. Ackerman was specially trained to work with Draco and the cost of training another officer to work with the dog is estimated to be around Six to Seven Thousand Dollars; and

WHEREAS, the department has two other trained canines and will be in need of acquiring a replacement for Draco; and

WHEREAS, Ptlm. Ackerman, understanding the department's needs, has offered to pay the sum of Six Thousand (\$6,000) Dollars for the animal; and

WHEREAS, the Safety Director and the Chief of Police have no objections to the sale of the dog and request Council authorize the Mayor to execute a transfer of ownership; and

WHEREAS, Council finds that transferring ownership of Draco under the terms and conditions agreed upon to be in the best interests of the health, safety and welfare of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - That the Mayor is hereby authorized to execute the "Transfer of Ownership – Police Service Dog" as set forth in [Exhibit A](#), attached hereto and incorporated herein, for the sum of Six Thousand (\$6,000) Dollars. Proceeds from the sale of said animal shall be deposited into the Police K9 Fund No. 219.

Section 2 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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Section 3 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to transfer ownership of a police canine named "Draco" to its handler for the stated sum of \$6,000; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks, Clerk of Council

POSTED: _____
Electronically and at City Hall
Provided by Council

Prepared by:
John A. Gasior, Esq.
Law Director