

ORDINANCE NO. 99 - 82 AC CMS

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO
AN AUTOMATIC FIRE RESPONSE AGREEMENT WITH THE WELLINGTON
COMMUNITY FIRE DISTRICT AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State
of Ohio, five/sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the City Manager is hereby authorized and directed to enter into
an agreement with the Wellington Community Fire District, Board of Trustees,
Wellington, Ohio, for automatic fire response, a copy of said agreement being attached
hereto and incorporated herein by reference.

SECTION 2. It is hereby found and determined that all formal actions of this
Council concerning or relating to the adoption 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 action, were in meetings open to the public in
compliance with all legal requirements, including Section 121.22 of the Ohio Revised
Code.

SECTION 3. That this ordinance is hereby declared to be an emergency measure
necessary for the preservation of public peace, health, and safety of the citizens of the City
of Oberlin, Ohio, to wit:

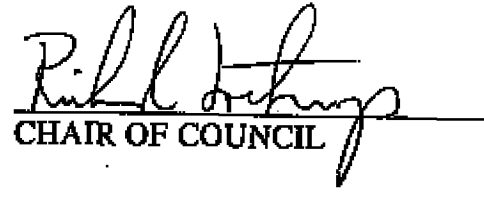
"to authorize automatic fire response at the earliest possible date
in order to ensure the best emergency service possible to residents,"

and shall take effect immediately upon passage.

PASSED: 1st Reading - December 6, 1999 (E)
2nd Reading -
3rd Reading -

ATTEST:


CLERK OF COUNCIL


acting CHAIR OF COUNCIL

POSTED: December 7, 1999

EFFECTIVE DATE: December 7, 1999

AUTOMATIC FIRE RESPONSE AGREEMENT

An Agreement made and entered into at Oberlin, Ohio, on this 6th day of December, 1999, by and between the City of Oberlin, Ohio, a municipal corporation, hereinafter called "City", and the Wellington Community Fire District Board of Trustees, Wellington, Ohio, hereinafter called "Fire Board".

WITNESSETH:

WHEREAS, the City of Oberlin and the Wellington Community Fire District Board of Trustees have determined that additional aid is necessary to improve fire response and assure timely and adequate water supply delivery for fire suppression to designated properties in each community;

WHEREAS, it is the recommendation of the Fire Chiefs of both the City of Oberlin and the Wellington Community Fire District to enter into such Agreement to provide fire protection to said properties.

NOW, THEREFORE, it is agreed between City and the Fire Board as follows:

1. The City shall provide automatic response of water tanker apparatus to structure fires and structure fire calls in Pittsfield and Wellington Township areas of the Wellington Community Fire District, as designated in the attached Exhibit A.
2. The Fire Board shall provide automatic response of water tanker apparatus to structure fires and structure fire calls in the southern portions of the City of Oberlin and portions of New Russia Township south of State Route 511, as designated in the attached Exhibit B.
3. The Fire Chiefs of the City of Oberlin and the Wellington Community Fire District, with the approval of the City and Fire Board, shall promulgate standard operating procedures for the implementation of the provisions of this Agreement.
4. Neither of the parties hereto shall be liable for any damage to the other party for failure to answer, or for neglect in answering any call hereunder, or for inadequacy, negligent operation of equipment or apparatus, or for any cause whatsoever arising out of such use of said equipment and apparatus, or for the lack of performance

of duties by the fire department personnel. Neither of said parties shall be liable in any manner or event for damages for personal injuries suffered by any member of the fire department of the other contracting party hereto.

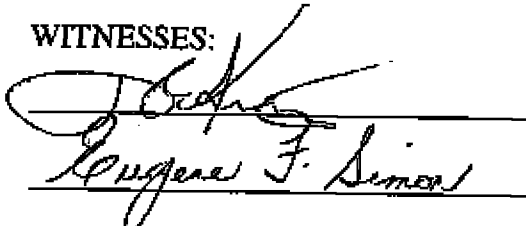
5. No charges shall be made to either party by the other party for services rendered pursuant to this Agreement.

6. It is mutually agreed that either party may cancel this Agreement with or without cause upon giving of ninety (90) days' prior written notice to the duly authorized representative of the other party, which in the case of the City shall be its City Manager and in the case of the Fire Board shall be its Clerk.

7. This Agreement was approved by the City on December 6, 1999, pursuant to Ordinance No. 99-82 AC CMS, and by the Fire Board on December 10, 1999, pursuant to its Resolution No. 1999-3

IN WITNESS WHEREOF, the parties have hereunto set their hands to duplicate copies hereof the day and year first above written.

WITNESSES:


Eugene F. Simons

WITNESSES:

CITY OF OBERLIN, OHIO

by:

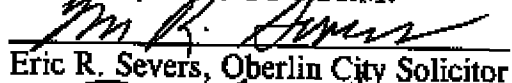

City Manager

WELLINGTON COMMUNITY FIRE
DISTRICT BOARD OF TRUSTEES

by:

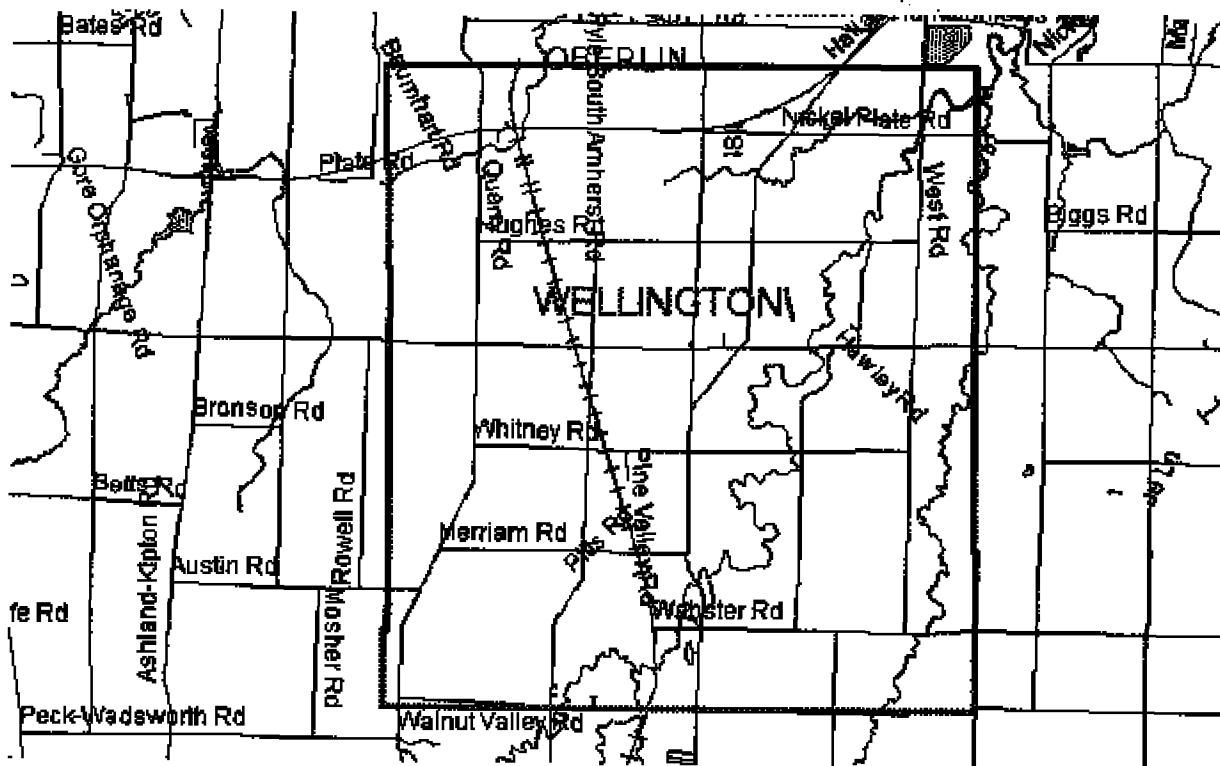


APPROVED AS TO FORM:


Eric R. Severs, Oberlin City Solicitor


Frank E. Ashbaugh, Legal Council
For Wellington Community Fire District

ATTACHMENT A



ATTACHMENT B

