ORDINANCE NO. 10-2020.

AN ORDINANCE to take effect June 1, 2020 provided it received the vote of at least two-thirds of the members of Council, or otherwise to take effect at the earliest period allowed by law, amending Section 135.05(c), Traffic Guards, Rate of Pay; Exceptions, of the Codified Ordinances of the City of Lakewood to allow to suspend salaries to Traffic Guards during an emergency where students are no longer attending classes in schools.

WHEREAS, the current threat of the COVID-19 pandemic has caused the Governor of the State of Ohio to declare a state of emergency and the Director of the Ohio Department of Health to issue an order limiting gatherings in an effort to prevent the spread of COVID-19; and

WHEREAS, as a result of the state of emergency and ban on large gatherings, the Governor of the State of Ohio has canceled all in-school classes for the State of Ohio for the remainder of the 2019-2020 school year which alleviates the need to provide Traffic Guards for students walking to school; and

WHEREAS, this Council determines that this ordinance is an emergency measure and that it shall take effect immediately and that it is necessary for the immediate preservation of the public property, health, and safety and to provide for the usual daily operation of municipal departments in that Lakewood is already experiences decreased income tax revenue and it is necessary to cut expenses wherever possible to operate within a balanced budget; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. That Lakewood Codified Ordinance 135.05(c) Traffic Guards, Rate of Pay; Exceptions, currently reading as follows:

135.05 Traffic Guards.

(c) Rate of Pay; Exceptions. Traffic guards shall be paid at their hourly rate only for time actually worked, unless otherwise provided for by ordinance.

(1) If the Lakewood School Board of Education and/or the Cleveland Catholic Diocese, as a result of inclement weather or other emergency condition, suspends classes for the school system or any portion thereof and, as a result of such closing, traffic guards who would normally be scheduled to work are told not to report, the guards so affected shall be paid at their regular hourly rate as if they had worked their assigned crossings on that date.

(2) During the spring (Easter) and winter (Christmas) school breaks, all regularly assigned traffic guards who have been continuously employed for at least thirty days immediately preceding the break shall be paid at their regular rate of pay as if they had worked their assigned crossings.

(3) Traffic guards electing to work the summer school session shall be paid their regular hourly rate for a minimum period of two hours per day on those days they are assigned crossings.
is hereby repealed.

Section 2. That new Lakewood Codified Ordinance 135.05 135.05(c) Traffic Guards, Rate of Pay; Exceptions, is hereby enacted to read as follows:

135.05 Traffic Guards.

(c) Rate of Pay; Exceptions. Traffic guards shall be paid at their hourly rate only for time actually worked, unless otherwise provided for by ordinance.

(1) If the Lakewood School Board of Education and/or the Cleveland Catholic Diocese, as a result of inclement weather or other emergency condition, suspends classes for the school system declaring a calamity day or any portion thereof and, as a result of such closing, traffic guards who would normally be scheduled to work are told not to report, the guards so affected shall be paid at their regular hourly rate as if they had worked their assigned crossings on that date.

(2) During the spring (Easter) and winter (Christmas) school breaks, all regularly assigned traffic guards who have been continuously employed for at least thirty days immediately preceding the break shall be paid at their regular rate of pay as if they had worked their assigned crossings.

(3) Traffic guards electing to work the summer school session shall be paid their regular hourly rate for a minimum period of two hours per day on those days they are assigned crossings.

(4) Traffic Guards shall not be entitled to pay for more than five consecutive calamity days for any one incident resulting in the suspension of classes.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this council, and that all such deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 4. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this resolution, and provided it receives the affirmative vote of at least two-thirds of the members of Council this ordinance shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: 6/15/2020

President

Maren M. Beck
Clerk

Approved: 6/16/2020

Mayor