

Chapter 887 - PRIVATE POLICE

Sec. 887-1. - Private Police Officers.
Sec. 887-2. - Application for Private Police Commission and License Fees.
Sec. 887-3. - Minimum Standards.
Sec. 887-4. - Residency Requirements.
Sec. 887-5. - Term of Commission.
Sec. 887-7. - In-Service Requirements, Workers' Compensation.
Sec. 887-9. - Rules and Regulations.
Sec. 887-11. - Powers of Private Police Officers.
Sec. 887-13. - Revocation of Commission.
Sec. 887-15. - Appeal of Revocation of Commission.
Sec. 887-17. - Indemnification of City.
Sec. 887-19. - Definition of Provider of Private Police Services.
Sec. 887-21. - License Required.
Sec. 887-23. - Application for License—License Fees.
Sec. 887-25. - Provider of Private Police Services—Minimum Standards.
Sec. 887-27. - Term of License.
Sec. 887-29. - Rules and Regulations.
Sec. 887-31. - Revocation of License.
Sec. 887-33. - Appeal of Revocation of License.
Sec. 887-35. - Insurance.
Sec. 887-99. - Penalties.

Sec. 887-1. - Private Police Officers.

Private police officers performing special police duties for the benefit of, and at the expense of, private persons or corporations may be commissioned by the chief of police with the approval of the director of safety upon a showing by such private persons or corporations of the necessity therefor.

(Ordained by Ord. No. 320-1983, eff. Oct. 1, 1983)

Sec. 887-2. - Application for Private Police Commission and License Fees.

Application for the issuance of an original private police commission or the renewal of a private police commission currently in effect shall be made to the chief of police on forms provided by the chief of police.

Applications for a commission as a private police officer shall not be considered by the chief of police until the applicant has paid to the city treasurer a fee of \$250 for an original commission, and a fee of \$120 for every renewal thereof. Fees shall not be refunded in whole or part if a commission is denied or revoked.

(Ordained by Ord. No. 320-1983, eff. Oct. 1, 1983)

Sec. 887-3. - Minimum Standards.

No person shall be commissioned as a private police officer who does not satisfy minimum physical,

psychological, training, background, employment, criminal history and other standards which are established by the chief of police.

(Ordained by Ord. No. 320-1983, eff. Oct. 1, 1983)

Sec. 887-4. - Residency Requirements.

All persons hereafter commissioned as private police officers shall be residents of Hamilton County, Ohio, at the time of their appointment and shall continue to maintain their primary place of residence within Hamilton County, Ohio, at all times while commissioned as private police officers.

All persons now commissioned as private police officers and residing within Hamilton County, Ohio, shall continue to maintain their primary place of residence within Hamilton County, Ohio, at all times while commissioned as private police officers.

All persons now commissioned as private police officers not residing within Hamilton County, Ohio, shall, if they change their primary place of residence, establish and maintain their primary place of residence within Hamilton County, Ohio, at all times thereafter while commissioned as private police officers.

(Ordained by Ord. No. 320-1983, eff. Oct. 1, 1983)

Sec. 887-5. - Term of Commission.

Private police commissions issued by the chief of police shall be valid for a period of one year.

Private police commissions shall be renewable for one-year periods provided that during the term of the expiring commission that the applicant has completed such additional training, firearms qualification, and in-service requirements as may be established by ordinance or regulation promulgated by the chief of police.

(Ordained by Ord. No. 320-1983, eff. Oct. 1, 1983)

Sec. 887-7. - In-Service Requirements, Workers' Compensation.

Each private police officer shall donate at no cost to the city of Cincinnati 16 hours in-service time performing such duties as may be given to such officer by the chief of police during the term of each commission granted to such officer.

Each private police officer shall be subject to recall by the chief of police during declared emergencies and shall perform such duties as may be given to such officer by the chief of police during the term of each commission granted to such officer. Services performed during emergency recall shall be at no cost to the city of Cincinnati.

Each private police officer providing services to the city of Cincinnati either under the in-service requirements or emergency recall provisions of this section shall be provided workers' compensation coverage under the provisions of Section 4123.03 of the Revised Code.

(Ordained by Ord. No. 320-1983, eff. Oct. 1, 1983; a. Ord. No. 70-1985, eff. Feb. 13, 1985)

Sec. 887-9. - Rules and Regulations.

The chief of police shall establish rules and regulations related to the control, supervision, and

permitted activities of persons commissioned as private police officers.

Persons commissioned as private police officers shall be subject to the orders of the chief of police and to the rules and regulations prescribed by the chief of police.

(Ordained by Ord. No. 320-1983, eff. Oct. 1, 1983)

Sec. 887-11. - Powers of Private Police Officers.

Persons commissioned as private police officers shall have the powers of police officers in arresting or citing persons for offenses against the laws and ordinances.

The chief of police, in making a determination of necessity under the provisions of Article IV, Section 5 of the Administrative Code and Section 887-1 of the Cincinnati Municipal Code, may limit the powers to arrest and issue citations granted by the commission to those powers which are deemed necessary to perform the function for which the private police commission is issued.

(Ordained by Ord. No. 320-1983, eff. Oct. 1, 1983; a. Ord. No. 550-1983, eff. Nov. 23, 1983)

Sec. 887-13. - Revocation of Commission.

The commission of a private police officer may be revoked for cause by the chief of police at any time after a hearing.

The chief of police may suspend a private police commission pending a revocation hearing. The revocation hearing shall be held within 10 days of the suspension of the private police commission.

No person who has been dismissed from the municipal police force or had a private police commission revoked for cause shall be eligible to be commissioned as a private police officer for a period of three years following the date of revocation.

(Ordained by Ord. No. 320-1983, eff. Oct. 1, 1983)

Sec. 887-15. - Appeal of Revocation of Commission.

If after a private police commission has been issued, it is revoked by the chief of police under the provisions of Section 887-13 of the Cincinnati Municipal Code, the private police officer shall have the right to appeal the license revocation to the city manager within 10 days after receipt of the notice of the revocation of the license. The date of hearing and appeal shall be set within 10 days from the date on which the notice of intention to appeal is filed. The hearing on the appeal shall be conducted by the city manager or the city manager's designee.

(Ordained by Ord. No. 320-1983, eff. Oct. 1, 1983; a. Ord. No. 537-1983, eff. Dec. 16, 1983)

Sec. 887-17. - Indemnification of City.

Each person approved for a commission as a private police officer shall, prior to receiving the commission, post an insurance policy of not less than \$1,000,000 holding the safety director, the chief of police, the city of Cincinnati, its agents and employees harmless and protecting them from any liability whatsoever arising from the granting of the private police commission and the acts of the commissioned private police officer.

(Ordained by Ord. No. 320-1983, eff. Oct. 1, 1983; a. Ord. No. 489-1983, eff. Oct. 12, 1983)

Sec. 887-19. - Definition of Provider of Private Police Services.

"Provider of private police services" shall mean a person, corporation, partnership, proprietorship or organization which furnishes for hire or obtains or assists in obtaining employment within the corporate limits of the city of Cincinnati for any private police officer commissioned by the chief of police under the provisions of Article IV, Section 5 of the Administrative Code and Section 887-1 of the Cincinnati Municipal Code.

(Ordained by Ord. No. 320-1983, eff. Oct. 1, 1983)

Sec. 887-21. - License Required.

Every provider of private police services shall obtain a license before furnishing for hire or assisting in obtaining employment for private police officers commissioned by the chief of police.

(Ordained by Ord. No. 320-1983, eff. Oct. 1, 1983)

Sec. 887-23. - Application for License—License Fees.

Each applicant for a license as a provider of private police services shall make application for such license to the chief of police on forms provided by the chief of police.

Application for an original license as a provider of private police services shall not be considered by the chief of police until the applicant has paid to the city treasurer a fee of \$500 which shall not be refunded in whole or part should the applicant be denied a license as a provider of private police services or if a license is issued and thereafter revoked.

Application for a renewal license shall not be considered by the chief of police until the applicant has paid to the city treasurer the renewal license fee, which shall not be refunded in whole or part should the applicant be denied a renewal license as a provider of private police services or if a license is issued and thereafter revoked. Renewal license fees shall be based upon the aggregate number of commissioned private police officers who were employed by or were assisted in obtaining employment by the applicant during the license period immediately preceding the year for which a renewal license is sought. Renewal license fees shall be:

Private Police Officers

Employed by or Assisted in

Obtaining EmploymentLicense

by ApplicantFee

1 - 5\$ 25

6 - 25125

26 - 50250

51 - 100500

Over 100625

(Ordained by Ord. No. 320-1983, eff. Oct. 1, 1983)

Sec. 887-25. - Provider of Private Police Services—Minimum Standards.

No provider of police services shall be licensed by the city of Cincinnati if it does not satisfy minimum standards which are established by the chief of police.

(Ordained by Ord. No. 320-1983, eff. Oct. 1, 1983)

Sec. 887-27. - Term of License.

A license issued to a provider of private police services shall be valid for a period of one year.

A license issued to a provider of police services shall be renewed for one-year periods provided the licensee meets the requirements for such license established by the chief of police.

(Ordained by Ord. No. 320-1983, eff. Oct. 1, 1983)

Sec. 887-29. - Rules and Regulations.

The chief of police shall establish rules and regulations related to the central supervision and permitted activities of licensed providers of private police services.

Providers of private police services shall be subject to the orders of the chief of police and to rules and regulations prescribed by the chief of police.

(Ordained by Ord. No. 320-1983, eff. Oct. 1, 1983)

Sec. 887-31. - Revocation of License.

The license of a provider of police services may be revoked for cause at any time by the chief of police after a hearing. The chief of police may suspend a license of a provider of police services pending a revocation hearing. The revocation hearing shall be held within 10 days of the suspension of the provider of private police services' license.

(Ordained by Ord. No. 320-1983, eff. Oct. 1, 1983)

Sec. 887-33. - Appeal of Revocation of License.

If after a license of a provider of private police services has been issued it is revoked by the chief of police under the provisions of Section 887-31 of the Cincinnati Municipal Code, the provider of private police services shall have the right to appeal the license revocation to the city manager within 10 days after receipt of the notice of the revocation of the license. The date of hearing and appeal shall be set within 10 days from the date on which the notice of intention to appeal is filed. The hearing on the appeal shall be conducted by the city manager or the city manager's designee.

(Ordained by Ord. No. 320-1983, eff. Oct. 1, 1983; a. Ord. No. 537-1983, eff. Dec. 16, 1983)

Sec. 887-35. - Insurance.

A provider of private police services licensed by the City of Cincinnati shall, prior to receiving the license, post an insurance policy acceptable to the City of Cincinnati in an amount of not less than \$2,000,000.00 holding the chief of police, the City of Cincinnati, its agents and employees, harmless

TITLE VIII - BUSINESS REGULATIONS
Chapter 887 - PRIVATE POLICE

and protecting them from any liability whatsoever arising from the granting of the license or for any acts of any nature by the provider of private police services, its employees, agents or members, acting or claiming to have acted under the authority of its license and as a provider of private police services.

(Ordained by Ord. No. 320-1983, eff. Oct. 1, 1983; a. Ord. No. 489-1983, eff. Oct. 12, 1983; a. Ord. No. 345-2003, eff. Oct. 15, 2003)

Sec. 887-99. - Penalties.

Whoever violates any provision of Section 887-21 shall be fined not more than \$1,500 and shall be ineligible to be licensed as a provider of police services for a period of three years from the date of the violation.

(Ordained by Ord. No. 320-1983, eff. Oct. 1, 1983; a. Ord. No. 537-1983, eff. Dec. 16, 1983)