

# RECORD OF ORDINANCES

Ordinance No. 12-2020

Passed February 18, 2020

## AN ORDINANCE AUTHORIZING THE ADOPTION OF AN EMPLOYEE 7.08 VEHICLE AND EQUIPMENT USE POLICY AND THE ADDITION OF THE POLICY AS DEFINED TO THE VILLAGE EMPLOYEE HANDBOOK

WHEREAS, Brewster Village Council desires to adopt an Employee 7.08 Vehicle and Equipment Use Policy and to modify the Village Employee Handbook to include an Employee 7.08 Vehicle and Equipment Use Policy.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BREWSTER, THAT:**

**SECTION 1:** The Village shall adopt an Employee 7.08 Vehicle and Equipment Use Policy as defined below and shall add Section 7.08 - Vehicle and Equipment Use Policy to the Village Employee Handbook as follows:

### 7.08 VEHICLE AND EQUIPMENT USE POLICY

Employees who operate Village owned or leased vehicles or equipment while performing their duties must adhere to the following guidelines to ensure accountability and safety while operating such vehicles.

#### A. Authorization to Use

Use of Village vehicles or equipment is authorized only for Village employees who are properly designated by their Appointing Authority.

#### B. Valid Ohio Driver's License

All employees who operate Village vehicles or equipment, or who utilize their personal vehicles for Village-related business, must possess a current, **appropriate**, and valid Ohio driver's license. If a CDL is required, the employee must comply with all US DOT requirements in addition to Ohio requirements.

#### C. Use of Village Vehicles

1. Village owned vehicles or equipment is to be utilized exclusively for Village business and matters relating to the operation of the services provided by the Village of Brewster to the community.
2. It is not a violation for an employee(s) to stop to pick up a drink (i.e. coffee or soda at a gas station or grocery) or a meal (i.e. at a drive through at a fast food restaurant or take out) **provided:**

- It is done while on Village business in a Village vehicle (or within the Village limits), and
- The employee(s) do not stray from their route (from the Village to and back from the destination), and
- The employee(s) do not take more than a de minimis amount of time (i.e. 5 minutes, plus or minus), and
- that the employee(s) do not abuse this privilege (i.e. number of trips and/or creating a trip so as to go by a place to get lunch)

Abuse of this privilege may result in discipline.

3. No Village vehicles or equipment shall be used or operated for the daily purpose of transporting any Village employee to and from work unless both of the following conditions apply:
  - a) The operator of the vehicle is on a 24-hour call to meet valid emergency situations; and

# RECORD OF ORDINANCES

Ordinance No. 12-2020

Passed February 18, 2020

- b) The employee to whom the vehicles or equipment is assigned can provide sound business justification to their Department Head and/or Appointing Authority; and
  - c) Approval is granted by the Appointing Authority.
4. A list will be established and updated annually by each Appointing Authority of which Village employees are permitted to take Village vehicles home under this provision. Said list will be provided to the Clerk-Treasurer.
  5. If a non-safety employee is permitted to take a vehicle home under this provision, and their residence is more than five (5) travel miles from their regular Village headquarters, the employee shall reimburse the Village of Brewster for all daily mileage over ten (10) miles at the mileage reimbursement rate established by ordinance of Village Council. The initial daily mileage up to ten (10) miles shall be reported to the IRS by the Clerk-Treasurer in accordance with Internal Revenue Service Code guidelines for the use of vehicles.
  6. The Clerk-Treasurer shall report the use of vehicle(s) in accordance with the guidelines of the Internal Revenue Service Code.

#### D. Operation of Village Vehicles

1. Use of any Village-owned vehicles or equipment shall conform to the highest standards of responsibility. Employees driving Village vehicles or equipment are expected to drive courteously, to drive in a manner consistent with minimum fuel consumption, and to exhibit responsible behavior which reflects favorably upon the Village of Brewster and the individual employee.
2. No employee shall operate a Village vehicle, equipment, or machinery if the employee is under the influence of alcohol or any drug of abuse, or the combined influence of alcohol and any drug of abuse, or other medication that affects the employee's ability to operate a Village vehicle, equipment, or machinery.
3. **Seat Belts**
  - The use of seat belts is mandatory for operators and passengers of Village vehicles and equipment.
  - The use of seat belts is mandatory for any Village employee travelling on official Village business in a private vehicle.
4. Smoking inside a Village vehicles or equipment shall be prohibited.
5. All Village vehicles or equipment will normally be kept overnight on Village property unless otherwise approved by the appropriate appointing authority.
6. Village owned vehicles which are authorized to be driven to an employee's residence should be parked in a safe and secure manner.

#### E. Misuse of Village Vehicles or Equipment

1. Driving a Village vehicle or operating Village equipment without proper authorization.
2. Permitting an unauthorized person to drive a Village vehicle or operate Village equipment.
3. Driving a Village vehicle or operating Village equipment while the individual's license is expired, has been revoked, has been suspended, or has been forfeited.
4. Engaging in unsafe practices while driving a Village vehicle or operating Village equipment, including but not limited to failure to wear a safety belt, driving under the influence of alcohol or drugs, use of a cell phone other than hands free in a non-distracting manner.

# RECORD OF ORDINANCES

Ordinance No. 12-2020

Passed February 18, 2020

5. Falsification of mileage statements, maintenance records, accident report forms or any other reports or records associated with use of a Village vehicle or equipment.
6. Personal use of Village vehicles or equipment is prohibited.
7. Transport of hazardous materials.
8. Possession and/or transportation of a firearm, other than in a private vehicle or equipment.

**F. Non-Village Employee Passengers**

1. Non-employees are not permitted to ride in a Village vehicle or equipment except for business related reasons (i.e., carpooling to a permitted function or authorized ride alongs).
2. Activities such as routinely dropping children off at school or picking them up from daycare are forbidden.
3. **Exception:** Village functions which require that non-Village employees be transported in Village vehicles or equipment, such as police, ambulance functions, or Fireman's Festival parade are excepted.

**G. Accidents**

Accidents involving a Village vehicle or equipment must be reported to your supervisor of the department head immediately.

**H. Condition of Village Vehicles and Equipment**

1. Operators of Village vehicles and equipment are responsible for the safe operation and interior and exterior cleanliness, appearance, and general condition of the vehicle or equipment.
2. Any Village employee who operates a Village vehicle or equipment shall timely communicate to the immediate Department Head any concerns regarding vehicle or equipment operation or maintenance.

**I. Traffic Violations While Operating Village Vehicles or on Village Business**

Employees are responsible for any moving/parking violations and fines that may result when operating a Village vehicle or equipment.

**J. Driving Record – Responsibility of Employee to Update**

An employee's driving record may impact their eligibility to operate a Village-owned vehicle or equipment. Therefore, any employee who operates a Village-owned vehicle and/or equipment must notify their immediate supervisor regarding their conviction or waiver of any traffic offense, with the exception of parking violations. Such notification shall be made in writing within seventy-two (72) hours of the waiver or conviction and shall include the specific offense(s) involved. Notification must be made whether the employee is cited while operating a private vehicle for work-related business or Village-owned vehicle or equipment.

Supervisors shall immediately advise the Clerk-Treasurer regarding notification by an employee of a waiver or conviction of a traffic offense.

**K. License Expiration, Revocation, Suspension, or Forfeiture**

In the event an employee's driver's license expires or is revoked, suspended, forfeited or restricted in any manner, the employee shall be required to report that information within 72

# RECORD OF ORDINANCES

GOVERNMENT FORMS & SUPPLIES (844) 224-3338 FORM NO. 30043

Ordinance No. 12-2020

Passed February 18, 20 20

hours of its occurrence to their Department Head, or within 24 hours of returning from vacation or other authorized leave if the expiration, revocation, suspension, forfeiture or restriction occurred during such leave.

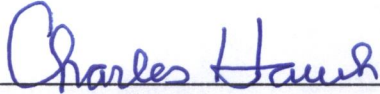
**HOWEVER, IN NO EVENT SHALL AN EMPLOYEE OPERATE ANY VILLAGE VEHICLE AT ANY TIME AFTER THEIR LICENSE HAS EXPIRED, BEEN REVOKED, SUSPENDED, OR FORFITED.**

**L. Violation of Rules Established by Policy**

Any violation or the rules established by this policy will be grounds for disciplinary action, up to and including termination.

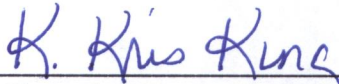
**SECTION 2:** The above policy replaces any previous version of this policy and supersedes any current policy which may be in conflict with this policy.

**SECTION 3:** This ordinance shall be in full force and effect at the earliest date provided by law.



\_\_\_\_\_  
Mayor Charles Hawk

ATTEST:



\_\_\_\_\_  
Village Clerk Treasurer K. Kris King

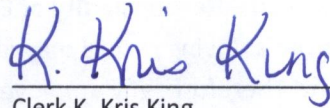
CERTIFICATE

I, K. Kris King, hereby certify that the above is a true copy of an ordinance passed at a regular meeting of the Brewster Village Council held on February 18, 2020



\_\_\_\_\_  
Clerk K. Kris King

I, K. Kris King, Clerk of the Council of the Village of Brewster, State of Ohio, do hereby certify that there is no newspaper printed in said municipality and that publication of the foregoing ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by Council as follows: Office of Brewster Utilities, Belloni's IGA, Brewster Federal Credit Union, Post Office and Brewster Laundromat.



\_\_\_\_\_  
Clerk K. Kris King