

RESOLUTION NO. 2024-61
INTRODUCED BY: Mayor Bodnar

**AN EMERGENCY RESOLUTION
AUTHORIZING THE MAYOR AND PRESIDENT OF COUNCIL TO ENTER INTO A
FIRING RANGE USE AGREEMENT WITH THE SUBURBAN POLICE ANTI-CRIME
NETWORK (SPAN)**

WHEREAS, the Suburban Police Anti-Crime Network (SPAN) desires to utilize the Mayfield Village firing range for firearms training activities; and

WHEREAS, Mayfield Village has agreed to allow the Suburban Police Anti-Crime Network (SPAN) to utilize the Mayfield Village firing range subject to certain terms and conditions; and

WHEREAS, Council deems it necessary and in the best interest of the health, safety and welfare of all Village residents to enter into a Firing Range Use Agreement with the Suburban Police Anti-Crime Network (SPAN) in order to set forth certain terms and conditions for the use of the Mayfield Village firing range.

BE IT RESOLVED BY THE COUNCIL OF MAYFIELD VILLAGE, OHIO, THAT:

SECTION 1. The Council of the Village of Mayfield authorizes and directs the Mayor and President of Council to enter into a Firing Range Use Agreement with the Suburban Police Anti-Crime Network (SPAN), a copy of which is attached hereto and incorporated herein as Exhibit "A".

SECTION 2. The Council finds and determines that all formal actions of this Council relating to the adoption of this Resolution have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of health, safety and welfare of the residents of Mayfield Village, Ohio, for the reason that it provides for necessary terms and conditions for use of the Mayfield Village firing range. It shall, therefore, take effect immediately upon the passage

by the affirmative vote of not less than five (5) members elected to Council and approved by the Mayor or otherwise at the earliest time allowed by law.

STEPHEN SCHUTT
Council President

First Reading: _____, 2024

Second Reading: _____, 2024

Third Reading: _____, 2024

PASSED: _____, 2024

BRENDA T. BODNAR, Mayor

APPROVED AS TO FORM:

DIANE A. CALTA, ESQ.,
Director of Law

ATTEST: _____

MARY E. BETSA, MMC
Clerk of Council

EXHIBIT A

**MAYFIELD VILLAGE
POLICE DEPARTMENT FIRING RANGE USE AGREEMENT
(Law Enforcement Agencies)**

This Use Agreement, is made this 1st day of November, 2024, (the “Effective Date”) by and between Mayfield Village, an Ohio municipal corporation through its Police Department (“Mayfield Village”) and Suburban Police Anti-Crime Network (SPAN) (“Participating Agency”), provides for Participating Agency to use Mayfield Village’s Firing Range (“Range”) at 620 SOM Center Road, Mayfield Village, Ohio 44143 for authorized firearms training activities subject to the terms and conditions outlined below.

1. Participating Agency refers to any public law enforcement agency that wishes to conduct firearms training activities at the Range. Use of the Range is authorized for and limited to licensed officers of the Participating Agency. No unauthorized persons will be allowed to use the Range.
2. The term of this Use Agreement shall be three (3) years, commencing on the Effective Date (the “Term”). Mayfield Village shall have the right, in its sole discretion, to terminate this Use Agreement at any time during the Term upon written notice to Participating Agency.
3. Participating Agency agrees to pay Mayfield Village a fee of \$500.00 annually prior to the commencement of each year in the Term. Payment balances will be refunded to the Participating Agency for whole years on a pro-rated basis in the event of early termination in accordance with this Use Agreement.
4. The time, date, and duration of Participating Agency’s use of the Range will be scheduled and approved by the Range Officer.
5. Participating Agency shall at all times adhere to the rules and regulations of the Range and Mayfield Village, attached hereto, and incorporated herein, as Exhibit A, as applicable, and is subject to the guidance and authority of the Range Officer, or his/her designee.
6. Participating Agency agrees to provide a Certificate of Insurance evidencing coverage for general liability insurance, auto liability insurance, and workers compensation insurance, covering all Participating Agency’s personnel, prior to its use of the Range. Such Certificate of Insurance shall name Mayfield Village and the Mayfield Village Police Department as additional insureds.

[Signature Page to Immediately Follow]

IN WITNESS WHEREOF, the parties hereto have executed this Use Agreement as of the day and year first above written.

MAYFIELD VILLAGE, OHIO

PARTICIPATING AGENCY

Suburban Police Anti-Crime Network (SPAN)

Brenda Bodnar, Mayor

Chief Patrick Rhode, SPAN Chief

Stephen Schutt, Council President

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Diane A. Calta, Esq.,
Director of Law

by: JOHN P. LUSKIN, Esq.,
SPAN Legal Advisor

EXHIBIT A

FIREARMS SAFETY

Safety in the use and possession of firearms is a subject, which must be constantly readdressed. The purpose of this course is to act as a refresher for all of us.

I. Firearms safety while on duty and while carrying a weapon off-duty.

A. Always keep your weapon clean and properly lubricated. (Refer to owner's manual or seek advice from a range officer or dept. armorer.)

B. Always have fresh duty ammunition in both your weapon and extra magazines.

1. **NEVER** carry ammunition, which is corroded, dented or in any way damaged.
2. **NEVER** use ammunition, which is old or non-issued in your duty weapon.
3. Make sure you have the correct ammunition for your firearm. Just because it fit, does not mean it will function in the weapon. (I.e. .22 cal / .25 cal; .380auto / 9mm; 12ga. / 16ga.; ECT.)

C. It is highly recommended that RELOADS not be used in semi-auto weapons.

1. Casing fatigue.

a. Every time a cartridge is fired, the casing expands and needs to be resized. This causes thinning of the case walls.

b. 9mm ammunitions are usually loaded to high pressures and casing fatigue may cause a dangerous condition.

2. Improper powder charges.

a. Too weak of a charge may cause the bullet to become lodged in the barrel, or may not cycle the slide fully.

b. Too powerful of a charge may damage weapon and cause serious injury.

3. High primers.

a. Primers may not be seated fully and could cause feed jams.

4. Poor crimping.

a. Bullet could be off center, seated too deep or not deep enough.

5. Foreign matter.

a. Foreign matter could be between the primer and powder charge. This could result in a miss-fire or a hang-fire.

D. Field stripping.

1. You should field strip your weapon at least weekly or more if you work road jobs where you are subjected to weather and dirty conditions.

a. You should check your weapon for FUNCTION, CLEANLINESS, and EXCESSIVE wear.

b. Any problems or questions should be directed to any range officer or dept. armorer.

E. **NEVER** allow anyone other than authorized personnel to handle your weapon.

1. **DO NOT** hand your weapon to another officer while handcuffing or searching a suspect. **HOLSTER YOUR WEAPON!!!**

2. Do not let a civilian handle your weapon.

3. **NEVER** un-holster your weapon for un-necessary reasons.

F. **DO NOT** leave your weapon lying around the station.

1. Keep it holstered at all times.

2. Lock your weapon in a weapon locker and take key with you.

3. When using the restroom, keep your weapon under your control at all times.

DO NOT leave it or your gun belt lying on a table or in the locker room.

4. **DO NOT** leave your locker **UNLOCKED** if you have any weapons (off-duty etc.) in the locker.

5. **ALWAYS** secure your duty weapon prior to leaving at the end of your shift.

G. DO NOT engage in “Quick Draw” exercises, gun twirling or other childish games.

1. Officers and others are killed or injured constantly by these types of games.

H. Be conscious of your weapon while in public, especially in crowds or at Restaurant counter.

I. “Holster Carry” for semi-auto pistols.

1. Round in the chamber.

2. Weapon de-cocked if weapon is first round double action. (Beretta, Smith & Wesson, Sig Sauer, ECT.)

3. De-cocking lever in the fire position if so equipped.

4. Magazine fully loaded.

II. Shotgun Safety.

A. "Cruiser Carry" (A.K.A. Condition #3)

1. Chamber empty.
2. Weapon un-cocked.
3. Safety off.
4. Magazine fully loaded.

B. "Shotgun Carry"

1. Port arms position.
 - a. Strong hand on pistol grip. Finger outside of the trigger guard.
 - b. Weak hand on slide.
 - c. Weapon at a 45-degree angle across body muzzle up.
 - d. Weapon should only be "Charged" if shooting is Imminent.

C. Returning Shotgun to cruiser.

1. Make weapon "Safe" by returning it to "Cruiser Carry" or Condition #3 before returning weapon to the lock.
2. You should always check the shotgun in your cruiser at the start of your shift to ensure that is in "Cruiser Carry (Condition #3) and that the magazine is fully loaded.

D. Conditions of a Shotgun.

1. Condition #4.
 - a. Weapon completely empty. Chamber and Magazine. Safety in on position. Action open.
2. Condition #3.
 - a. Chamber empty.
 - b. Weapon un-cocked.
 - c. Safety off.
 - d. Magazine loaded.
 - e. Action closed.
3. Condition #2
 - a. Round in the chamber
 - b. Safety ON.

4. Condition #1.

- a. Round in the chamber.
- b. Safety OFF.

III. Firearms safety at the range.

A. The range is a high-risk area. Most accidents at the range occur because of the following:

1. Horseplay or Goofing around.

a. Such actions may result in removal from the range and possible disciplinary actions.

2. Failure to listen to the range officer's instructions.
3. Improper positioning of the shooter in the stall.
4. Failure to ask for help when needed.
5. Pointing weapons in any other direction other than down range.
6. General nervousness.

- a. "I have to qualify".
- b. Embarrassment of not being a good shot.

B. Loading and Unloading of firearms.

1. All **LOADING** and **UNLOADING** of firearms is to be done on the range while in the stall with muzzle pointing down range.

a. An exception would be to use the "Bullet Trap" located on the wall in the weapon cleaning area, if immediate loading of a firearm in an emergency.

1. Insert loaded magazine into the firearm.
2. Chamber a round while the muzzle is pointed downward into the center of the "Bullet Trap" **DO NOT** HAVE THE FIREARM TOUCHING THE TRAP AT ANY TIME.
3. De-cock weapon if so equipped.
4. Holster the weapon.
5. Remove the magazine and top off the magazine with duty ammunition.
6. Reinsert the magazine into the firearm. Making sure that the magazine is fully inserted.

C. Cleaning of weapons.

1. Make sure weapon is safe and unloaded as described in section B-1 above.
2. Clean weapon in the cleaning room.
3. Make sure your weapon is fully loaded before leaving the range.

D. Firing at the range.

1. Keep finger **OUT** of the trigger guard until weapon is on target and you intend to fire.
2. De-cock weapon (if so equipped) at the end of each firing exercise.
3. Unless instructed by a range officer or reloading of a weapon, **REHOLSTER** the weapon after each exercise.
4. Weapons are to remain holstered at all times unless firing or under instruction of a range officer.
5. Experienced officers are expected to clear their own malfunctions. **HOWEVER**, if unsure, **KEEP** weapon pointed down range and ask for assistance from a range officer.
6. NEVER go down range without permission or instruction of a range officer.
7. ALWAYS wear Ear and Eye protection when on the range.
8. Horseplay, Joking, or Goofing around **WILL NOT BE TOLERATED** at the range.

IV. Firearms safety at home. (Child proofing)

A. Keep weapons and ammunition separated and under lock and key.

1. Locking weapons.

a. Revolvers

1. Make sure weapon is **UNLOADED**.
2. Open cylinder – place pad-lock or use handcuff around top strap.
3. Use trigger lock or barrel lock. Weapon **UNLOADED**.
4. Locking box. Keep key out of reach of children.

b. Semi-Auto Handguns.

1. Make sure weapon is **UNLOADED**.
2. Use trigger lock or barrel lock.
3. Bicycle type padlock through magazine well.
4. Locking box. Keep key out of reach of children.

c. Long-guns.

1. Best method is unloaded in a locked gun cabinet with action disassembled.

B. Cleaning of weapons.

1. Clean weapons alone away from curious children.

V. Basic Safety.

A. Treat **ALL** weapons as if they are loaded.

1. **NEVER** take anyone's word for it.

a. Check then check again.

2. **NEVER** point a weapon at anyone or anything you do not intend to shoot at.

3. **NEVER** engage in horseplay while in control of a weapon or while in an area where weapons are being used.

4. Keep weapons safely secured and separated from ammunition when not being used.