



PEP ON POINT

Building Stronger Communities Together

2024 NEWSLETTER FIRST QUARTER

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"HEY, THAT'S A GREAT PICTURE!"



PHOTOS ARE COURTESY OF:
CITY OF LOVELAND AND CITY OF CHILLICOTHE

SUBMIT YOUR PHOTOS
FOR THE
2025 PEP CALENDAR

As a PEP member, we would love to give you the opportunity to showcase your public entity by submitting photos to be considered for publication in the 2025 PEP calendar. We are seeking submissions for each month to feature unique images highlighting a variety of PEP Member locations, people and activities - all marked by Ohio's seasonal changes in weather, ecology, and amount of daylight. Send in your photos today!

THE COLORS OF SAFETY

HOW WELL DO YOU KNOW YOUR COLORS?

Did you know that different safety cues are associated with specific colors? Safety color-coded signs and placards may be seen throughout your place of work or day-to-day life. The colors serve to visually communicate a number of different hazards.

The **American National Standards Institute (ANSI)** issues requirements to ensure that specific colors become associated with specific hazards. Take the quiz below to see if you know your safety colors. *(answers on the back page)*

1.) What sign color indicates "No immediate hazard"?

- A. Orange
- B. White
- C. Blue
- D. Green

2.) What color is related to "caution"?

- A. Orange
- B. Green
- C. Blue
- D. Yellow

3.) Safety information is provided on signs that are which color?

- A. Blue
- B. Red
- C. Green
- D. Yellow

4.) When a worker sees a red sign, it indicates...

- A. Combustible materials
- B. High risk of injury or death
- C. Fire protection equipment
- D. All of the above

5.) What color designates first-aid equipment such as emergency eyewash stations?

- A. Red
- B. Yellow
- C. Green
- D. White

6.) What color is associated with poison or toxicity?

- A. Green
- B. Orange
- C. Yellow
- D. White

7.) What color marks the dangerous parts of machines or energized equipment?

- A. Yellow
- B. Red
- C. Orange
- D. Green

SLIPS, TRIPS AND FALLS

OVERVIEW

Slips, trips and falls can happen at many locations, including fire stations, township halls, pavilions, parks and playgrounds, restrooms, and recreation centers. Injuries resulting from slips, trips and falls often result in claims or lawsuits being filed against PEP members.

Understanding the causes of these types of accidents, as well as knowing how to prevent the slips, trips and falls from happening in the first place, will result in a safer experience for everyone and will benefit the public entity, its visitors and employees. When a slip and fall incident occurs, it can be bad for business. News of a slip and fall can hurt your entity's reputation. Slip and fall incidents can result in an expensive claim. This article will focus on the causes and prevention of slips, trips and falls.

CAUSES

SLIPPERY FLOORS: Floors can become slippery for a variety of reasons including liquid spills (such as water or coffee), dry substances (such as powders), weather (such as rain, snow, ice or humidity) and floor wax or polish. These substances make floors slippery by reducing traction underfoot.

BUMPY, LUMPY OR LOOSE SURFACES: Loose, uneven surfaces can also cause accidents. This may include frayed carpet or cracked concrete or asphalt. It may also include tree roots or weed control fabric underneath playgrounds.

POOR HOUSEKEEPING AND DESIGN: Common trip-and-fall hazards include loose electrical cords or cables, cluttered work areas, items stored on floors and overflowing trash cans. Bad lighting, lack of proper signage, stairs with no handrails and shower rooms that lack slip-resistant flooring surfaces are poorly designed areas that can cause slips, trips and falls.

IMPROPER FOOTWEAR: Without non-slip footwear, employees who work on uneven surfaces or in areas that are wet, icy, snowy or greasy are prone to slips and falls.



PREVENTION

CONDUCT REGULAR

INSPECTIONS: Staff should routinely walk the premises to look for hazards – uneven surfaces, cracks, etc. – that could trip someone. Check stairwells to make sure there are no obstacles and keep walkways well-lit and slip-resistant, especially if they are exposed to rain, sleet and snow. Place floor mats at entrances and in traffic areas where spills are likely to occur. Install secure handrails at all stairs and balconies. Immediately attend to any problem by putting up warning signs and taking steps to quickly eliminate the hazard. Document all regular inspections in a maintenance log.

ROUTINE MAINTENANCE: Maintain all floors and walkways using the recommended cleaning products and methods. Fix all uneven surfaces, if possible, by recoating or leveling the floor. Illuminate (or otherwise identify) areas that can't easily be leveled. Document all maintenance in a maintenance log.

HAZARD INSPECTIONS AND MAINTENANCE: Keep a record of when a hazard appears and what you did to eliminate it. Document hazard inspections and maintenance in a maintenance log to prove the necessary steps were taken to maintain the property and keep it safe.

OUTDOOR AREAS: Preventative and routine maintenance should take place in outdoor areas as well. Potholes, snow and ice create potential slip, trip and fall hazards. Repair chipped or broken concrete, fill potholes and direct attention to sloping areas or changes in elevation with contrasting paint.

WHAT TO DO FOLLOWING A SLIP, TRIP OR FALL

EMPLOYEE TRAINING: Train employees in slip, trip and fall safety. Establish guidelines on how employees should report problems and respond to injuries or hazardous situations. Have employees obtain first aid training from local health providers.

COMPLETE AN INCIDENT REPORT: Document slip and fall incidents as soon as someone reports an injury. Incident reports can help identify problem areas and the cause of injuries. Record accounts from the victim and eyewitnesses and photograph any alleged hazards. Don't admit fault for an accident. Contact your PEP claims representative. For many reasons, it's important to report the incident to PEP as soon as possible. Incidents can be reported or claims can be filed by visiting www.PEPOhio.org.



FEATURE ARTICLE

SAFETY GUIDELINES FOR PLAYGROUNDS & OUTSIDE ACTIVITIES

BY PEP RISK SERVICES TEAM



GENERAL PROGRAMS

Entities that provide outside play areas or playground equipment must recognize the existence and the potential for hazards and injuries to persons using this equipment. Playgrounds or recreational areas are those that provide equipment such as slides, swings, seesaws, monkey bars, jungle gyms and related items for children to play on. This would also include basketball and tennis courts and sandbox areas. Because all playgrounds present different challenges, some type of supervision is required, as children can be expected to use equipment in unintended and unanticipated ways. Programs that could utilize these facilities include daycare/nursery operations, after school or latchkey programs or teen after-school programs. The different ages, from preschool playground to school age facilities, to teenage facilities, are extreme and will be considered for these guidelines. Age-appropriate playground designs should accommodate the age differences, in regard to the type, scale and layout of equipment. Age references are pre-school 2-5 yrs., school age 5-12 yrs. and teenage 13 yrs. and up.

EQUIPMENT: THE MAJOR TYPES OF PLAYGROUND EQUIPMENT GROUPS ARE:

- (A.) Slides: several types such as straight, spiral, tube and roller.
- (B.) Various swing types: single axis, tot (single axis swings intended for the very young) and multi-axis tire swings.
- (C.) Climbing equipment: such as arch climber, dome climber, overhead horizontal ladder and overhead hanging rings.
- (D.) Merry-go-rounds.
- (E.) Seesaws or teeter-totters.
- (F.) Spring rocking equipment, mainly for preschools.

THE AMOUNT, TYPE AND QUALITY OF EQUIPMENT SHOULD BE DOCUMENTED WITH THE FOLLOWING:

- (A.) Installation dates of equipment and related information as to who designed, built and installed this equipment.
- (B.) Equipment inspection dates.
- (C.) Equipment maintenance dates and types of repairs done properly.

Proper assembly and installation of playground equipment is crucial for structural integrity, stability and overall safety. This is especially important if used equipment has been purchased or donated. Extra care must be taken in the set-up of this equipment. The manufacturer's installation instructions should be strictly adhered to, without deviation. After assembly and installation, the equipment should be thoroughly inspected before first use. The manufacturer's assembly and installation instructions and related material should be made part of the permanent record kept for the entity.

Complete documentation of all maintenance inspections, repairs, records of accidents or injuries, should be kept in the permanent file for the playground.

The following are pieces of equipment NOT recommended for use in playgrounds: animal figure swings, free swinging ropes, swinging rings, trapeze bars and trampolines.

INSPECTION:

- (A.) Protrusions, pinch points, sharp edges that can result in puncture, cuts, or abrasions to those using equipment. These are a direct result of wear and tear through the use of equipment.
- (B.) Hot surfaces as a result of sunlight on bare or painted metal surfaces or plastic surfaces that produce burns or abrasions. These pieces of equipment should not be located in direct sunlight.
- (C.) Playground debris such as glass, metal or other dangerous items.
- (D.) Head entrapment when an opening is large enough for a child's body to go through but not the head, causing the potential for strangulation.
- (E.) Impact by moving swings or other mobile equipment.



The Entity's playground equipment should be organized into different areas to prevent injuries caused by conflicting activities and children running between equipment. Popular, heavy-use equipment should be dispersed to avoid crowding. Moving equipment, such as swings or merry-go-rounds, should be located towards the edge or corners of the play areas. The layout of the equipment and activities should be without visual barriers so that there are clear sight lines everywhere on the playground to facilitate supervision.

In playgrounds intended to serve children of all ages, the layout of pathways and the landscaping of playgrounds should show the two distinct areas for the two different age groups. A sign posted in the playground area can be used to give guidance to adults as to the age appropriateness of the equipment.

SUPERVISION:

The credentials of the persons involved in on-site supervision are most important. Prior experience, training, reference and background checks are important, as well as the expected extent of supervisor's participation in these activities. Prepare the "Job Descriptions" for those involved in playground supervision. Establish specific safety responsibilities with those working on playground premises. Other items to consider are the age of people handling supervision, volunteers vs. paid personnel and training in handling small children. It is advised that background checks be conducted on those persons to verify their experience in accident prevention, proper lifting techniques and experience in dealing with specialized activities. It is important to keep in mind that preschoolers require more attentive supervision on playgrounds. A "Statement to Work with Minors" should be included in the file for those employed.

MAINTENANCE:

The condition and upkeep of the playground and equipment is vital in providing a safe play area. The equipment should be visually inspected on a regular basis, normally weekly, to ensure the following:

- (A.) There are no sharp, pointed or splintered areas.
- (B.) There are no worn or rusted parts, hooks or connector nuts and bolts.
- (C.) The ground cover should be checked for condition and depth.
- (D.) The layout and placement of equipment is important. Sufficient space should exist between pieces of equipment. 8 feet of distance is suggested as a sufficient distance between pieces of apparatus. This would provide an unobstructed traffic pattern and eliminate the possibility of falling from one piece of equipment into another.

(E.) The playground area should be checked regularly to have trees and bushes properly trimmed to avoid injury from falling branches. Grass should be mowed regularly, the grounds picked up and trash removed to avoid potential slip, trip or injury hazards due to broken glass or other dangerous debris.

(F.) Lead paint hazard potential should be recognized and any older, metal painted pieces of equipment should be tested to ensure that this potential hazard does not exist.

SECURITY:

The area should be fenced in with the ability to lock the premises and keep the area secured in the evenings and during unattended hours. The use of fencing or similar type of barrier is recommended to prevent children from inadvertently running into the street. The fence or barrier should not preclude proper supervision of playground by staff. The supervisor during operating hours should be aware of suspicious persons. Numbers for local police, fire and EMS should be posted. A stocked first aid kit should always be on hand. Immediate first aid is important and can reduce the severity of an injury. Those performing first aid should follow "Universal Precautions" when handling situations involved with blood or other bodily fluids.

MATCHING TYPES OF EQUIPMENT TO CHILDREN:

The matching of appropriate types of equipment to the ages and sizes of the children that will be using it is an important consideration. Attention should be paid to the target age group that will be using this facility, along with future uses of this area. Some questions that should be addressed are:

- Is this a permanent program or one that may change in the immediate future?
- Can this area be changed or adapted for other uses or additional equipment or facilities?
- Can this facility be flexible to serve several different age groups without causing the potential of injury to the youngest group?

REFERENCES:

- U.S. Consumer Product Safety Commission, CPCS, 12/09 edition
- American Camping Association, Inc., 2007 edition
- Best's Loss Control Engineering Manual, 9/98 edition
- National Fire Protection Association (NFPA) Life Safety Handbook, 1998 edition

COVERAGE CORNER

MAINTENANCE GUIDELINES FOR EMERGENCY GENERATORS

BY PEP RISK SERVICES TEAM

In the event of a utility interruption, emergency generators are often relied upon to provide critical backup power. To help ensure your emergency generator is ready when needed, it is important to complete required maintenance.

Overlooking required maintenance could limit your ability to maintain business continuity and critical support systems during a utility interruption.

The following guidelines are recommended to help ensure proper emergency generator operations.

RECOMMENDED PROTECTION DEVICES FOR EMERGENCY GENERATORS

- Voltage restrained overcurrent relay, one per phase to provide overcurrent protection
- Reverse power relay to prevent backflow of electricity into generator
- Overspeed trip
- Low oil pressure trip
- High oil temperature alarm and trip
- High exhaust temperature alarm and trip
- High jacket temperature trip
- Bollards added if located near vehicle access



PREVENTIVE AND PREDICTIVE MAINTENANCE

Emergency generators are expected to transition from a cold start to full load in a matter of seconds. This type of operation can be physically demanding for any type of equipment. Establishing a formal preventive and predictive maintenance program can help identify potential problems and reduce the risk of a generator breakdown.

The following practices should be included in your regular maintenance program. Only a qualified operator or technician should perform these tasks. For further guidance, consult the original equipment manufacturer.

- Visual inspections should include, but are not limited to, the following:
 - > Inspect the physical integrity of the housing, foundation and mounting bolts and verify the equipment is secured in place.
 - > While the equipment is running, listen for sounds that could indicate internal problems, such as grinding or excessive vibrations.
 - > Visually inspect for physical signs of animal or rodent activity such as droppings, food, nesting or chewed wires.
 - > Inspect moving parts for abnormal conditions, such as wear, dirt, debris, improper lubrication and fluid leaks.
 - > Inspect common wear items, such as hoses, belts, filters, gaskets and seals.
 - > Verify proper fluid levels, such as oil and coolant.
 - > Inspect starting batteries and cables for damage and terminal connections for corrosion buildup.
 - > Inspect fuel supply lines, connections and supporting equipment for physical integrity, leaks and corrosion.

These tips can help with the assessment of internal engine conditions and remaining oil life.

- Grease and lubricate bearings and other moving parts according to the manufacturer guidelines.
- Engine oil and filter replacement should be scheduled according to the manufacturer guidelines.
- Since emergency generators don't run continuously, an oil sampling and analysis program should be established.

- Establish an engine coolant testing and treatment program. Engine coolant that is not properly treated can contribute to corrosion within the engine and growth of microbes, both of which can inhibit adequate heat transfer and lead to engine damage. It is a best practice to periodically test coolant quality and apply treatment as recommended by the equipment manufacturer.

- Engine run tests and load tests should be performed as part of a regular maintenance program. This can help verify proper startup operations, functionality of electrical transfer sequence, and confirm the generator can assume the required load.

- > Run tests without load are recommended monthly.
- > Load tests assuming required load are recommended at least annually.
- > When performing a load test, verify that proper electrical transfer sequence occurs, such as transfer switches, breaker operations, and correct electrical lineup.
- > In addition to regular load tests, the generator should be load bank tested at least annually. Load bank testing is performed at full kilowatt output rating to help verify that the generator can actually produce the horsepower that may be required while maintaining proper temperature and pressure required for continued operations.

- Safety devices should be routinely tested and calibrated, as recommended by the manufacturer. These tests can help identify faulty or out-of-calibration safeguards and controls that can increase the risk of equipment failure.

- Generator winding resistance testing, as recommended by the manufacturer.

With the many different configurations and features of emergency generators, each system can have different parameters for required maintenance. Most equipment manufacturers offer service contracts to perform regular scheduled maintenance. Consult the equipment manufacturer or a certified third-party contractor when establishing a preventive and predictive maintenance program.

If you have safety and risk control questions, please contact Risk Services at (866) 907-3776, or visit www.PEPOHIO.org.



'MEMBER-FOCUSED'

PEP BENEFITS

TAKE ADVANTAGE OF PEP'S MEMBER SERVICES

PEP members are entitled to benefits that help them better serve their communities. Some are time-sensitive, so take action soon.

WHAT MEMBERS ARE SAYING ABOUT PEP'S RISK SERVICE TEAM

"Eric provided exceptional help in showing us how to meet our cyber security needs. He tailored his presentation to meet our limited needs. He was especially helpful in the recommendations and gave me the tools to make changes that I knew we needed, but did not have great support for. Thanks." ~ Village of Rushville

"Nick was great to work with and very knowledgeable." ~ Paulding County Health Department

"Susana's efforts to ensure we're managing our exposure to risk are greatly appreciated!!!" ~ Village of Bluffton

"I truly appreciate Diana and her wealth of knowledge. She is a breath of fresh air!" ~ City of Fairborn

The PEP Risk Services Team conducts field inspections, responds to special requests regarding exposures and risk management issues, and assists in developing safety programs, etc. integrated into a holistic approach to prevent injuries and protect member assets. Members can contact PEP Risk Services at (866) 907-3776.

APPLY FOR PEP+ GRANTS

As part of PEP's loss control and risk management initiative, PEP members are able to apply for a grant of up to \$1,000. The 2024 PEP+ Grant deadline is **December 31**, so be sure to get your application in today. Grants are awarded to help offset qualifying expenses covering safety items that help prevent or reduce liability claims or property losses. Funds are available for purchases or expenses incurred during the application period. Access the PEP+ Grant Program application by visiting www.PEPOHIO.org.



RESOURCE ELIBRARY

PEP maintains an online library, called the Resource eLibrary, which provides access to thousands of free resources to assist with members' risk management needs. The eLibrary can be accessed anytime from a desktop, laptop, or mobile device. Resources include online training, streamed videos, webinars, seminars, policies, procedures, checklists, best practices and documents which can be accessed at anytime.



CYBERSECURITY GUIDANCE

HOW TO DETECT PHISHING SCAMS USING THE 3 U's

BY RISK SERVICE TEAM

Phishing, a fraudulent practice of sending emails in order to induce users to surrender valuable personal information, is becoming more sophisticated and is not slowing down. Reportedly, Microsoft blocked more than 36 billion phishing and malicious emails last year alone. Phishing is one of the top causes of cyber security scams. In the past, phishing email scams had grammatical errors, generic information, impersonal references, and strange domain names. Now, email scams are getting harder to spot because they appear more personal and authentic. However, there are still some signs that 'U'sers should watch for to avoid becoming a victim of a phishing scam.



THINK OF THESE 3 U'S:

1 – URGENCY

Phishing messages try to create a sense of urgency or an immediate deadline. This technique causes email users to react quickly, without a gut check or to stop and slow down to think or verify the request. If an email message is urgent, be very cautious. Do not feel pressured or threatened to act or do something quickly. If in doubt, take the time to verify the request and who is making the request.



2 – UNKNOWN REQUESTER

Ask yourself, "Do I really know this sender/requester?" Again, be cautious when receiving a message from a someone you don't know. Even if the person claims to be someone you know or know someone you know, it is best to verify the person's authenticity before doing anything. If the request seems unknown and the requester is uncommon, be very careful. Scams try to create familiarity, but if you do not know the person, take the time to slow down and contact the person to verify the request before acting on it.



3 – UNEXPECTED MESSAGE

An email that is out of the ordinary should be a red flag. When an unexpected message is received that urgently requests an unusual action, stop and verify. A legitimate sender's email may have been hacked, which results in a phishing message going out. Look very carefully at the message and sender. Anything that seems odd, is probably a scam. Again, scammers are becoming more sophisticated, so take the time to verify before reacting. Time is on your side.



RISK SERVICES RESOURCES

REGULATION OF ADULT USE OF MARIJUANA

BY GREGORY A. BECK AND MEGAN L. HAYNAM, BAKER DUBLIKAR

Ohio voters elected to authorize the adult use, possession and distribution of marijuana effective December 7, 2023. PEP members may be impacted by this change in law in areas such as taxation, land use, employment and policing.

The law guiding the public sector is set forth in Title 37. PEP has worked with legal counsel to analyze sections of Title 37 to provide the following information to its members.

The Ohio General Assembly is considering amendments to the legislation. Based on all available information, the proposed amendments do not appear to impact or change the practical advice provided below.

If you have questions or would like legal consultation regarding Title 37, members may call the [PEP Legal Access Hotline](#) to request up to 90-minutes of free advice, guidance, or information.



WHAT DOES THE LAW ALLOW?

- Regulates the cultivation, sale, and use of marijuana for those aged 21 and older. (ORC 3780.36).
 - Adults may possess up to 2.5 ounces of marijuana or 15 grams of marijuana extract. This can be purchased from retail locations, or individuals can grow 6 of their own plants. (ORC 3780.36, 3780.29).
 - If two or more individuals share a residence, they are permitted to grow no more than 12 plants at that residence. (ORC 3780.29).
 - If growing the plants at a residence, the plants must be in an enclosed area that prevents access by individuals under 21. (ORC 3780.29).
 - Landlords may prohibit home cultivation. (ORC 3780.29(D)).
- Allows individuals or businesses to apply for licenses to sell marijuana for adult use. (ORC 3780.10).

TAXATION

- Municipalities may not levy fees, charges, or taxes that are not applicable to other businesses. (ORC 3780.25(G)(2)).
- The law imposes a 10% sales tax on marijuana, in addition to state and local sales taxes. (ORC 3780.22(B)).

EMPLOYMENT

- Employers may refuse to hire any perspective employee and may terminate, discipline or take any other appropriate adverse employment action against any employee based on an employee's use of marijuana. (ORC 3780.35(A)(2)).
- Employees disciplined or terminated arising from the use of marijuana have no viable cause of action against the employer. (ORC 3780.35 (A)(5)).
- Terminating an employee for marijuana use is considered "just cause" as long as the use violated the employer's drug-free workplace policy, zero-tolerance policy, or other program/policy regulating marijuana use. As a result, all public employers should have a drug-free workplace policy. This is true even if the marijuana use was off-duty and otherwise lawful. (ORC 3780.35(A)(2)).
- Maintains any federal restrictions on employment, including those adopted by the United States Department of Transportation. (ORC 3780.35(A)(4)).
- Maintains the authority of the administrator of workers' compensation to grant rebates or discounts to employers participating in a drug-free workplace program. (ORC 3780.35(A)(6)).

LAND USE/PUBLIC OFFICIALS

- Municipalities may not ban home-grown marijuana or other state-legal activities. (ORC 3780.25(G)(3) and (4)).
- Allows municipalities to prohibit marijuana businesses within their jurisdiction or limit their number. There are specific exceptions to this general policy and legal counsel should be consulted as to the applicable limitations. For instance, there may be action necessary in certain situations to prohibit dispensaries within 120 days of a license being issued. (ORC 3780.25(A); 3780.25 (B) (3)).

POLICING

- Marijuana may not be used while operating a vehicle, in public areas, or within a vehicle. (ORC 3780.36; 3780.99).
- Anyone under the influence of marijuana is prohibited from operating a vehicle, bike, boat, or aircraft. (ORC 3780.36(D)(1)).

These materials have been prepared for general informational purposes only and are not legal advice. This information is not intended to create, and receipt of it does not constitute, an attorney-client relationship.

FREQUENTLY ASKED QUESTIONS

1. Should employment policies be updated based on the new legislation?

Yes. If there is no drug-free workplace policy in effect, such a policy should be adopted as soon as possible. If a drug-free workplace policy already exists, make sure the policy references marijuana use. There should also be a resolution by the public entity specifically referencing the change in law and the entity's incorporation of the new legal regulations as applicable to the existing policy. Moreover, it is vital to share all policy changes with employees and to document when, with whom and how the new policy is shared to enhance compliance.

2. Can a public entity continue to maintain a drug-free workplace, including such requirements on any employee with a commercial driver's license (CDL)?

Yes. The public entity's existing or new drug-free workplace policy is not altered by this new law, and prohibitions against marijuana use in the policy remain enforceable and lawful.

3. Are any restrictions or prohibitions against the use of medical marijuana changed because of the new law?

No. All restrictions with respect to the use or non-use of medical marijuana are not changed by the new legislation. Thus, if currently the public entity does not accommodate the use of medical marijuana, the new legislation does not require the employer to now authorize the use.

4. Should public employers continue to test for marijuana pre-employment?

Yes. Again, the law does not require an employer to hire or retain any prospective or current employee who tests positive for marijuana if in violation of a drug policy.

5. Should public entities modify post-accident or random drug testing to mitigate against the possibility that an employee may test positive for marijuana without clear evidence of impairment?

Not at this stage. While it is generally acknowledged that drug testing for marijuana may reveal consumption days before the test—which may not indicate impairment—the better policy to avoid inconsistencies is to enforce the policy regardless of proof of impairment. For instance, on a random drug test for alcohol, if the test was positive but less than the legal limit for presumed impairment, the employee would still be subject to discipline.

These materials have been prepared for general informational purposes only, and are not legal advice. This information is not intended to create, and receipt of it does not constitute, an attorney-client relationship.

6. What changes exist for police officers investigating possible illegal use of marijuana?

Police officers must have independent evidence or reasonable suspicion of impairment before conducting field sobriety tests on an individual suspected of consuming marijuana to the point of impairment. For instance, consumption of marijuana while driving or in a vehicle is prohibited. An officer stopping a motorist for a traffic violation who smells or sees marijuana in or about the vehicle may have reasonable suspicion to conduct field tests and later request a blood test.

7. Can zoning ordinances prohibit the use or distribution of marijuana?

Yes. First, the use of marijuana in public or on public property is prohibited. Second, ordinances may prohibit dispensary businesses from operation within the municipality, but such regulation should be through specific ordinances directed at marijuana use and distribution rather than rely on existing zoning ordinances. There are some exceptions to limitation of dispensaries, so any public entity should consult their legal counsel to ensure all intended protections are in place.





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MEMBER SPOTLIGHT:

The City of Cortland



We are proud to have the **City of Cortland** as a PEP member. As a growing community, and one that is moving ahead while still maintaining their own unique charm, Cortland is ranked as one of the Top Ten Most Charming Villages/Small Cities in Ohio (2016), Top 50 Safest Cities in Ohio (2017) and has been featured in "Our Towns" of The Business Journal.

Situated on the border of suburbia and farmland, the town's population has grown fairly significantly over the past few decades, while maintain a strong sense of character and community.

Cortland's Vision Statement - the city of Cortland seeks to protect our safety, sustainability, and quality of life while drawing young people, families, seniors, and businesses to a thriving destination celebrating our rich history.

Cortland's Mission Statement - Our mission is to safely provide services, recreational opportunities, and support to our residents, businesses, and visitors through caring and competent professionals in a fiscally responsible and sustainable manner.

For more information about Cortland, please come and visit, or find more information at the following website: <https://cityofcortland.org/>

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Answers from page 2:

1.) C 2.) D 3.) C 4.) D 5.) C 6.) D 7.) C

Every effort has been made to ensure the accuracy of the information in this newsletter. Professional counsel should be sought before any action is taken or decision is made based on this material.

www.pepohio.org