

AN ORDINANCE
AMENDING CODIFIED ORDINANCE SECTION 129.03(a) OF THE
CODIFIED ORDINANCES OF THE VILLAGE OF CHAGRIN FALLS
RELATING TO PROBATIONARY PERIODS FOR FULL-TIME
REGULAR PATROL OFFICERS AND DECLARING AN
EMERGENCY.

WHEREAS, Section 129.03(a) of the Codified Ordinances currently provides that all full-time regular patrol officers shall be appointed for a probationary period of 12 months full-time continuous service;

WHEREAS, Ohio Revised Code Section 737.17 provides that all Deputy Marshalls, also known as full-time patrol officers are appointed for a probationary period of six months and as a result the Codified Ordinance conflicts with the Ohio Revised Code;

WHEREAS, this Council desires to avoid a conflict between Ohio Revised Code and the Codified Ordinances, and although the stated preference is to have a probationary period of 12 months, the Village Council hereby determines to avoid the need for clarification of whether Ohio Revised Code Section 737.17 conflicts with Codified Ordinance Section 129.03(a) in a manner that is not constitutionally permitted, the probationary period shall be six months.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:

SECTION 1. That the first sentence of existing Subsection (a) of Section 129.03 of the Codified Ordinances of the Village of Chagrin Falls be, and the same is hereby amended to read and provide, in its entirety as follows:

All Full-Time Regular Patrol Officers shall be appointed for a probationary period of six months full-time service and no such appointment shall be deemed permanent until any such patrol officer has satisfactorily served his probationary period.

SECTION 2. That the existing first sentence of Subsection (a) of Section 129.03 of the Codified Ordinances of the Village of Chagrin Falls, and any other Ordinance in conflict herewith, be and the same are hereby repealed which currently reads as follows:

All Full-Time Regular Patrol Officers shall be appointed for a probationary period of 12 months full-time service and no such appointment shall be deemed permanent until any such patrol officer has satisfactorily served his probationary period.

SECTION 3. Codified ordinance section 129.03(a) as amended, shown hereby with deletions for new language and strikeouts for deleted language will read as follows:

All Full-Time Regular Patrol Officers shall be appointed for a probationary period of ~~12~~ 6 months full-time service and no such appointment shall be deemed permanent until any such patrol officer has satisfactorily served his probationary period.

SECTION 4. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

SECTION 5. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

SECTION 6. That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of the inhabitants of the Village and for the further reason this Ordinance must be immediately effective so that the Codified Ordinances are not in conflict with the Ohio Revised Code regarding a matter that may not be within the constitutional home rule power of the Village to require; wherefore provided it receives the affirmative vote of at least two-thirds (2/3) of all members elected to Council, this Ordinance shall be in full force and effect from and immediately upon its passage by this Council and approval by the Mayor; otherwise, it shall take effect and be in force after the earliest period allowed by law.

PASSED: JANUARY 14, 2019



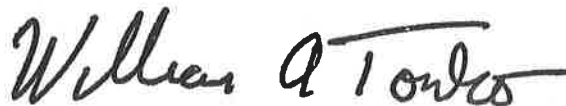
Karl Maersch, Council President

Submitted to the Mayor for his approval on this

15 day of JANUARY, 2019

Approved by the Mayor this

15 day of JANUARY, 2019



Mayor William Tomko

I hereby certify that Ordinance No. 2019-04 was duly enacted on the 14 day of JANUARY, 2019, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.



Clerk of Council