

RECORD OF ORDINANCES

Ordinance No. _____ Passed _____

ORDINANCE 04-24

AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR TO RESIDE OUTSIDE OF THE VILLAGE MUNICIPAL LIMITS

WHEREAS, Section 735.271 of the Ohio Revised Code states, "The village administrator...shall become a resident of the village within six months after his appointment by the mayor and confirmation by the legislative authority of the village, unless his residence outside the village is approved by ordinance;" and,

WHEREAS, the Ohio Supreme Court in *State v. Lima* held, that R.C. 9.481 is constitutional and endorsed the statute which states, "no political subdivision shall require any of its employees, as a condition of employment, to reside in any specific area of the state;" and,


WHEREAS, Council for the Village of Hebron and the Mayor find it is in the best interest of the residents of the Village of Hebron to follow the ruling of the Ohio Supreme Court and allow for the Village Administrator to reside outside of the Municipal limits; and

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE OF HEBRON, COUNTY OF LICKING, AND STATE OF OHIO, WITH A MAJORITY OF THE MEMBERS CONCURRING THERETO THAT:

Section I: Section 135.01 of the Village Codified Code attached hereto and incorporated herein by reference as Exhibit A shall be amended to allow for the Village Administrator to reside outside of the Municipal limits of the Village of Hebron, Ohio in Section 135.01(c).

Section II: This Codified Ordinance section stated more specifically in the attached Exhibit A shall take effect and be in full force upon the earliest period allowed by law.

Passed this 13th day of March, 2024


VALERIE MOCKUS, MAYOR


DEBORAH MORGAN, FISCAL OFFICER

APPROVED AS TO FORM: Wesley K. Untied, Village Solicitor

SECTION 135

Village Administrator

135.01 Position Established, Powers and Duties

- (a) In accordance with Ohio R.C. 735.271, there is hereby created the position of Village Administrator. The salary of the Village Administrator shall be set by separate ordinance following the appointment by the Mayor and confirmation by Village Council.
- (b) The Village Administrator shall have those powers, duties and functions as provided by general laws of the State of Ohio; and additionally with the same, he shall have those powers and functions as may be determined from time to time by the Mayor or Village Council. Upon appointment and confirmation of the Village Administrator, the Board of Trustees of Public Affairs shall be abolished in accordance with the provisions of Ohio R.C. 735.272.
- (c) The Village Administrator shall not have to comply with the requirements of Ohio R.C. 735.271 which require the Village Administrator to be a resident of the Village of Hebron within six months of taking office.