

# RECORD OF ORDINANCES

Ordinance No. \_\_\_\_\_,

Passed \_\_\_\_\_,

## ORDINANCE 10-24

### AN ORDINANCE AUTHORIZING THE VILLAGE POLICE CHIEF TO RESIDE OUTSIDE OF THE VILLAGE MUNICIPAL LIMITS

WHEREAS, Section 737.15 of the Ohio Revised Code states, "Each Village shall have a marshal, designated chief of police...who need not be a resident at the time of appointment but shall become a resident thereof within six months after appointment by the mayor" 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 Chief of Police 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 139 of the Village Codified Code attached hereto and incorporated herein by reference as Exhibit A shall be amended to include subsection 139.03 allowing for the Village Administrator to reside outside of the Municipal limits of the Village of Hebron, Ohio in Section 139.03(a).

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 27 day of March, 2024

  
VALERIE MOCKUS, MAYOR

  
DEBORAH MORGAN, FISCAL OFFICER

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

## SECTION 139

### Police Department

#### 139.03 Powers, Duties, Residency

- (a) In accordance with Ohio R.C. 737.15, there is hereby created the position of Village Police Chief. The salary of the Village Police Chief shall be set by separate ordinance following the appointment by the Mayor and confirmation by Village Council.
- (b) The Village Police Chief shall have those powers, duties and functions as provided by the general laws of the State of Ohio; and additionally with the same, he or she shall have those powers, duties and functions as may be determined from time to time by the Mayor or Village Council.
- (c) The Village Police Chief shall not have to comply with the requirements of Ohio R.C. 737.15 which require the Village Police Chief to be a resident of the Village of Hebron within six months of taking office.