

ORDINANCE NO. 72 -83

BY: J. Fehlert

An ordinance to amend Ordinance No. 31-81, which limited the jurisdiction of the Civil Service Commission, City of Bexley, to employees of the City of Bexley, by extending such jurisdiction to include all positions in the City Health District and in the Bexley City School District and to declare an emergency.

WHEREAS, This Council has previously ordained that the language of the Charter provisions (Sections 50 through 55, Bexley Charter) indicates an intention to limit application of such provisions to municipal employees of the City of Bexley; and

WHEREAS, The Supreme Court of the State of Ohio has held that the organization and regulation of the police force, as well as the civil service functions are within a municipality's power of local self-government under Article XVIII, Section 3 of the Ohio Constitution; and

WHEREAS, Although the Ohio Constitution mandates civil service for municipal employees, the Supreme Court of Ohio has held that the authority of the General Assembly to enact laws applicable to cities, pursuant to such constitutional provision, is limited and applicable only where and to the extent that such laws will not restrict the exercise by such cities of their powers of local self-government; and

WHEREAS, Although this Council, by ordinance No. 31-81 has previously so limited the jurisdiction of the Bexley Civil Service Commission, there is now a desire to increase and extend such jurisdiction, and to amend said Ordinance accordingly; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. That the Civil Service Commission of the City of Bexley, Ohio, shall have jurisdiction over all employees and all positions in the service of the City of Bexley, the City Health District, and the Bexley City School District.

Section 2. That Ordinance No. 31-81 to the extent that it specifically limits the jurisdiction of the Commission should be, and it is hereby amended and the jurisdiction of said Commission is expanded to cover those positions set forth in Section 1.

Section 3. That this Ordinance is passed under the authority of the Charter of the City of Bexley.

Section 4. That this Ordinance is an emergency ordinance necessary for the immediate preservation of the public peace, health and safety, and shall go into effect upon its passage and approval by the Mayor.

Passed: Nov 8, 1983.

Carolyn Thomas Christie
President of Council

ATTEST: John Markham
Clerk of Council

APPROVED: Nov 8, 1983

David H. Madison
DAVID H. MADISON, Mayor

Nov 8, 1983 First reading
Rules suspended