

**CITY OF STRUTHERS**  
**Ordinance**

**NO. 21-051**

***AN ORDINANCE CREATING § 135.05 OF THE ORDINANCES FOR THE CITY OF STRUTHERS, OHIO TO ESTABLISH AGE QUALIFICATIONS FOR APPOINTMENT TO THE STRUTHERS POLICE DEPARTMENT, AND DECLARING AN EMERGENCY.***

**WHEREAS**, § 124.41 of the Ohio Revised Code provides, in pertinent part, as follows:

No person shall be eligible to receive an original appointment to a police department, as a police officer, subject to the civil service laws of this state, unless the person has reached the age of twenty-one \* \* \*. \* \* \* Except as otherwise provided in this section, no person is eligible to receive an original appointment when the person is thirty-five years of age or older, and no person can be declared disqualified as over age prior to that time. The maximum age limitation established by this section does not apply to a city in which an ordinance establishes a different maximum age limitation for an original appointment to the police department \* \* \*.; and

**WHEREAS**, Council desires to establish age qualifications for appointment to the Struthers Police Department and, specifically, to increase the maximum age limitation established by § 124.41 of the Ohio Revised Code from thirty-five years of age to forty-five years of age.

**NOW, THEREFORE, BE IT ORDINANCED** by Council for the City, a majority of all members elected thereto concurring, that:

**SECTION 1:** § 135.05 of the City’s Codified Ordinances is hereby created to read as follows:

No person shall be eligible to receive an original appointment to the Struthers Police Department, as a police officer, unless the person has reached the age of twenty-one, and no person is eligible to receive an original appointment to the Struthers Police Department, as a police officer, when the person is forty-five years of age or older.

**SECTION 2:** All ordinances, or parts thereof, that are inconsistent with the provisions of this Ordinance are hereby repealed insofar, but only insofar, as the same are inconsistent herewith.

**SECTION 3:** The provisions of this Ordinance are severable. If any section, paragraph, sentence, or clause hereof shall be declared illegal, unconstitutional or invalid by any court of competent jurisdiction, such illegality, unconstitutionality or invalidity shall not affect the remaining portions of this Ordinance and it hereby is declared the intention and purpose of this Council that this Ordinance would have been enacted without such illegal, unconstitutional or invalid provision.

**SECTION 4:** It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open in the public, in compliance with law.

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**SECTION 5:** This Ordinance is an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the City and, thus, this Ordinance shall be in full force and effect from and immediately upon its passage and approval by the Mayor.

PASSED IN COUNCIL THIS 22<sup>nd</sup> DAY OF September, 2021.

Megan R. Shorthouse  
CLERK OF COUNCIL

Michael S. Patrick  
PRESIDENT OF COUNCIL

FILED WITH THE MAYOR THIS 22<sup>nd</sup> DAY OF September, 2021.

Megan R. Shorthouse  
CLERK OF COUNCIL

APPROVED BY THE MAYOR THIS 22<sup>nd</sup> DAY OF September, 2021.

Catherine Cercone Miller  
MAYOR

PUBLISHED IN THE HOMETOWN JOURNAL

DATE: 09/30/2021-10/07/2021

Megan R. Shorthouse  
CLERK OF COUNCIL