

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. 131 - 2021

6
7 AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF
8 THE CITY OF CUYAHOGA FALLS, OHIO TITLE 5, CHAPTER 129,
9 POLICE DEPARTMENT, SECTIONS 129.01 AND 129.05, AND
10 ESTABLISHING THE AUTHORIZED STAFFING OF THE POLICE
11 DEPARTMENT, AND DECLARING AN EMERGENCY.

12
13 WHEREAS, the Codified Ordinances of the City of Cuyahoga Falls, Ohio Title 5, Chapter
14 129, Police Department, Sections 129.01 and 129.05, defines the composition of the Police
15 Department; and

16
17 WHEREAS, the Mayor, as Director of Public Safety, and the Police Chief desire to add an
18 additional Patrol Officer to the Department; and

19
20 WHEREAS, the simplification and harmonization of the Codified Ordinances necessitates
21 the following changes.

22
23 NOW, THEREFORE, BE IT ORDAINED, by the City of Cuyahoga Falls, County of Summit
24 and State of Ohio, that:

25
26 Section 1, the Codified Ordinances of the City of Cuyahoga Falls, Ohio Title 5, Chapter 129,
27 Police Department, Sections 129.01 and 129.05, are hereby amended and/or supplemented as
28 follow (new text double underlined; deleted text in strikethrough):

29
30 129.01 COMPOSITION.

31 ~~(a) Subject to the sufficiency of annual or supplemental appropriations for personal services,~~
32 ~~the Police Department shall be composed of the following sworn officers and other personnel:~~

33
34 ~~Sworn Officers:~~

- 35 ~~1 Chief~~
- 36 ~~2 Captains~~
- 37 ~~4 Lieutenants~~
- 38 ~~10 Sergeants~~
- 39 ~~56 Patrol Officers~~

40
41 ~~Civilian Employees:~~

- 42 ~~1 Secretary II~~
- 43 ~~2 Secretary I~~
- 44 ~~1 Juvenile Diversion Caseworker~~

45
46 ~~Regular part-time Community Service Officers and regular part-time Laborers as needed and~~
47 ~~subject to annual or supplemental appropriations.~~

48
49 ~~(b) When sufficient appropriations are available and a valid civil service eligible list exists,~~
50 ~~vacancies in classifications in the Police Department shall be filled from a certified list of~~
51 ~~candidates within thirty (30) days. If there is no eligible list for a vacant position, the Director~~
52 ~~of Public Safety shall forthwith request that the Civil Service Commission conduct the needed~~
53 ~~examinations for the purpose of producing an eligible list. An appointment to fill the vacancy~~
54 ~~shall be made within thirty (30) days after the Commission certifies a list of candidates from a~~
55 ~~new eligible list. Nothing in this subsection shall be construed to apply to appointments to the~~

56 ~~unclassified service or to limit the Commission's authority to waive competitive examinations in~~
57 ~~accordance with its rules.~~

58 There is hereby created the Police Department of the City, consisting of the Police Chief and
59 such additional officers and personnel as provided by ordinance of Council.

60
61 129.05 SPECIAL POLICE.

62 (a) The Mayor is hereby enabled to augment the Police Department by empowering the Chief of
63 Police with permission to employ not more than fifty special police, such police to have
64 accreditation and jurisdictional duties of existing patrolmen.

65
66 ~~(1) Special Police for the Municipal Court shall serve as Security Officers for the Court~~
67 ~~and may seek the assistance of other appropriate law enforcement officers. The Special~~
68 ~~Police of the Court shall have limited police powers of arrest as set forth under Ohio~~
69 ~~R.C. 2935.04. They will take an oath administered by the Mayor. The Cuyahoga Falls~~
70 ~~Police Department will carry their commissions and the Chief of Police shall be~~
71 ~~consulted and have final approval before any Special Police are employed by the Court,~~
72 ~~which shall otherwise be responsible for the hiring and dismissal of such persons.~~

73
74 ~~(2-1) The Special Police will wear the uniform of the Cuyahoga Falls Police Department~~
75 ~~or such variation as approved by the Chief of Police with badges denoting their position~~
76 ~~as "Special Police". Such officers will have completed twenty years of active duty as a~~
77 ~~peace officer in accordance with Ohio R.C. 109.78 and will abide by the Rules and~~
78 ~~Regulations of the Cuyahoga Falls Police Department where not inconsistent with the~~
79 ~~directions of the Court.~~

80
81 ~~(3) Any person employed as a Special Police Officer by the Court shall be deemed a~~
82 ~~"public employee" as defined in Ohio R.C. 145.01. Such Special Police Officers for the~~
83 ~~Court shall not be considered employees of the Police Department for purposes of any~~
84 ~~staffing or appropriations ordinances. Such Special Police Officers for the Court shall~~
85 ~~be employees of the Court and paid by the Court in accordance with any ordinances~~
86 ~~pertaining thereto.~~

87
88 (b) The Police Chief may assign members of the Department of Fire as special police, who shall
89 have the power and duty to be present at all fires, investigate the cause thereof, examine
90 witnesses, compel the attendance of witnesses and the production of books and papers, and to
91 do and perform all other acts necessary to the effective discharge of such duties. Such officer
92 may attend police training, administer oaths, make arrests and enter, for the purpose of
93 examination, any building which, in their opinion, is in danger from fire.

94
95 (1) Special police appointed pursuant to subsection (b) of this section shall be
96 empowered to carry a firearm and other police equipment which may be used for the
97 purposes of carrying out their duties and self-defense. Special officers shall obtain
98 training in the use of firearms and law enforcement techniques as required by the Chief
99 of Police.

100
101 (2) These special police shall remain employees of the Fire Department for all other
102 purposes.

103 Section 2. Subject to the sufficiency of annual or supplemental appropriations for personal
104 services in the Police Department, the Police Department shall be composed of the following
105 officers and other personnel:
106

107 Officers:

- 108 1 Chief
- 109 2 Captains
- 110 4 Lieutenants
- 111 10 Sergeants
- 112 57 Patrol Officers

113
114 Other Personnel:

- 115 1 Secretary II
- 116 2 Secretary I
- 117 1 Juvenile Diversion Caseworker


118
119 This section shall not limit the Police Chief from hiring additional personnel in the Police
120 Department to replace anticipated vacancies where such vacancy is known and such overlap
121 does not exceed thirty (30) days.
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123 Section 3. Any ordinances or resolutions or portions of ordinances and resolutions
124 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent
125 herewith and which have not previously been repealed are hereby ratified and confirmed.
126

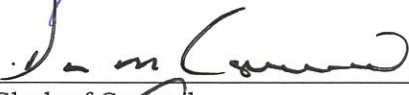
127 Section 4. It is found and determined that all formal actions of this Council concerning and
128 relating to the passage of this ordinance were taken in an open meeting of this Council and
129 that all deliberations of this Council and of any committees that resulted in those formal
130 actions were in meetings open to the public, in compliance with all requirements including
131 Chapter 107 of the Codified Ordinances.
132

133 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the
134 preservation of the public peace, health, safety, convenience and welfare of the City of
135 Cuyahoga Falls and the inhabitants thereof, and provided it receives the affirmative vote of
136 two-thirds of the members elected or appointed to Council, it shall take effect and be in force
137 immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be
138 in force at the earliest period allowed by law.
139

140
141 Passed: 12-29-2021



President of Council



Clerk of Council

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149 Approved: 12-29-2021



Mayor

150 12/13/21

152 \\cf-file01\ldpublic\Council\2021ords\12-13-21\Amend Cod Ord Title 5, Chapter 129, Police
153 Department Composition.docx