

TEMPORARY ORDINANCE NO. 9-21

PERMANENT ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND LANCASTER CODIFIED ORDINANCE PART ONE – ADMINISTRATIVE CODE, TITLE FIVE – ADMINISTRATIVE, CHAPTER 133 – FIRE DEPARTMENT, SECTION 133.09 – APPOINTEE AGE LIMITATION WAIVER OF THE CODIFIED ORDINANCES OF THE CITY OF LANCASTER

WHEREAS, the City wishes to adopt a new maximum original appointment age for firefighters; and

WHEREAS, Ohio Revised Code 124.42 establishes a maximum original appointment age for a firefighter which is forty (40) years, but allows municipalities to codify any maximum age limit up to the age of forty (40); and

WHEREAS, Lancaster Codified Ordinance 133.09 previously limited original appointments in the fire service to appointees thirty (30) years old or less to ensure that firefighters are eligible for retirement by the time the physical requirements of the job become too demanding and potentially result in increased work place injury; and

WHEREAS, a reduction in interest in these positions overall and the City's restriction on original appointment age, have drastically diminished the Lancaster Fire Department's ability to replenish the firefighters it is losing; and

WHEREAS, these firefighter positions need filled immediately to preserve the public health, safety, and welfare; and

WHEREAS, an increase in the maximum age for original appointment to thirty-five (35), whether that original appointment is with the City of Lancaster or elsewhere, would improve the Lancaster Fire Department's ability to attract qualified candidates and be consistent with the City's goal of maintain a capable work force; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lancaster, Fairfield County, State of Ohio:

SECTION 1. That Part One – Administrative Code, Title Five – Chapter 133 Fire Department, Section 133.09 – Appointee Age Limitation Waiver be amended as listed below:

**133.09 APPOINTEE AGE LIMITATION ~~WAIVER~~.**

No person shall be eligible to receive an original appointment as firefighter unless ~~he/she~~ **the person** has reached ~~an~~ **the** age of eighteen (18). ~~and a~~ **N**o person shall be eligible to receive an original appointment on and after ~~his/her~~ **the person's** ~~thirty-first~~ **sixth (36)** birthday. **Any person who was originally appointed as a full-time firefighter in another political subdivision in Ohio prior to the age of thirty-six (36) shall qualify for subsequent appointment with the City of Lancaster, so long as the person is otherwise eligible.**

SECTION 2. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and is required to be immediately effective in order to enhance economic development initiatives, in the City wherefore this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: \_\_\_\_\_ after \_\_\_\_\_ reading. Vote: Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Approved: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Clerk: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Offered by: \_\_\_\_\_

Second by: \_\_\_\_\_

Requested by Law Committee

I, Teresa Lee Sandy, Clerk of Council do hereby certify that on \_\_\_\_\_, 2021 in the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

\_\_\_\_\_  
Clerk of Council