

**ORDINANCE NO. 2015-48
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AMENDING CHAPTER 143 OF
THE CODIFIED ORDINANCES OF THE CITY
ENTITLED "FIRE DEPARTMENT" BY AMENDING
SECTION 143.05 REGARDING MAXIMUM AGE OF
APPOINTEES, AND DECLARING AN EMERGENCY**

WHEREAS, the maximum age for an original appointment to the City's Fire Department is currently thirty-one (31) years, and thirty-six (36) years under certain circumstances; and

WHEREAS, Section 124.42 of the Ohio Revised Code permits City Council to increase that maximum age; and

WHEREAS, Council desires to increase that maximum age under certain circumstances. Now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNDHURST, CUYAHOGA COUNTY, STATE OF OHIO THAT:

SECTION 1. The Codified Ordinances of the City of Lyndhurst are hereby supplemented by amending Section 143.05 to read as follows:

SECTION 143.05 AGE LIMIT FOR APPOINTMENT

- (a) In accordance with Section 124.42 of the Ohio Revised Code, the Mayor may appoint any competent person who is not over thirty-one (31) years of age to a full-time position in the Fire Department.
- (b) The Mayor may appoint any competent person not over FORTY (40) ~~thirty-six (36)~~ years of age to a full-time position in the Fire Department provided he has prior service as a firefighter and qualifies as being a member of the Ohio Police and Firemen's Disability and Pension Fund, ~~and provided that such service and membership has been continuous since the firefighter attained the age of thirty-one (31) years.~~

SECTION 2. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance is hereby declared to be an emergency measure for the immediate preservation of the health, safety and welfare of the residents of the City of Lyndhurst because it will permit additional flexibility regarding hiring firefighters. Therefore, this Ordinance shall take effect immediately upon the affirmative vote of not less than five (5) members elected to Council, and signature by the Mayor, or otherwise at the earliest time allowed by law.

PASSED: July 6, 2015

MAYOR

VICE-MAYOR

ATTEST: _____
Clerk of Council

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Resolution by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City, on July 16, 2015 and July 23, 2015.

Clerk of Council

First Reading: July 6, 2015

Second Reading: Suspended

Third Reading: Suspended

Passed 7-6-2015