

AN ORDINANCE REVISING AND ADOPTING CHAPTER 244, FIRE DEPARTMENT AND FIRE PROTECTION, OF CODIFIED ORDINANCES OF THE VILLAGE OF MINERVA PARK, BLENDON TOWNSHIP, FRANKLIN COUNTY, STATE OF OHIO

WHEREAS, there have been numerous changes to the Minerva Park Fire Department since its creation in 1957 by Ordinance 58-1957, and

WHEREAS, it is in the best interests of the citizens of the Village of Minerva Park to have current ordinances establishing and regulating the Minerva Park Fire Department,

NOW, THEREFORE, be it resolved by the Council of the Village of Minerva Park, Franklin County, State of Ohio, that:

Section 1. Ordinance 58-1957 is hereby repealed.

Section 2. Chapter 244, Fire Department and Fire Protection is hereby revised and adopted to read as follows:

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CHAPTER 244
Fire Department and Fire Protection

- 244.01 Establishment and Composition.
244.02 Appointment, Term, and Removal of Chief
244.03 Appointment, Term, and Removal of Assistant Chief
244.04 Supervision and Control of the Chief
244.05 Supervision and Control of the Assistant Chief
244.06 General Powers And Duties Of Chief and Officers
244.08 Establishment of Position of Volunteer Members and Suspension
244.10 Establishment of Position of Part-Time Paid Paramedic, Appointment, and Suspension
244.12 Compensation
244.16 Residency Requirement of the Chief
244.18 Miscellaneous
244.20 Adoption of Official Rules and Procedures Manual

244.01 ESTABLISHMENT AND COMPOSITION

There is hereby established a Fire Department to be hereafter known as the Minerva Park Volunteer Fire Department, the object of which shall be the prevention of fire and the protection of life and property for the residents of the Village of Minerva Park, Blendon Township, Franklin County, State of Ohio. The Department will consist of a Fire Chief and as many volunteer and part-time positions as the Village Council may deem necessary for the effective operation of the Department.

244.02 APPOINTMENT, TERM, AND REMOVAL OF CHIEF

- a. The Chief shall be appointed by the Mayor with the consent of Council under Section 505.38 of the Ohio Revised Code; the tenure of the office shall be subject to the provisions of Sections 733.35 to 733.39 of the Ohio Revised Code.
b. The Chief shall serve at the pleasure of the Mayor and may be removed by the Mayor at any time thereafter with the consent of Council in accordance with Ohio Revised Code 737.17 and 737.17.1.

244.03 APPOINTMENT, TERM, AND REMOVAL OF ASSISTANT CHIEF

- a. The Assistant Chief shall be appointed by the Mayor with the consent of Council under Section 505.38 of the Ohio Revised Code; the tenure of the office shall be subject to the provisions of Sections 733.35 to 733.39 of the Ohio Revised Code.
b. The Assistant Chief shall serve at the pleasure of the Mayor and may be removed by the Mayor at any time thereafter with the consent of Council in accordance with Ohio Revised Code 737.17 and 737.17.1.

242.04 SUPERVISION AND CONTROL OF THE CHIEF

- a. The Mayor shall be the immediate supervisor of the Fire Chief, and all policies, directives and orders from the Village government to the Fire Chief shall be made by or transmitted through the Mayor. The Fire Chief shall report directly to the Mayor or his or her designated representative and not to Council, to individual members thereof or to any committee or commission. The Chief shall be held accountable to the Mayor and shall make written and verbal reports thereto as the Mayor may require. All other Department and Company officers shall be accountable to the Chief.

244.05 SUPERVISION AND CONTROL OF THE ASSISTANT CHIEF

- a. The Fire Chief shall be the immediate supervisor of the Assistant Chief, and all policies, directives and orders from the Village government to the Assistant Chief shall be made by or transmitted through the Fire Chief. The Assistant Chief shall report directly to the Fire Chief. The Assistant Chief shall be held accountable to the Fire Chief and shall make written and verbal reports thereto as the Fire Chief may require.

244.06 GENERAL POWERS AND DUTIES OF CHIEF AND OFFICERS

- a. The Fire Chief shall direct the administration and operation of the Fire Department, and in addition to policies transmitted to the Fire Chief by the Mayor, the Fire Chief shall establish such other policies directions, rules and regulations for the administration and operation of the Departments as seen fit. The Fire Chief shall have such powers and duties as are consistent with Ohio Revised Code 737.11 and other provisions of the Ohio Revised Code.

244.08 ESTABLISHMENT OF POSITION OF VOLUNTEER MEMBERS AND SUSPENSION

- a. The membership of the Department shall consist of such persons as may be appointed by the Chief, who posses the necessary certifications of EMT-B, EMT-A, and EMT-P, as defined by regulations of the Ohio State Board of EMS. Determination of suitability for Department membership shall be made by the Chief.
- b. Any volunteer member of the Department may be suspended from the Department by the Chief at any time that the Chief may deem such action necessary for the good of the Department. On written request of such member the member shall be given a public hearing on the charges brought by the Chief. All such actions shall be reported to the Mayor on a timely basis and to the Council at their next regularly-scheduled meeting.

244.10 ESTABLISHMENT OF POSITION OF PART-TIME PAID PARAMEDIC, APPOINTMENT, AND SUSPENSION

- a. All persons formerly holding the position of volunteer paramedic in the Fire Department shall be eligible for appointment to the hereby established position of part-time paramedic in the Fire Department upon their application for such appointment and approval by the Mayor and Chief, subject to the satisfaction of such qualifications as the Mayor and Council may ordain.
- b. Any other person satisfying the qualification for appointment to the position of part-time paramedic may apply for such appointment, subject to the approval of the Mayor and Chief.
- c. Any paramedic of the Department may be suspended from the Department by the Chief at any time that the Chief may deem such action necessary for the good of the Department. On written request of such member the member shall be given a public hearing on the charges brought by the Chief. All such actions shall be reported to the Mayor on a timely basis and to the Council at their next regularly-scheduled meeting.

244.12 COMPENSATION

- a. Compensation for the part-time paramedics shall be established by Council by resolution.

242.16 RESIDENCY REQUIREMENT OF CHIEF.

- a. The Chief of the Fire Department shall not be required to become a resident of the Village.

244.18 MISCELLANEOUS

- a. All motor equipment of the Department shall, in conformance with existing statutes, have right-of-way over all other traffic when responding to an alarm.
- b. No person shall drive any vehicle over a fire hose, except on specific orders from the Chief or other officer in charge where hose is used.
- c. No person shall park any vehicle or otherwise cause any obstruction to be placed within fifty (50) feet of the entrance to any fire station or any other place where fire apparatus is housed, or within ten (10) feet of any fire hydrant or cistern.
- d. No unauthorized person with any vehicle shall follow within five hundred (500) feet of any apparatus belonging to the Department while responding to an alarm, nor park any vehicle within three hundred (300) feet of a fire.
- e. No person shall maliciously turn in, or cause to be turned in, a false alarm.
- f. Any person who shall violate any of the provisions of the section shall be deemed guilty of provisions of this section, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$35 nor more than \$350.

244.20 ADOPTION OF OFFICIAL RULES AND PROCEDURES MANUAL

- a. The Operational Policies, Job Descriptions and Uniform Regulations of the Minerva Park Volunteer Fire Department, written and promulgated by the Village, is hereby adopted by reference as the official Operational Policies, Job Descriptions and Uniform Regulations of the Minerva Park Volunteer Fire Department as if written in its entirety herein.
- b. Such Operational Policies, Job Descriptions and Uniform Regulations of the Minerva Park Volunteer Fire Department and of all amendments thereof, may be examined at the Village offices and copies thereof may be obtained, at cost, from the Clerk-Treasurer.

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Section 2. The Village Mayor, Clerk-Treasurer, and Law Director are authorized to take further actions consistent with this ordinance that are needed to carry out the intentions of this ordinance for the management, operation, and maintenance of the Minerva Park Volunteer Fire Department.

Section 3. All prior resolution(s) or ordinance(s) or any part thereof, which is(are) inconsistent with this ordinance is(are) hereby repealed as to the inconsistent part or parts thereof and the remainder of said resolution(s) or ordinance(s) not inconsistent with this ordinance shall remain in full force and effect.

Section 4. This ordinance shall take effect and be in force from and after the earliest period allowed by law.

Lynn Eisentrout, Mayor, Village of Minerva Park

First Reading: May 7, 2007
Second Reading: June 11, 2007
Third Reading: July 9, 2007
Passed: July 9, 2007

Attest Suzanne Coulter, Clerk-Treasurer,
Village of Minerva Park

Reviewed by Counsel