

ORDINANCE NO. 2014- 3688

**AN ORDINANCE AMENDING SECTION 133.02 OF THE
CODIFIED ORDINANCES OF THE CITY OF FREMONT
REGARDING AGE LIMITS AND RESIDENCY REQUIREMENTS
OF ORIGINAL APPOINTEES TO THE FREMONT FIRE
DEPARTMENT.**

BE IT ORDAINED BY THE COUNCIL, CITY OF FREMONT, STATE OF OHIO:

SECTION 1. That Section 133.02 of the Codified Ordinances of the City of Fremont which reads as follows:

133.02 AGE LIMITS AND RESIDENCIES OF ORIGINAL APPOINTEES.

a) Persons receiving an original appointment to the Fire Department shall be older than eighteen years of age and shall be residents of the continental United States.

b) Within one year of original appointment, a member of the Fire Department shall reside within the Fremont telephone exchange as defined by a map on file in the Safety-Service Director's office.

c) To determine compliance with subsection (b), above, a member of the Fire Department shall occupy his/her primary and permanent dwelling place within the defined area and maintain an ongoing physical presence therein.

An ongoing physical presence may be determined by:

- (1) The member's availability within the defined area to respond to an emergency.
- (2) The presence of the member's spouse, and/or children, if any, within the defined area.
- (3) The member's dwelling place within defined area is the member's sole dwelling place.
- (4) Any other factors which indicate the member's presence within the defined area is something other than transitory in nature.

(d) A member of the Fire Department may appeal the residency requirements of subsection (b) hereof to a Board consisting of the Fire Chief, the Safety-Service Director, and the Mayor. Upon the vote of the majority of the members of the Board, they may grant a variance to any fireman, upon a showing that his residence outside the Fremont telephone exchange will not impact upon the effectiveness of the Fremont Fire Department.

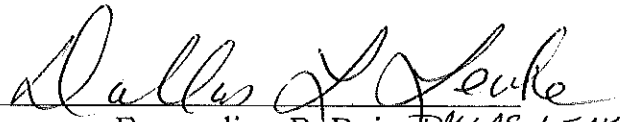
SHALL BE AMENDED TO READ AS FOLLOWS:

(a) Persons receiving an original appointment to the Fire Department shall be older than eighteen years of age, but no more than forty years of age, per R.C. 124.42 at the time of appointment and shall be residents of the continental United States.

(b) Pursuant to Ohio Revised Code Section 9.481(B)(2) to ensure adequate response times by the Fire Department to emergencies or disasters, as a condition of employment all applicants for the Fire Department shall reside either in Sandusky County where the political subdivision (Fremont) is located or in any adjacent county in the state of Ohio or signify in writing his or her intention to become, within a year after appointment, a resident of Sandusky County or an adjacent county.

SECTION 2. It is hereby 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 any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Revised Code of Ohio.

SECTION 3. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

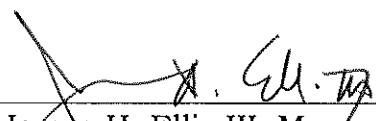

Evangelina R. Ruiz ~~DALLAS LEAKE~~
President ~~Pro tempore~~ of Council

PASSED: 2-20-14

Effective date: 2-20-14

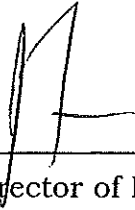
YEAS: 6 NAYS: 0


Elaine J. Huntley, City Council Clerk


James H. Ellis III, Mayor

ORD1835

Approved as to form:

A handwritten signature in black ink, appearing to be 'JFM', written over a horizontal line.

James F. Melle, Director of Law
City of Fremont, Ohio