

City of Willoughby Hills

ORDINANCE NO. 2017-15

AN ORDINANCE REPEALING ORDINANCE NOS. 2002-47, 2008-43 AND ENACTING IN LIEU THEREOF A NEW ORDINANCE AMENDING PART ONE – ADMINISTRATIVE CODE, TITLE FIVE – ADMINISTRATIVE, CHAPTER 141 – FIRE DEPARTMENT, SECTION 141.01 – COMPOSITION, SECTION 141.02 – RULES AND REGULATIONS AND COMPENSATION ADOPTED, SECTION 141.03 – PART-TIME FIREFIGHTERS, AND SECTION 141.04 – FIRE CHIEF: CONDITIONS OF EMPLOYMENT; DUTIES OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS.

WHEREAS, the Mayor/Safety Director Robert M. Weger requested that Section 141.01 – Composition of the City’s Codified Ordinances be amended to provide “up to 12 full-time members of the Fire Department”; and

WHEREAS, the City Council of Willoughby Hills has deemed it necessary to further amend Chapter 141 to provide for the composition, rules, regulations and compensation of the Fire Department.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:

SECTION 1. The existing **Section 141.01 - Composition** of the Codified Ordinances of the City of Willoughby Hills be, and the same hereby is amended to read and provide in its entirety as follows:

“141.01 COMPOSITION.

(a) The Fire Department of the City may be composed of the following positions:

Full-Time

Up to 1 Fire Chief

Up to 1 Fire Secretary

Up to 12 Full-time Members of the following classifications:

0 to 9 Fire Fighters – Paramedics

0 to 3 Lieutenants*

*Lieutenants shall be designated Officers.

Part-Time

Up to 2 Part-time Assistant Chiefs

Up to 40 Fire Fighters*

* Probationary Fire Fighters may be included.

(b) In the event, any of the above positions become vacant, as in accordance with the Civil Service Regulations, it will be up to the discretion of the Mayor and Safety Director as to whether to fill the vacancy.

(c) Composition of Department may be changed from time to time as determined by Council. An increase in staffing levels above the total number of 12 full-time members, not including the Fire Chief, shall require legislative action.

SECTION 2. The existing **Section 141.02 – Rules and Regulations and Compensation Adopted** of the Codified Ordinances of the City of Willoughby Hills be, and the same hereby is amended to read and provide in its entirety as follows:

“141.02 RULES AND REGULATIONS AND COMPENSATION ADOPTED.

(a) The Mayor and/or Safety Director and the Fire Chief shall develop, revise and promulgate any rules, regulations, policies and standards, as needed for the operation of the Fire Department.

(b) Compensation and general employment provisions for full-time members of the Fire Department are contained in their collective bargaining agreements.

(c) General employment provisions for full-time, non-union personnel is contained in Chapter 157 of the Codified Ordinances of the City of Willoughby Hills.”

SECTION 3. The existing **Section 141.03 – Part-Time Firefighters** of the Codified Ordinances of the City of Willoughby Hills be, and the same hereby is amended to read and provide in its entirety as follows:

“141.03 PART-TIME FIREFIGHTERS.

(a) The Mayor shall be authorized to appoint, remove, promote and demote part-time members of the Fire Department without obtaining the advice and consent of Council; no other provision of the Code of ordinances of the City shall impair or limit the power granted by this section.

(b) Compensation for the part-time hourly members of the Fire Department has been provided as follows:

Part-Time Position	Hourly Rate	Annual Uniform Allowance		
		Total	Paid to Employee (A)	City Purchase (B)
Assistant Fire Chief	\$18.47	\$500	\$0	\$500
Firefighter Class A	\$17.69	\$1,100	\$550	\$550
Firefighter Class B	\$17.69	\$1,100	\$550	\$550
Firefighter Class C	\$17.15	\$650	\$250	\$400
Firefighter Class D	\$15.78	\$650	\$250	\$400
Firefighter Class E	\$13.88	\$0	\$250	\$0

Holiday Compensation. Part-time members of the Fire Department who are scheduled for and actually work the holidays as listed below shall be compensated at the rate of one and one half-times their base rate of pay for all hours actually worked between 8:00 a.m. of the holiday and 8:00 a.m. the following day.

New Year’s Day	Independence Day
Presidents Day	Labor Day
Good Friday	Veterans Day
Easter	Thanksgiving Day
Memorial Day	Christmas Day

Call-In Duty. For Call-In Duty, part-time members of the Fire Department shall be compensated as follows:

1. Minimum payment – Two (2) hours paid at the firefighter's hourly rate of pay listed in Section 1.1.
2. After two hours worked – After the completion of the second hour, the firefighter shall be paid at the rate of one and one half times the firefighter's regular rate of pay, rounded up to the next half hour.
3. If called in within two hours of the firefighter's scheduled duty, the firefighter shall receive call in pay only for that period of time commencing with the firefighter's arrival and ending with the beginning of the firefighter's scheduled duty. The firefighter shall not be eligible for any minimum call-in pay.

Acting Shift Officer. Part-time members of the Fire Department who are designated by the Fire Chief or the Chief's designee to temporarily assume the duties of the Shift Officer and who perform these duties shall be entitled to an additional one dollar and seventy-five cents (\$1.75) per hour.

(c) Employment provisions for the part-time hourly members of the Fire Department have been provided as follows:

Uniform Maintenance Allowance. Upon recommendation of the Fire Chief and at the Chief's discretion the part-time members of the Fire Department shall receive an annual uniform maintenance allowance in accordance with Fire Department Directives and the following procedures:

Uniform Allowance Payments Paid Directly to Firefighters:

1. Uniform Allowance payments shall be included in the first payroll in May.
2. In lieu of taking direct payment, firefighters may elect to have up to 100% of the uniform maintenance allowance paid directly by the City. The remaining balance, if any, shall be paid directly to the employee.

Uniform Allowance Payments Paid by City on Behalf of Firefighters:

1. Paid by the City directly to a vendor(s) approved by the Fire Chief in accordance with City purchasing procedures.
2. Uniform maintenance purchase orders shall be used or closed by November 15th of the calendar year it was opened.
3. Unused portions of purchase orders issued for firefighter uniform maintenance purchase shall not be refunded to the employee.

Leave. Part-time hourly members of the Fire Department are not entitled to vacation, sick or holiday leave.

Personal Time Off. Firefighter Class A shall be entitled to paid Personal Time Off (PTO) totaling 120 hours per year beginning January 1 each year. All Personal Time Off must be used during the calendar year and shall not accrue from year to year. Personal Time Off shall be paid at the firefighter's hourly rate of pay listed in Section 1.1. Personal Time Off shall be scheduled in accordance with departmental policy and subject to approval by the Fire Chief based upon the staffing needs of the department.

Educational Pay. Supplemental Educational Pay shall be allowed at the discretion of the Fire Chief based upon the number of hours worked in the previous calendar year and the relationship of the education to the advancement of the fire service. The hourly rate of qualifying firefighters listed in Section 1.1 shall be increased in accordance with the following annual amounts:

Training Certificate	\$150.00	Bachelor Degree	\$375.00
Associate Degree	\$250.00	Master Degree	\$500.00

Healthcare Insurance. Part-time members of the Fire Department are entitled to healthcare insurance in accordance with the requirements of the Federal Affordable Care Act.

Pension. Part-time hourly members are automatically enrolled in the Public Employees' Retirement System(PERS) as required by Section 145.03(A) of the Ohio Revised Code if they have previously established membership in PERS. Part-time hourly members who are not members of PERS upon hiring shall be subject to the Federal Insurance Contributions Act (FICA).

Deferred Compensation Program. Part-time hourly members have the option to enroll in the City's Deferred Compensation Program.

Direct Deposit. All compensation shall be by direct deposit. However, should an employee be disadvantaged by direct deposit as determined in the sole discretion of the Mayor, the Mayor shall provide an exemption from direct deposit."

SECTION 4. The existing Section 141.04 – Fire Chief: Conditions of Employment; Duties of the Codified Ordinances of the City of Willoughby Hills be, and the same hereby is amended to read and provide in its entirety as follows:

"141.04 FIRE CHIEF: CONDITIONS OF EMPLOYMENT; DUTIES.

(a) The Chief of the Fire Department shall be a full-time municipal employee and serve under the direction of Mayor and Safety Director, and in accordance with the City's Charter. In addition to regular compensation such Chief shall receive those benefits afforded other full-time employees. A firm or corporation within the limits of the City shall not gainfully employ the Chief of the Fire Department.

(b) Charter Provision Section 2.21 – Appointments to Office and Removals from Office provides that the Mayor shall appoint the heads of all Departments of the Municipality, including but not limited to the Department of law, Department of Finance, Department of Public Safety, Police Department, Fire Department, Department of Public Service, the City Engineer, the Road Supervisor, Recreation Coordinator, City Prosecutor, and Building Commission, subject to the confirmation of such appointment by an affirmative vote of four (4) or more members of Council (unless the Mayor is appointing himself as the head of such Department.

(c) This provision shall pertain to the appointment of an "acting" Fire Chief given that the individual will be serving in the capacity of the head of the Fire Department and more importantly will be performing the duties and responsibilities required of a Fire Chief. The Mayor shall appoint an "acting" Chief with the appointment to be confirmed by Council within thirty (30) days.

(d) If said appointment is not confirmed within thirty (30) days, Council shall have the authority to select an "acting" Fire Chief without the review or veto of the Mayor.

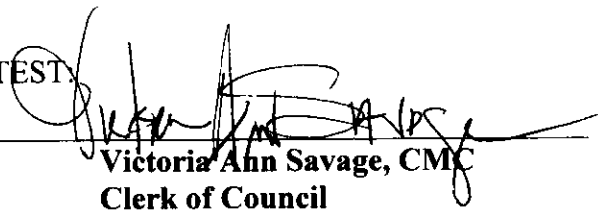
SECTION 5. Ordinance No. 2002-47 and Ordinance No. 2008-43 are hereby repealed in their entirety.

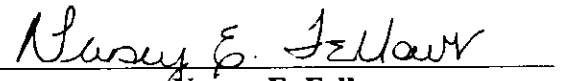
SECTION 6. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 7. This Ordinance shall be in full force and take effect at the earliest time permitted by law.

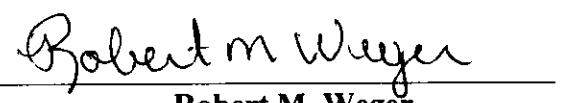
PASSED: March 23, 2017

Submitted to the Mayor for his approval
on this 23 day of March, 2017

ATTEST: 
Victoria Ann Savage, CMC
Clerk of Council


Nancy E. Fellows
President of Council

Approved by the Mayor

March 23, 2017

Robert M. Weger
Mayor