

ORDINANCE NO. 2024-21

**AN ORDINANCE ENACTING CODIFIED ORDINANCE 142.08 TITLED
“ASSISTANT FIRE CHIEF.”**

WHEREAS, the City of Willowick is a home-rule municipality reserving unto itself all powers of local self-government in its Charter.

WHEREAS, the appointment of municipal employees is a matter of local self-government under *City of Cleveland ex rel. Neelon v. Locher* (1971), 25 Ohio St.2d 49, 50.

WHEREAS, the City of Willowick Charter clearly and expressly states that the Willowick City Council is authorized to adopt Ordinances that relate to civil service appointments, promotions, demotions, hirings, terminations and all other civil service personnel matters; and that such Ordinances shall prevail over any State civil service statutes that may directly or indirectly conflict therewith.

WHEREAS, the City of Willowick desires to re-establish the position of Assistant Chief of the Division of Fire.

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

Section 1. Section 141.08 of the Codified Ordinances of the City of Willowick, entitled “ASSISTANT FIRE CHIEF” is hereby established to read and provide as follows:

141.08 ASSISTANT FIRE CHIEF

(a) The Assistant Chief shall assist the Fire Chief in the supervision, administration and coordination of all fire service personnel and activities, subject to the orders and directives of the Director of Public Safety and the Fire Chief. Included within the supervisory authority of the Assistant Chief shall be Captains, Lieutenants, and firefighters of all ranks, whether part-time or full-time, and any secretaries assigned to the Division.

(b) Pursuant to the Charter, the Assistant Chief is in the classified service of the City. Vacancies in the position shall be filled first by competitive examination and assessment of eligible Captains with two (2) years of experience in the rank of Captain, or if no eligible Captains take the examination, or less than two (2) eligible Captains take the examination, by Lieutenants with five (5) years of experience in the rank of Lieutenant, as conducted by the Civil Service Commission. Those testing for the position shall be given one (1) educational preference point for holding an EMT-P Certificate, and two (2) educational preference points for having completed the Ohio Fire Executive Program (OFE).

(c) The position of Assistant Fire Chief shall be a part-time position with compensation to be paid as determined by the Council.

(d) The Assistant Fire Chief shall assume the duties and responsibilities of the Chief in the absence of the Fire Chief.

(e) In all respects not in conflict herewith, the rules of the Civil Service Commission shall apply.

Section 2. That all Ordinances or parts thereof in conflict herewith be and the same are hereby repealed.

Section 3. That this Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willowick and further, provides for the usual daily operation of the municipal fire department.

WHEREFORE, this Ordinance shall be in full force and effect immediately upon its passage by Council and approval by the Mayor.

Adopted by Council: _____, 2024

Monica Koudela, Council President

Submitted to the Mayor: _____, 2024

Michael J. Vanni, Mayor

Approved by the Mayor: _____, 2024

ATTEST: _____
Christine Morgan, Clerk of Council