

**ORDINANCE NO. 034-19**

**AN ORDINANCE AMENDING SECTION 143.01 OF THE CITY OF  
NAPOLEON'S CODIFIED ORDINANCES, "COMPOSITION AND  
CONTROL OF THE CITY FIRE/RESCUE DEPARTMENT," AND  
REPEALING ORDINANCE NO. 012-11**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPOLEON,  
OHIO:**

Section 1. That, Section 143.01 of the Codified Ordinances of the City of Napoleon, Ohio shall be amended and enacted as follows:

**"143.01 COMPOSITION AND CONTROL OF THE CITY FIRE/RESCUE  
DEPARTMENT.**

(a) The regular Fire/Rescue Department of the City shall be composed of a department head known as the "Fire Chief," and such other officers, fire fighters, fire rescue personnel, drivers, emergency medical personnel, fire safety inspectors, paramedics, secretaries, clerks and other employees as provided by legislation of the City, the Organizational Chart of the City, and/or the Administrative Code of the City.

(b) Definitions. For purposes of this Chapter, the following words and phrases shall have the following meanings ascribed to them respectively.

(1) "Fire Chief" means the Chief of the regular Fire/Rescue Department.

(2) "Regular Fire/Rescue Department" means the Fire/Rescue Department of the City composed of the full-time and part-time paid personnel and its auxiliary.

(c) Notwithstanding any prior Ordinance or Resolution to the contrary, the regular Fire/Rescue Department shall be composed of the following:

- 1 Fire Chief (full-time)
- 3 Officer of the supervisory grade (full-time)
- 6 Fire Fighter/Paramedics or  
Fire Fighter/Emergency Medical technicians, or  
combination thereof (full-time)
- 5 Officers of supervisory grade (part-time)

1 (not to exceed 50) Staff of any combination of the following:

Fire fighters, paramedics, emergency medical technicians (any level), fire fighter/paramedics, firefighter/emergency medical technicians, secretary, communication officers, instructors (all of part-time status as approved by the City Manager)

1 (not to exceed 20) Auxiliary members.

(d) The making of an assignment by the Chief of one or more officers to any job or division such as fire fighters, drivers, fire safety inspectors, paramedics, arson investigators, and other similar positions shall not be construed as disturbing the composition of the regular Fire/Rescue Department or violating subsection (c) hereof; moreover, temporary vacancies in the regular Fire/Rescue Department shall not be construed as a departure from this section; finally, adding or eliminating secretaries,

clerks, communication and the like positions shall not be construed as disturbing the composition of the regular Fire/Rescue Department.

(e) Nothing in this chapter shall be construed as limiting the number of additional officers that may be required in case of an emergency."

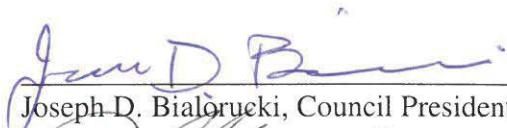
Section 2. That, Section 143.01 of the Codified Ordinances of Napoleon, Ohio, as existed prior to the enactment of this Ordinance, is repealed upon the effective date of this Ordinance.

Section 3. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon, Ohio.

Section 4. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 5. That, this Ordinance shall be in full force and effect at the earliest time permitted by law.

Passed: June 17, 2019


  
Joseph D. Bialorucki, Council President

Approved: June 17, 2019


  
Jason P. Maassel, Mayor

VOTE ON PASSAGE 6 Yea 0 Nay 0 Abstain

Attest:

  
Roxanne Dietrich, interim Clerk of Council

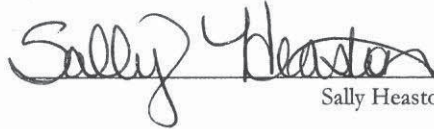
I, Roxanne Dietrich, interim Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 034-19 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 20th day of June, 2019; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

  
Roxanne Dietrich, interim Clerk of Council




STATE OF OHIO  
COUNTY OF HENRY

Sally Heaston, being first duly sworn, states that she is the General Manager of The Bryan Publishing Company, owner of The Northwest Signal, a daily newspaper, published and of general circulation in the county of Henry aforesaid, and that the annexed notice was published in one issue in said paper, on the 20th day of June, 2019.

  
Sally Heaston

Subscribed and sworn to before me this  
20th day of June, 2019

  
Beverly Griteman  
Notary Public,  
State of Ohio  
My Commission Expires  
February 13, 2021

Printer's Fee: \$247.80  
Notary Fee: \$2.00

**Summary of Ordinance No.(s) 034-19, 035-19, 039-19 and  
Resolution No.(s) 036-19, 040-19, 041-19, 042-19**

(PURSUANT TO ARTICLE II, SECTION 2.15 OF THE CITY CHARTER, CHAPTER 121 OF THE CODE OF ORDINANCES AND COUNCIL RULE 6.2.4.1, AS WELL AS APPLICABLE PROVISIONS OF ORC CHAPTER 731)

**NOTICE**

A copy of the complete text of the above named Ordinance(s) and Resolution(s) are on file in the office of the City Finance Director and may be viewed or obtained during business hours of 7:30 AM to 4:00 PM, Monday through Friday, at the office of the Finance Director, the location being 255 West Riverview Avenue, Napoleon, Ohio. A copy of all or part of the above named Ordinances and Resolutions, or any item mentioned in this notice, may be obtained from the City Finance Director upon the payment of a reasonable fee therefore.

**Ordinance No. 034-19**

**AN ORDINANCE AMENDING SECTION 143.01 OF THE CITY OF NAPOLEON'S CODIFIED ORDINANCES, "COMPOSITION AND CONTROL OF THE CITY FIRE/RESCUE DEPARTMENT," AND REPEALING ORDINANCE NO. 012-11**

In this legislation, the City amended Section 143.01 of the City Codified Code, and repealed Ordinance No. 012-11.

**Ordinance No. 035-19**

**AN ORDINANCE CREATING THE NON-BARGAINING POSITIONS OF ADJUNCT EMS INSTRUCTOR AND ADJUNCT FIRE INSTRUCTOR FOR THE FIRE DEPARTMENT OF THE CITY OF NAPOLEON, OHIO, AND AMENDING ORDINANCE NO. 075-18; AND DECLARING AN EMERGENCY**

In this legislation, the City created the positions of Adjunct EMS and Fire Instructors for the City Fire Department, and amended Ordinance No. 075-18.

**Ordinance No. 039-19**

**AN ORDINANCE SUPPLEMENTING THE ANNUAL APPROPRIATION MEASURE (SUPPLEMENT NO. 3) FOR THE YEAR 2019; AND DECLARING AN EMERGENCY**

In this legislation, the City supplemented the annual appropriation measure.

**Resolution 036-19**

**A RESOLUTION AUTHORIZING THE CITY OF NAPOLEON TO EXECUTE A LOAN AGREEMENT WITH THE HENRY COUNTY COMMISSIONERS FOR FUNDS TO PURCHASE THE CITY SHARE OF THE COUNTYWIDE COMMUNICATIONS SYSTEM; AND DECLARING AN EMERGENCY**

In this legislation, the City executed a loan agreement for the Countywide communications system with the Henry County Commissioners.

**Resolution 040-19**

**A RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER CERTAIN FUND BALANCES (TRANSFER NO. 2) FROM RESPECTIVE FUNDS TO OTHER FUNDS PER SECTION 5705.14 ORC ON AN AS NEEDED BASIS IN FISCAL YEAR 2019, LISTED IN EXHIBIT "A"; AND DECLARING AN EMERGENCY**

In this legislation, the City authorized the Finance Director to transfer certain fund balances, as listed in Exhibit A of the Resolution.

**Resolution 041-19**

**A RESOLUTION STRONGLY OPPOSING THE STATE OF OHIO HOUSE BILL 6, REPLACING THE OHIO RENEWABLE PORTFOLIO STANDARD CREATING THE OHIO CLEAN AIR PROGRAM; AND DECLARING AN EMERGENCY**

In this legislation, the City strongly opposed Ohio House Bill 6.

**Resolution 042-19**

**A RESOLUTION STRONGLY OPPOSING THE STATE OF OHIO HOUSE BILL 163, REGARDING MUNICIPAL WATER AND SEWER PRACTICES; AND DECLARING AN EMERGENCY**

In this legislation, the City strongly opposed Ohio House Bill 163.

All of the above summaries are approved as to form and correctness by Billy D. Harmon, City Law Director