

ORDINANCE 306

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF ELKINS, WEST VIRGINIA, AMENDING ELKINS CITY CODE, CHAPTER 92, FIRE PREVENTION BY ADDING §92.037(C), FOR APPLICATION ORIGINAL APPOINTMENT AND THE RULES AND REGULATIONS OF THE FIREMEN'S CIVIL SERVICE COMMISSION, SECTION 4.04 APPLICATIONS FOR ORIGINAL APPOINTMENTS, PURSUANT TO ITS STATUS AS A HOME RULE CITY

WHEREAS, by the authority granted to the City of Elkins by its participation in the West Virginia Home Rule Program, Phase III, under W.Va. Code §8-1-5a, and by its second Amendment to its Home Rule Plan, all of which have been approved by the West Virginia Home Rule Board, the City of Elkins was granted the authority to raise the maximum age at the time of application for entry-level civilian service fire positions also known as original appointments, regardless of veteran status or previous or current paid fire service; and

WHEREAS, the Common Council has previously adopted Rules and Regulations of the Firemen's Civil Service Commission, which sets out age requirements in Section 4.04; and

WHEREAS, it is in the best interests of its citizens to raise the maximum age for entry level applications for civil service fire positions also known as original appointments in order to increase the pool of eligible candidates; and

NOW THEREFORE, BE IT ORDAINED and ENACTED that the Elkins City Code, Chapter 92, Fire Prevention be amended by adding a new section as follows:

§92.037 (C) FIREFIGHTER'S CIVIL SERVICE COMMISSION

Pursuant to the authority granted to the City under the Municipal Home Rule Program, authorized by West Virginia Code §8-1-5a, the Firemen's Civil Service Commission may accept applications for entry-level civil service fire positions, regardless of veteran status or previous or current paid fire service, for applicants, who are at the time of their application, no more than forty (40) years old.

NOW THEREFORE, BE IT FURTHER ORDAINED and ENACTED that the Rules and Regulations of the Firemen's Civil Service Commission be amended only as follows:

Section 4.04 APPLICATIONS FOR ORIGINAL APPOINTMENTS

Applicants for original appointments more shall not be less than eighteen (18) nor more than forty (40) years of age on the date of his or her application; provided, however, person qualifying for appointment by reinstatement under the provisions of section 4.05 may be over thirty-five (35) years of age.

If any applicant is an honorably discharged veteran of any branch of the United , or States armed forces, armed services reserve, or National Guard , then the individual may apply for an original appointment if the applicant is not more than forty(40) years of age.

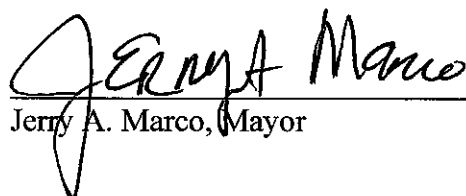
If any portion of this Ordinance shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and Common Council determines that it would have adopted this Ordinance without the invalid provision.

This Ordinance shall become effective upon passage.

PASSED AND APPROVED ON THE FIRST READING: September 1, 2022.

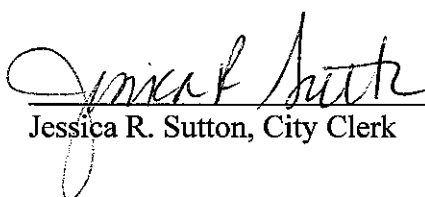
PASSED AND APPROVED ON THE SECOND READING: September 15, 2022.

CITY OF ELKINS, WEST VIRGINIA



Jerry A. Marco, Mayor

Attest:



Jessica R. Sutton, City Clerk