

FILE OF THE CITY CLERK

ADMINISTRATION ORDINANCE NO. 10-2015

ADMINISTRATION BILL NO. 10-2015

INTRODUCED – AUGUST 11, 2015

ADOPTED BY COUNCIL – SEPTEMBER 8, 2015

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA AMENDING THE CODE OF THE CITY OF LANCASTER, CHAPTER 42- FIRE BUREAU, SECTION 42-7- PROMOTION PROCEDURES- REINSTATEMENT, SUBPART E, TO ELIMINATE REFERENCES TO THE SENIOR FIRE PREVENTION INSPECTOR, SUBPART F(3), TO CHANGE THE REFERENCE OF SENIOR FIRE PREVENTION INSPECTOR TO FIRE BATTALION CHIEF, SUBPART G, TO PROVIDE THAT PROMOTIONAL EXAM TESTING SHALL BE IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE CITY OF LANCASTER CIVIL SERVICE BOARD, SUBPART N- TO MAKE PROMOTIONS NON-MANDATORY AND CONSISTENT WITH THE THIRD CLASS CITY CODE OF THE COMMONWEALTH OF PENNSYLVANIA; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE ORDINANCE; AND PROVIDING THAT THE ORDINANCE SHALL TAKE EFFECT IN ACCORDANCE WITH PENNSYLVANIA LAW.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED by the City Council of the City of Lancaster, Lancaster County, Pennsylvania, as follows:

SECTION 1. The Code of the City of Lancaster, Chapter 42- Fire Bureau, Section 42-7- Promotion Procedures; Reinstatement, Subpart E be and hereby is rewritten to read as follows: “E. The location, time, date and test resource material (if such is provided for any written exams) for the positions of Battalion Chief, Captain or Lieutenant shall be posted at the time of the initial examination announcement. Subsequently, the location, time and date of the oral exam shall be posted.”

SECTION 2. The Code of the City of Lancaster, Chapter 42- Fire Bureau, Section 42-7- Promotion Procedures; Reinstatement, Subpart F(3) is rewritten to read as follows: “F(3). For the position of Fire Battalion Chief, minimum of two years in grade of Fire Captain.”

SECTION 3. The Code of the City of Lancaster, Chapter 42- Fire Bureau, Section 42-7- Promotion Procedures; Reinstatement, Subpart G be and hereby is amended to change the reference of 79%, to 70%, such that the first sentence of Section G will read as follows: “A minimum score of 70% on the written test and 70% on the oral test will be required in order for the candidate to be placed on the eligibility list.”

SECTION 4. The Code of the City of Lancaster, Chapter 42- Fire Bureau, Section 42-7- Promotion Procedures; Reinstatement, Subpart N be and hereby is rewritten to read as follows:

“N. Procedure for Civil Service certification and promotion in the Fire Bureau shall be as follows:

- (1) The Mayor shall request of the Civil Service Board the certification of a list for possible promotion. In requesting, the Mayor or Chief shall indicate to the Civil Service Board the rank for which certification is requested.
- (2) The Civil Service Board shall submit a certified list of the three (3) highest scoring candidates, from a list being effective for a period of not more than two years from the date of certification. If there are less than three (3) candidates on the eligibility list, the Civil Service Commission shall submit those so certified.
- (3) The Mayor, after consideration of the recommendation from the Chief, may appoint from the highest scoring three applicants certified as eligible by the Civil Service Board, one of the individuals for the position.
- (4) If there are less than three applicants so certified, the Mayor, after consideration of the recommendation from the Chief, may select from the one or two on the list so certified for the position.
- (5) If the Mayor chooses to promote, the person shall be approved, the promotion reported to City Council and made part of the minutes of City Council.
- (6) Should the Mayor not approve any of the persons on the list certified by the Board, no promotion shall be made.
- (7) The Mayor shall make appointments with sole reference to the relative merit and fitness of the candidate.
- (8) Once an individual is approved for promotion, everyone remaining on the list shall move up one place on the list, except those individuals who were higher on the list than the individual promoted.
- (9) If the name of any candidate has been submitted to the Mayor and rejected three times, then such name shall be stricken from the eligibility list.
- (10) If the name of any candidate has been submitted to the Mayor and approved, but the candidate declines to accept an appointment at that time, then that candidate’s name shall be stricken from the eligibility list.”

SECTION 5. The Code of the City of Lancaster, Chapter Section 42-7- Promotion Procedures; Reinstatement, all reference to the Senior Fire Prevention Inspector contained in Section 40-7 of the Code of the City of Lancaster be and hereby are removed and deleted.

SECTION 6. As a result of the passage of Act 22 of 2014, the City Council of the City of Lancaster adopted Administration Ordinance No. 9-2014, creating the City of Lancaster Civil Service Board. In accordance with such ordinance, all provisions of this Chapter, which refer to the Fire Civil Service Commission, shall hereafter be interpreted, construed and revised to refer to the City of Lancaster Civil Service Commission.

SECTION 7. All ordinances or resolutions or parts of ordinances or resolutions insofar as they are inconsistent herewith are hereby repealed and rescinded.

SECTION 8. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any of the remaining provisions, sections, sentences, clauses or parts of this Ordinance; it being the intent of the City of Lancaster that the remainder of the Ordinance shall be and shall remain in full force and effect.

SECTION 9. This Ordinance shall become effective as provided by the laws of the Commonwealth of Pennsylvania.

DULY ORDAINED AND ENACTED this 8th day of September, 2015, by the Council of the City of Lancaster, Lancaster County, Pennsylvania, in lawful session duly assembled.

ATTEST:

CITY OF LANCASTER

Bernard W. Harris, Jr., City Clerk

By: _____
J. Richard Gray, Mayor