

AN ORDINANCE AMENDING THE RULES OF THE CIVIL SERVICE COMMISSION  
AND DECLARING AN EMERGENCY.

WHEREAS, it has been recommended by the Civil Service Commission and the Human Resources Committee of Council that revisions be made in the Civil Service Rules;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF  
THE CITY OF AVON LAKE, STATE OHIO

Section No. 1: That Rule 14 of the Rules of the Civil Service, is hereby amended as follows:

**RULE 14**  
**APPLICATION FOR POSITIONS IN THE POLICE DEPARTMENT**

~~Section A. No person shall be eligible to take the examination for original appointment as a police officer unless he/she has attained the age of twenty one (21) years.~~

~~Section B. In order to be eligible for the position of patrolman in the Police Department, an applicant must be certified by the physical examiner to the satisfaction of the Commission as being physically qualified for the duties of the department. The report of such physical shall be made by the physical examiner upon a form prepared by the Commission. If the results of said physical examination or preliminary tests of any nature are not satisfactory to the Commission, the applicant shall not be eligible for the position of Patrolman.~~

**(A) Original Appointment**

1. No position above the rank of police officer in the police department shall be filled by original appointment.
2. There shall be two methods for the original appointment of a police officer into the Classified Civil Service of the City of Avon Lake, Entry Level and Lateral Entry. Both methods shall require a Civil Service Examination and placement on Certified Eligibility List.

**(B) Age Requirement**

1. No person shall be eligible to receive an original appointment as a police officer unless the person has reached the age of twenty-one (21) years. No person shall be

eligible to receive an original appointment as a police officer on and after the person's forty-first (41) birthday.

2. Any person forty-one (41) years of age or more may be permitted to claim credit for full-time law enforcement service. Any person who desires to request this credit shall provide documentation of their credited full-time law enforcement service from a recognized Local, State or Federal Public Pension System at time of application and not later than the day of Civil Service examination. Upon receipt and verification, the person shall be eligible to have up to ten (10) years of their total full-time law enforcement service deducted from their current age. If the total number of years credited, when subtracted from their current age, equals less than forty-one (41) on the date of appointment, they shall be eligible for original appointment as a police officer.

**(C) Certified Eligibility List**

1. A separate Certified Eligibility List shall be created for both Entry Level and Lateral Entry and run concurrent to each other.
2. Appointments shall be made from the certified eligibility lists following a two (2) for one (1) appointment cycle. Meaning, upon two (2) candidates being successfully appointed from the Entry Level list, the Appointing Authority may elect to appoint one (1) candidate from the Lateral Entry list.
  - a. Upon a successful Lateral Entry appointment, upon the Appointing Authority choosing not to appoint from the Lateral Entry list or upon certification of a new Entry Level list, the two (2) for one (1) appointment cycle shall reset and start over.

**(D) Qualifications**

1. All candidates seeking original appointment shall conform to the minimum qualifications set forth by the Rules of Regulations of the City of Avon Lake Civil Service Commission and minimally submit to the following:
  - Civil Service Examination
    - Lateral Entry candidates shall be administered an oral examination in the form of a scored panel interview;
  - Fitness for Duty - Physical Agility Exam;
  - Oral Interviews;
  - Background Investigation;
  - Polygraph or Voice Stress Analysis Exam;
  - Psychological Exam;
  - Medical Exam; and
  - Drug Screening

2. All candidates seeking appointment shall possess and provide proof of:
  - A high school diploma or high school equivalency credential;
  - A valid Ohio Driver License; and
  - U.S. Citizenship.
3. All Candidates seeking original appointment via Lateral Entry shall additionally conform to the following:
  - Be currently or previously employed for not less than two (2) years as full-time peace officer;
  - Except for documented authorized leaves of absence, not have more than a twelve (12) month break in service from their current or previous employment as a peace officer; and
  - Possess a valid Ohio Police Officer Training Academy (OPOTA) certification that is not currently under investigation or been subjected to negative action or suspension.

**(E) Compensation**

1. Candidates appointed as a police officer through these procedures who possess at least two (2) years, but not more than five (5) years of verifiable full-time law enforcement experience shall be hired as a Police Officer Step III.
2. Candidates appointed as a police officer through these procedures who possess more than five (5) years of verifiable full-time law enforcement experience shall be hired as a Police Officer Step IV.

**(F) Probationary Period**

1. All original appointments as a police officer for those who are fully certified for the position, including appointments made pursuant to section 124.30 of the Revised Code, shall be probationary appointments serving a probationary period of not less 15 months.
2. All original appointments as a police officer for those who are not fully certified for the position, including appointments made pursuant to section 124.30 of the Revised Code, shall be probationary appointments serving a probationary period of not less than the time required to successfully obtain the certifications required for the position, plus 15 months.
3. No appointment shall become permanent until the appointee has satisfactorily served the probationary period. If the service of the probationary employee is deemed unsatisfactory, the employee may be removed at any time during the probationary period.

4. If the appointing authority decides to remove a probationary employee in the service of the City, the appointing authority shall communicate the removal to the Civil Service Commission.

Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity to establish an effective method of evaluating employees and clarifying Civil Service requirements to ensure the best hiring and promotional practices for the smooth operation of City departments, thus safety, health and welfare of the public. Therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

1<sup>st</sup> reading: 4/10/2023

2<sup>nd</sup> reading:

3<sup>rd</sup> reading:

PASSED: 4/24/2023

/s/ Martin E. O'Donnell

President of Council

POSTED: 4/28/2023

APPROVED: 4/25/2023

ATTEST: /s/ Valerie E. Rosmarin

Clerk of Council

/s/ Gregory J. Zilka

Mayor