2015 Revolving Loan Program

Ohio Department of Commerce
Division of State Fire Marshal

Department of Commerce

Division of State Fire Marshal

John R. Kasich, Governor
Andre T. Porter, Director
8895 East Main Street
Reynoldsburg, OH 43068
614.752.7122
614.644.2551 (Fax)
800.750.0750 (TTY/TDD)
www.com.ohio.gov

An Equal Opportunity Employer and Service Provider

Department of Commerce
Division of State Fire Marshal
John R. Kasich, Governor
Andre T. Porter, Director

December 15, 2014

Re: 2015 Revolving Loan Program

Dear Fire Chief,

The Ohio Department of Commerce's Division of State Fire Marshal is pleased to announce we are now accepting applications for the 2015 Revolving Loan Program. Loan applications must be postmarked no later than January 31, 2015 to be considered.

Please review the 2015 Revolving Loan Program Application package in its entirety. We have made many updates and included helpful information to assist with completing the 2015 Revolving Loan Application and Approved 2015 Loan Worksheet.

If you have any questions or require additional assistance, please contact Kimberly Hodnett, Program Administrator, at (800) 515-0023 or kimberly.hodnett@com.state.oh.us.

Complete information and forms can be found at: http://www.com.ohio.gov/fire

Sincerely,

Andre T Porter

Andre T. Porter
Director, Ohio Department of Commerce

Larry L. Flowers
State Fire Marshal

Ohio State Fire Marshal
8895 East Main Street
Reynoldsburg, OH 43068 U.S.A.

614 | 752 7161
Fax 614 | 752 7213
TTY/TDD 800 | 750 0750
www.com.ohio.gov

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2015 REVOLVING LOAN PROGRAM OVERVIEW

I. PURPOSE

The Ohio Department of Commerce's Division of State Fire Marshal is pleased to announce the availability of loan funding for fire departments to purchase fire apparatus which meet the requirements of Chapter 4121:1-21 of the Ohio Administrative Code (OAC) or building constructions, additions and alterations which meet all minimum requirements of division-level 4101:1, 4101:2 and 4101:3 of OAC.

II. ELIGIBILITY

In accordance with the applicable rules regarding the Revolving Loan Program, OAC Section 1301:7-7-01(S) and Ohio Fire Code (OFC) 119, the following procedures will be followed by the Ohio Department of Commerce, Division of State Fire Marshal (SFM) for the awards of the 2015 Revolving Loan.

Eligible recipients for a loan award under this rule are any of the following:

(A) A township, operating a fire department or fire district organized under R.C. §505.37, that has a population of not more than five thousand or, regardless of its population, is located in a county that has a population of less than one hundred thousand;

(B) A municipal corporation, operating a fire department organized under R.C. §737.21, that has a population of not more than seven thousand five hundred;

(C) A joint fire district organized under R.C. § 505.371 or fire and ambulance district organized under R.C. §505.375 that shares territory exclusively with townships or municipal corporations that meet the conditions of paragraphs (A) or (B) above;

(D) A township or municipality that has adopted a resolution or ordinance authorizing the creation of a fire department, fire district, joint fire district or joint fire and ambulance district under R.C. §§505.37, 505.371 or 505.375.

An applicant must meet one of the four above eligibility requirements to qualify. If you meet at least one, please continue with the application process.

III. SPECIAL CONDITIONS

Purchases made with Revolving Loan funds become the property of the township, municipality, or fire district. In submitting the attached Revolving Loan application, please review the attached "Appendix A" OAC §1301:7-7-01(S), Ohio Fire Code 119, (pages 16 - 19) Small Government Fire Department Services Revolving Loan Program. The applicant must agree to adhere to the following:

1. All sections of the application must be filled out completely. Applications must be post marked no later than January 31, 2015. Applications post marked after January 31, 2015 will not be considered for a 2015 Revolving Loan.

2. The loans are interest free. A government entity receiving a loan must contribute at least 5% of the total cost of the project. Pursuant to R.C. 3737.17, repayment may not exceed 20 years. Typically loans are approved for 10 years or less; however, longer repayment schedules may be approved at the Fire Marshal's discretion. A specific repayment schedule will be established through the Loan Agreement.

3. The total amount available statewide to be loaned for 2015 is $300,000.

4. The fire chief of the fire department and chief executive official of the local government entity shall certify loan application is true and accurate. Falsifying information on this application may result in rejection of the application.

5. Recipients can only make purchases after official notification of award of the loan and the Loan Agreement has been fully executed.

6. All applicants and associated fire departments must be in compliance with R.C. §3737.24 (Reporting Fire Incidents). Applicants not in compliance with this section will be disqualified from further consideration for the 2015 Revolving Loan Program. The applicant/associated fire department should confirm 2014 NFIRS compliance by logging onto https://apps.com.ohio.gov/fire/IncidentReports/ and click on "Monthly Total of ALL Incidents by FDID" prior to submitting an application. If there are discrepancies or assistance is needed, contact the Fire Prevention Bureau at (888) 243-0305 or (614) 752-7123. See "Appendix B" – Fire Reporting Requirements (pages 20 - 21).

7. If applicable, applicants and associated fire departments must be in compliance with R.C. Chapter 146 (Volunteer Firefighters' Dependents Fund). Applicants not in compliance with this section will be disqualified from further consideration for the 2015 Revolving Loan Program. If applicant/associated fire department is uncertain of their status, contact Kimberly Hodnett at (614) 752-7122 or Kimberly.hodnett@com.state.oh.us for verification or if needed, instructions on how to become compliant. See "Appendix C" - Ohio Revised Code Chapter 146 (pages 22 - 30).

8. Upon request, the construction site or items purchased must be made available for a representative of the State Fire Marshal's office for auditing purposes. Because the loan involves public funds you must maintain the same records as you would for any public funds.

9. Please note, if funds will be used for construction or rehabilitative construction, Chapter 4115 of the Ohio Revised Code, including prevailing wage statutes, may apply and as part of the application process you will be required to certify whether proposed construction costs are computed accordingly.

IV. WHEN TO APPLY

The completed application must be postmarked no later than January 31, 2015. The completed application consists of a **2015 Revolving Loan Program Application, Approved 2015 Loan Worksheet, and attached project description** and mailed to:

Ohio Department of Commerce – Fiscal East
Attn: Kimberly Hodnett
P.O. Box 4009
Reynoldsburg, OH 43068-9009

Faxed applications are NOT acceptable.

V. NOTIFICATION AND DISTRIBUTION OF AWARDS

The estimated notification of loan awardees is spring 2015. Loan funds will be disbursed shortly after Loan Agreement has been fully executed. Purchases can be made only after the Loan Agreement has been fully executed.

INSTRUCTIONS FOR COMPLETING
2015 REVOLVING LOAN PROGRAM APPLICATION

Please read the entire application and follow the instructions for each of the following items.

LINE BY LINE INSTRUCTIONS:

Line #

1. Fire Department Name: Enter the correct name of the fire department.
   Fire Department Identification Number (FDID #): Enter the five (5) digit number used to identify your fire department on the state fire incident report forms.

2. Identify the name of Government Entity applying for loan.

3. Indicate municipality or township of government entity applying.

4. Number of full time paid firefighters: In Ohio, full time paid firefighters will be members of the Police and Firemen's Pension Fund.

5. Number of firefighters who are part time or paid per call: Enter the number of firefighters who are not full time but who do receive some form of monetary compensation.

6. Number of firefighters who are not paid: Enter the number of firefighters who receive no compensation.

7. a. If you are a township or municipality applying for loan, enter resident population.
   b. If you are a Fire District, Joint Fire District or Joint Fire and Ambulance District applying for this loan, list the population for each township or municipality in the district.
   c. List population of each county for the municipality, township or district area the department provides primary fire protection.

8. Source of population protected figures: Indicate where you obtained the population figures.

9. Total operating budget: Total operating budget for calendar year 2014 includes money provided from property taxes and fire protection contracts, as well as from fundraising and donations used for operating expenses. Do not include capital expenses for new trucks, buildings or EMS budgets.

10. Total number of fire incidents/calls/responses requiring a NFIRS report: Provide the total number of fire incidents/calls/responses requiring a NFIRS report for calendar year 2014 as requested. All applications are cross referenced with the NFIRS.

11. Did your department previously receive loan funds from the State Fire Marshal? If "Yes", list year, amount and loan purpose. Or check "No".

12. Fire Incident Reports. In accordance with Ohio Fire Code 104.6.3.1: "Fire reports: the reports of fire investigations requires by sections 3737.23 and 3737.24 of the Revised Code shall be reported using coding information and procedures prescribed by the United States Fire Administration in the "National Fire Incident Reporting System (NFIRS)" and sent to the fire marshal in a manner approved by the fire marshal." Fire departments that have not sent their fire incident reports to the State Fire Marshal for at least the past calendar year, as required by the Ohio Revised Code and the Ohio Fire Code, will not be considered for loan funds. All applicants are cross referenced with the NFIRS reporting system. See "Appendix B" – Fire Reporting Requirements (pages 20 - 21).

13. Volunteer Firefighters' Dependents Fund: In accordance with the Ohio Revised Code Section 146, each political subdivision or fire district having a fire department employing volunteer firefighters is a member of the volunteer firefighter dependents fund and shall be in compliance. Non-compliant fire departments will be disqualified from receiving loans from the State Fire Marshal's office until compliant. All applicants are cross referenced with the Volunteer Firefighters' Dependents Fund database. See "Appendix C" - The Ohio Volunteer Firefighters' Dependents Fund - Ohio Revised Code Chapter 146 (pages 22 - 30).

14. Check yes or no if proposed project will benefit neighboring fire department(s). If yes, list fire department(s).

15. Each applicant must attach an additional page(s) describing the specific project or purchase proposed if awarded a loan and how it will improve fire protection service. Also, include the benefits to its citizens not currently available.

16. Enter the Federal Tax Identification number for government entity: Example: This number usually starts with the number "31" and will look something like this "31-1234567". For subdivision, contact the financial officer listed on question 17 to obtain this number. A Federal Tax Id number is required to receive a loan.

17. Please note, if funds will be used for construction or rehabilitative construction, Chapter 4115 of the Ohio Revised Code, including prevailing wage statutes, may apply and as part of the application process you will be required to certify whether proposed construction costs are computed accordingly.

18. Name, address, daytime telephone number with area code and title of the government entity financial officer. The loan check will be mailed certified directly to the financial officer.

19. Provide day time contact information for purposes of this loan application.

20. Certification: The fire chief of the fire department and chief executive official of the local government entity shall certify loan application is true and accurate. Falsifying information on this application may result in rejection of the application.

2015 REVOVLING LOAN PROGRAM APPLICATION

The original application must be postmarked no later than January 31, 2015. All questions on this application must be answered completely for this application to be considered for loan funds. Replicas or re-typed applications will not be considered.

1. Fire Department Name**:** _____
   FDID # of Fire Department _____ - _____ (Example: XX-XXX)

2. Name of government entity applying for the loan: _____

3. Government entity is a: □ Municipality □ Township □ Fire district □ Joint Fire District □ Fire and Ambulance District

4. Number of full time paid firefighters on your department: _____

5. Number of firefighters that are part time or paid per call: _____

6. Number of unpaid firefighters in your department: _____

7a. If this application is being submitted for a township or municipality, what is the resident population? _____

7b. If this application is for a Fire District, Joint Fire District or Joint Fire and Ambulance District list the population of every township or municipality included in the district:

Name	Population	Name	Population
_____	_____	_____	_____
_____	_____	_____	_____

7c. List below the total population of the county that the municipality, township or district is in. If more than one county, list each county separately.

County	Population	County	Population
_____	_____	_____	_____
_____	_____	_____	_____

8. Source of your population figure: (check where appropriate)

   □ Census □ Government Agency
   □ Fire Department Estimate □ Other: (please list source) _____

2015 REVOVLING LOAN PROGRAM APPLICATION

9. What was your total operating budget during calendar year 2014, including both public and private sources of income?

   Property taxes / levy income: _____

   Fire protection contracts: _____

   Fund raising / donations / inheritances: _____

   Other additional income: _____

   Total Operating Budget: _____

Total operating budget includes money provided by taxes and fire protection contracts, as well as from fundraising and donations used for operating expenses. Do not include capital expenses for new trucks, buildings, or EMS budgets.

10. For 2014 primary protection area, list total number of fire incidents/calls/responses requiring a NFIRS report in the following categories:

    Structure: _____ Vehicle/Rescue: _____ EMS: _____ Other: _____ Total: _____

11. Has your fire department previously received a loan from the State Fire Marshal? If yes, what year? _____ How much? _____ Loan purpose: _____ □ No

12. In accordance with the Ohio Revised Code Section 3737.24, has your fire department reported fire incidents to the State Fire Marshal for calendar year 2014? □ Yes □ No See Instructions #12 for further clarification.

13. If applicable, is your fire department in compliance with the Volunteer Firefighter's Dependents Fund in accordance with the Ohio Revised Code Section 146? □ Yes □ No
    For further clarification see Instructions #13.

14. Will this project benefit other neighboring fire departments through mutual aid or other agreements? □ Yes □ No
    If yes, list those departments. _____

15. Attach an additional page(s) describing the specific project or purchase proposed if awarded a loan. Include the benefits to its citizens that are not currently available.

16. List the Federal Taxpayer Identification number of government entity: ____ - _____
    (Example 31-1234567)

17. If the proposed funds are to be used for construction or rehabilitative construction, does prevailing wage law apply in accordance with Chapter 4115 of the Revised Code?

□ Yes □ No

If yes, was the proposed construction costs computed accordingly? □ Yes □ No

18. Print name, title, address, and telephone number of the financial officer (i.e., township clerk, fiscal officer, finance director, treasurer, etc.) of the government entity.

_____

Print Name of Financial Officer Title

_____

Address

_____

City State Zip Daytime Telephone

19. Print the name and daytime telephone number of a person we may contact with questions about this application.

_____

Print Name of Contact Title

_____

Daytime/Cell Telephone Email Address

2015 REVOVLING LOAN PROGRAM APPLICATION

CERTIFICATION

20. Applicant(s) certify that the information contained in this application is correct to the best of knowledge and that the fire department and political subdivision represented has the intention to complete this project should the grant be awarded. Falsifying information on this application may result in rejection of the application.

Fire Department:

X_____

Signature of Fire Chief/Authorized Person Date Signed

_____

Print or type name of Fire Chief/Authorized Person Title

_____

Mailing Address

_____

City State Zip Daytime Telephone

Government Entity:

_____

X_____

Signature of Chief Executive Official/Authorized Person Date Signed

_____

Print or type name of Chief Executive Official/Authorized Person Title

_____

Mailing Address

_____

City State Zip Daytime Telephone

INSTRUCTIONS FOR COMPLETING
APPROVED 2015 LOAN WORKSHEET

Approved Loan Request

The purpose of the "Approved Loan Worksheet" is to indicate the type of fire apparatus or building construction project for loan requested, loan amount requested, minimum 5% contribution and total cost. Estimates should be obtained from your supplier and itemized on the worksheet. If your department is awarded a loan, equipment or construction cannot commence before the Loan Agreement is executed.

Please adhere to the following instructions when completing Worksheet:

1. Complete the requested departmental information.
2. Fire Apparatus: List type of apparatus seeking funding assistance. Any fire apparatus purchased with funds from a loan shall meet the requirements of OAC Chapter 4121:1-21.
3. Construction: Indicate which type of construction. All building constructions, additions and alterations completed with funds provided by a loan shall meet all minimum requirements of division-level 4101:1, 4101:2 and 4101:3 of the OAC.
4. Calculate each category's subtotal.
5. For total cost calculation, add subtotals from sections I - II.

Please read all instructions and verify worksheet is complete prior to submitting. Applications must be signed by the designated signature authority and postmarked no later than January 31, 2015.

All questions concerning the Revolving Loan Program should be forwarded to Kimberly Hodnett, Program Administrator, at (800) 515-0023 or kimberly.hodnett@com.state.oh.us.

APPROVED 2015 LOAN WORKSHEET

Fire Department ID: _____ Fire Department Name: _____
Number of payback years requested: _____

I. Fire Apparatus

Name of Item	**Total Cost**	**Min. 5% contribution**	**Loan Amount Requested**
New Vehicle:			
Used Vehicle:			
Repair/refurbish current vehicle:			
Other, describe:			
Subtotal:			

II. Construction

Name of Item	**Total Cost**	**Min. 5% contribution**	**Loan Amount Requested**
New Building:			
Additions:			
Renovations:			
Other, describe:			
Subtotal:			

Total Request

Name of Item	**Total Subtotal Cost**	**Min. 5% contribution Subtotal**	**Total Loan Amount Requested**
I. Fire Apparatus			
II. Construction			
Total:			

- Note: Attach an additional page(s) describing the specific project or purchase proposed if awarded a loan. Include the benefits to its citizens that are not currently available.

*****Please retain a copy for your records.*****

2015 REVOLVING LOAN PROGRAM SCORING

In accordance with the applicable rules regarding Small Government Fire Department Services Revolving Loan Program, Ohio Administrative Code (OAC) Section1301:7-7-01(S), Ohio Fire Code (OFC) 119, the following procedures will be followed by the Ohio Department of Commerce, Division of State Fire Marshal (SFM) for the awards of the state fiscal year (SFY) 2015 (July 1, 2014 through June 30, 2015) Revolving Loan Program.

Revolving Loan Scoring Criteria:

Based on the scoring system outlined below established by the State Fire Marshal, each applicant will accumulate points based on specific information contained in their loan application. Applicants with the highest scores that meet eligibility requirements will be awarded loans based upon the availability of funds. In the event of a score tie, the available funds will be awarded according to the following priorities:

1. Applicants with the lowest fire department operating budget.
2. Applicants with the largest protection area.
3. Applicants with the largest population.

The scoring system generated for this loan cycle is calculated based upon the following:

1. Applicants with larger protection area of resident population receive a higher number of points.
2. The total operating budget for the 2014 calendar year is included in determining points awarded. There is no minimum or maximum budget requirement however lower budgets receive higher points.
3. During the 2014 calendar year, the higher number of fire incidents/calls/responses requiring a NFIRS report responded in primary fire protection area accrue higher points toward total score. This number must be consistent with submitted NFIRS reports.

APPENDIX A
OAC §1301:7-7-01(S), Ohio Fire Code 119
Small Government Fire Department Services Revolving Loan Program

(S)(1) **119.1.** As used in this rule:

(a) "Qualifying small government" has the same meaning as in division (A) of section 3737.17 of the Revised Code.

(b) "Fire district" means a fire district organized under section 505.37 of the Revised Code.

(c) "Joint fire district" means a joint fire district organized under section 505.371 of the Revised Code.

(d) "Fire marshal" means the state fire marshal appointed pursuant to section 3737.21 of the Revised Code.

(e) "Joint fire and ambulance district" means a joint fire and ambulance district organized under section 505.375 of the Revised Code.

(f) "Loan" means a loan granted under the small government fire department services revolving loan program established by section 3737.17 of the Revised Code.

(2) **119.2 Qualifications**

(a) Only a qualifying small government that currently operates a fire department organized under section 505.37, 505.371, 737.21 or 505.375 of the Revised Code or has adopted a resolution or ordinance authorizing the creation of a fire department or joint fire and ambulance district under one of these sections is eligible to receive a loan.

(b) In order for a fire department operated by a small government to receive a loan under this rule, the fire department must be reporting fires to the fire marshal as required by section 3737.24 of the Revised Code and this rule.

(3) **119.3 Applications filing**

(a) Applications for a loan shall be made only on forms provided by the fire marshal.

(b) Only applications that are post marked on or before the application deadline established by the fire marshal and have been delivered to the fire marshal's office within seven days of that deadline will be considered by the fire marshal.

(4) **119.4 Applications-content**

In its applications the qualifying small government shall:

(a) Explain how it qualifies for the loan.

(b) Describe how the loan will be used including the total cost of the project and the amount of money the qualifying small government is proposing to contribute to the total cost of the project.

(c) Describe the benefits to its citizens the loan will provide that are not currently available to them.

(d) Describe why the small government is not able to provide this service through the use of its own funds.

(e) Provide information concerning the total income available from all sources to provide fire and/or fire and ambulance service.

(f) Provide information concerning the assets and liabilities of the qualifying small government that are intended in whole or in part to provide fire or fire and ambulance service.

(g) Provide such other information as may be called for in the application form provided by the fire marshal.

(5) **119.5 Requirements for buildings constructed or equipment purchased.**

(a) All building constructions, additions and alterations completed with funds provided by a loan shall meet all minimum requirements of division-level 4101:1, 4101:2 and 4101:3 of the Administrative Code.

(b) Any fire apparatus purchased with funds from a loan shall meet the requirements of Chapter4121:1-21 of the Administrative Code.

(c) The fee title to any real property purchased or on which a structure is constructed in any part with a loan under this rule shall list the "state of Ohio, department of commerce, division of state fire marshal" as the mortgage holder until such time as the loan obligation is satisfied.

(d) The title to any vehicle purchased in part with a loan under this rule shall list the "state of Ohio, department of commerce, division of state fire marshal" as the lien holder until such time as the loan obligation is satisfied.

(e) Any fire apparatus or vehicle purchased in part under this rule shall have a repayment period not to exceed ten years.

(6) **119.6.** At the discretion of the fire marshal a qualifying small government may apply for and be granted a loan at any time regardless of established application periods and deadlines if all of the following apply:

(a) The qualifying small government had a local emergency or disaster or is included in an area where a disaster has been declared by the governor.

(b) The events of the local emergency or disaster have damaged or destroyed vehicles, buildings or equipment necessary to provide fire or fire and ambulance services.

(c) The qualifying small government has made application for any federal, state and private insurance reimbursement as may be available as a result of the disaster.

(d) The loan fund has necessary moneys to provide the loan.

(7) **119.7 Award of loans**

The awarding of all loans shall be at the sole discretion of the fire marshal.

(a) Upon determining which small governments shall receive a loan the fire marshal shall notify the qualifying small government in writing of his intent to grant the loan and of the terms and conditions of the loan.

(b) Promptly after receiving notification that the fire marshal intends to grant a loan to the qualifying small government, the qualifying small government must adopt a resolution or ordinance which shall:

i) Authorize the small government to accept the loan;

(ii) Agree to conditions of the loan as stipulated by the fire marshal including the authority to execute any documents necessary to grant or secure the loan.

(c) Within forty-five days of receipt of the notice of the fire marshal's intent to award the loan the qualifying small government shall forward a copy of the resolution or ordinance to the fire marshal.

(d) Upon receipt of the resolution or ordinance the fire marshal shall establish a line of credit from the loan fund in the name of the qualifying small government.

(e) Within one hundred twenty days of the date the notice of intent to award the loan was received, the qualifying small government shall provide to the fire marshal a properly executed contract or purchase agreement for the construction, addition or alteration of the building or purchase of the vehicle or equipment described in the original loan application.

(f) Upon determination that the contract or purchase agreement is for substantially the same project as described in the original loan application the loan funds will be released to the qualifying small government according to the term of the loan agreement.

(8) **119.8 Repayment**

(a) A repayment or amortization schedule shall be established as part of the loan agreement. In establishing the repayment schedule the fire marshal shall consider the ability of the small government to repay the loan and the need to maintain a sufficient balance in the loan fund to insure its continued operation.

(b) The repayment or amortization schedule shall not extend beyond twenty years.

APPENDIX B
Fire Reporting Requirements

Ohio Revised Code:

§ 3737.23 Record of fires.

The fire marshal shall keep in his office a record of all fires occurring in the state, the origin of such fires, and all facts, statistics, and circumstances relating thereto which have been determined by investigations. Except for the testimony given upon an investigation, such record shall be a public record and such portions thereof, as the superintendent of insurance considers necessary, shall be transcribed and forwarded to the superintendent within fifteen days from the first day of January each year.

§ 3737.24 Investigation of cause of fire.

The fire marshal and the chief of the fire department of each municipal corporation in which a fire department is established, the chief of the fire department in each township in which a fire department is established, the chief of the fire department of a joint fire district, or the fire prevention officer in each township or village where no fire department is established, shall investigate the cause, origin, and circumstances of each major fire, as determined by the rules of the fire marshal, occurring in such municipal corporation, joint fire district, or township by which property has been destroyed or damaged, and shall make an investigation to determine whether the fire was the result of carelessness or design. The investigation shall be commenced within two days, not including Sunday, if the fire occurred on that day. The marshal may superintend the investigation.

An officer making an investigation of a fire occurring in a municipal corporation, joint fire district, or township shall forthwith notify the marshal, and within one week of the occurrence of the fire shall furnish him a written statement of all facts relating to its cause and origin and such other information as is required by forms provided by the marshal.

In the performance of the duties imposed by Chapter 3737 of the Revised Code, the marshal and each of his subordinates, and any other officers mentioned in this section, at any time of day or night, may enter upon and examine any building or premises where a fire has occurred, and other buildings and premises adjoining or near thereto.

Ohio Fire Code:

1301:7-1-01 Administration
Section 104 General authority and responsibilities

104.6.3 Fire records: The fire department shall keep a record of fires occurring within its jurisdiction and of facts concerning the same, including statistics as to the extent of such fires and damage caused thereby, together with other information as required by the fire code official.

"Fire code official" as defined in 1301:7-7-02 means: The fire marshal, assistant fire marshal, fire chief or other designated authority charged with the administration and enforcement of the code, or a duly authorized representative.

104.6.3.1 Fire reports: The reports of fire investigations requires by sections 3737.23 and 3737.24 of the Revised Code shall be reported using coding information and procedures prescribed by the United States Fire Administration in the "National Fire Incident Reporting System (NFIRS)" and sent to the fire marshal in a manner approved by the fire marshal. The reports shall include the "Incident Report," the "Civilian Casualty Report," and the "Fire Service Casualty Report." Electronic reporting of fire investigations to the fire marshal must be in a format approved by both the United State Fire Administration and the fire marshal as being compatible with the current version the "National Fire Incident Reporting System." Any electronic reporting also must be in a format that is specifically compatible with the software used by the fire marshal to process such reports and transmitted in a format that has been approved by the fire marshal.

APPENDIX C
The Ohio Volunteer Firefighters' Dependents Fund
Ohio Revised Code Chapter 146

R.C. §146.01: Volunteer firefighters' dependents fund definitions.

As used in sections 146.01 to 146.19 of the Revised Code:

(A) "Fire department" means a volunteer fire department, a fire department of a political subdivision or fire district of this state, or a private volunteer company that has elected to participate in the volunteer firefighters' dependents fund pursuant to section 146.02 of the Revised Code.

(B)

(1) "Volunteer firefighter" means both of the following, subject to division (B)(2) of this section:

(a) A duly appointed member of a fire department on either a nonpay or part-pay basis who is ineligible to be a member of the Ohio police and fire pension fund, or whose employment as a firefighter does not in itself qualify any such person for membership in the public employees retirement system, or who has waived membership in the public employees retirement system;

(b) Firefighters drafted, requisitioned, or appointed to serve in an emergency.

(2)

(a) A volunteer firefighter who is a member of the public employees retirement system shall be considered a volunteer firefighter for purposes of this chapter, and in particular, for purposes of divisions (A) and (B) of section 146.12 of the Revised Code until the firefighter has at least one and one-half years of Ohio service credit for purposes of division (B) of section 145.45 of the Revised Code;

(b) A volunteer firefighter who is a member of the public employees retirement system shall be considered a volunteer firefighter for purposes of this chapter and, in particular, for purposes of division (C) of section 146.12 of the Revised Code until the firefighter has at least five years of total service credit for purposes of sections 145.35 and 145.36 or section 145.361 of the Revised Code.

(C) "Private volunteer fire company" means a company of trained volunteer firefighters having a contract to furnish fire protection or emergency service or both to a political subdivision or fire district of this state.

(D) "Member of the fund" includes a political subdivision or fire district of this state that maintains in whole or in part a volunteer fire department or employs volunteer firefighters, and a private volunteer fire company that has elected to participate in the volunteer firefighters' dependents fund.

(E) "Volunteer firefighters' dependents fund" means the fund established by section 146.07 of the Revised Code.

(F) "Totally and permanently disabled" means that a volunteer firefighter is unable to engage in any substantial gainful employment for a period of not less than twelve months by reason of a medically determinable physical impairment that is permanent or presumed to be permanent.

R.C. §146.02: Volunteer firefighters' dependents fund board.

(A) Each political subdivision or fire district having a fire department employing volunteer firefighters is a member of the volunteer firefighters' dependents fund and shall establish a volunteer firefighters' dependents fund board.

(B) A private volunteer fire company which has contracted to afford fire protection to a political subdivision or fire district may become a member of the volunteer firefighters' dependents fund by election and shall, if it so elects, establish a volunteer firefighters' dependents fund board. The company shall notify the state fire marshal and the governing body of the political subdivision or fire district with which it has its major contract of the election to become a member of the fund.

R.C. §146.03: Members - vacancies.

(A) A volunteer firefighters' dependents fund board provided for in division (A) of section 146.02 of the Revised Code shall consist of five members chosen as follows:

(1) Two members elected by the legislative authority of the political subdivision or fire district;

(2) Two members elected by the fire department or the volunteer firefighters;

(3) One member elected by the board members who were elected pursuant to divisions (A)(1) and (2) of this section. This member shall be an elector of the political subdivision or fire district, but not a public employee, a member of the legislative authority, or a member of the fire department.

(B) A volunteer firefighters' dependents fund board provided for in division (B) of section 146.02 of the Revised Code shall consist of five members chosen as follows:

(1) Two members elected by the legislative authority of the political subdivision or fire district with which the private volunteer fire company has its major contract;

(2) Two members elected by the private volunteer fire company;

(3) One member elected by the board members who were elected pursuant to divisions (B)(1) and (2) of this section. This member shall be an elector of a political subdivision or fire district with which the private volunteer fire company has contracted to afford fire protection, but not a public employee, a member of the legislative authority, or a member of the fire company.

(C) Any vacancy occurring on a volunteer firefighters' dependents fund board shall be filled at a special election called by the secretary of the board.

R.C. §146.04: Board election and term.

(A) The term of each volunteer firefighters' dependents fund board member is one year and begins the first day of January.

(B) Election of volunteer firefighters' dependents fund board members provided for in divisions (A)(1) and (B)(1) of section 146.03 of the Revised Code shall be held each year no earlier than the first day of November and no later than the second Monday in December, and the election of the board members provided for in divisions (A)(3) and (B)(3) of section 146.03 of the Revised Code shall be held each year on or before the thirty-first day of December.

(C) The board members provided for in divisions (A)(2) and (B)(2) of section 146.03 of the Revised Code shall be elected on or before the second Monday in December, as follows:

(1) The secretary of the board shall give notice of the election by posting it in a conspicuous place at the headquarters of the fire department or fire company and at the house of each company composing the fire department. Between nine a.m. and nine p.m. on the day designated, each member of the department or company shall send in writing the name of two persons, members of the department or company, who are the member's choices.

(2) All votes cast at the election shall be counted and recorded by the board which shall announce the result. The two members receiving the highest number of votes are elected. If any two persons receive a tie vote, it shall be decided by lot or in any other way agreed upon by the persons for who such tie vote was cast.

R.C. §146.05: Organization of board.

A volunteer firefighters' dependents fund board shall meet promptly after its election and organize. A chairperson and a secretary shall be elected. The secretary shall keep a complete record of the proceedings of the board, which record shall be maintained as a permanent file. The board may adopt rules necessary for the handling and processing of claims and shall perform such other duties as are necessary to carry out sections 146.01 to 146.19 of the Revised Code.

The secretary of the board shall immediately certify to the state fire marshal the names and addresses of the members elected, by whom elected, and the names of the board chairperson and secretary. The secretary shall also forward a certificate prepared by the clerk of the political subdivision or fire district of the current assessed valuation of such political subdivision or fire district if the political subdivision or fire district is a member of the fund.

A private volunteer fire company which is a member of the fund shall provide the secretary of the board with a roster of the fire company members, and shall report any changes to the secretary when they occur. Only persons whose names appear on the list, and in no event more than an average number of fifty names per station operated by the volunteer fire company, are eligible for benefits under sections 146.01 to 146.19 of the Revised Code.

R.C. §146.06: Compensation - expenses - legal advisor.

The members of the volunteer firefighters' dependents fund boards shall serve without compensation. The political subdivision or fire district within which the boards operate shall provide the necessary meeting place, stationery, postage, and supplies for the efficient conduct of their business.

The legal advisor for a volunteer firefighters' dependents fund board is the prosecuting attorney of the county in which such board is located.

146.07: Volunteer firefighters' dependents fund.

(A) There is hereby established in the state treasury the volunteer firefighters' dependents fund. All investment earnings earned by the fund shall be collected by the treasurer of state and placed to the credit of the fund. Each political subdivision or fire district which maintains in whole or in part a volunteer fire department or employs volunteer firefighters shall pay to the treasurer of state, to the credit of the fund, an initial premium as follows:

(1) Having an assessed property valuation of less than seven million dollars, a premium of three hundred dollars;

(2) Having an assessed property valuation of seven million dollars but less than fourteen million dollars, a premium of three hundred fifty dollars;

(3) Having an assessed property valuation of fourteen million dollars but less than twenty-one million dollars, a premium of four hundred dollars;

(4) Having an assessed property valuation of twenty-one million dollars but less than twenty-eight million dollars, a premium of four hundred fifty dollars;

(5) Having an assessed property valuation of twenty-eight million dollars or over, a premium of five hundred dollars.

(B) Each private volunteer fire company which is under contract to afford fire protection to a political subdivision or fire district and which has elected to become a member of the fund is a member of the fund upon the payment of an initial premium of five hundred dollars within one month of such election, to the treasurer of state, to the credit of the fund.

R.C. §146.08: Failure to pay premium.

If the premium is not paid as provided in division (A) of section 146.07 of the Revised Code, the state fire marshal shall certify such failure as an assessment against the member of the fund to the auditor of the county within which the member is located. The county auditor shall then withhold the amount of such assessment, together with interest at the rate of six per cent from the due date of the premium, from the next ensuing tax settlement due the members and pay the amount to the treasurer of state to the credit of the volunteer firefighters' dependents fund. In the event the secretary of the volunteer firefighters' dependents fund board fails to forward a certificate of statement of the current assessed property valuation as provided in section 146.05

of the Revised Code, the state fire marshal shall use division (A)(5) of section 146.07 of the Revised Code as a basis for such assessment.

R.C. §146.09: Certification of assessment.

The total of all initial premiums collected by the treasurer of state under section 146.07 of the Revised Code is the basic capital account of the volunteer firefighters' dependents fund, and no further contributions are required of its members until such time as claims against the fund have reduced it to ninety-five per cent or less of its basic capital account. In such event, the state fire marshal shall cause the following assessments, based on current valuation, to be made and certified to the legislative body of each member of the fund having a volunteer fire department or employing volunteer firefighters:

> (A) For a member with an assessed property valuation of less than seven million dollars, ninety dollars;
>
> (B) For a member with an assessed property valuation of seven million dollars but less than fourteen million dollars, one hundred five dollars;
>
> (C) For a member with an assessed property valuation of fourteen million dollars but less than twenty-one million dollars, one hundred twenty dollars;
>
> (D) For a member with an assessed property valuation of twenty-one million dollars but less than twenty-eight million dollars, one hundred thirty-five dollars;
>
> (E) For a member with an assessed property valuation of twenty-eight million dollars or more, one hundred fifty dollars.

Every private volunteer fire company which is a member of the fund shall be assessed one hundred fifty dollars.

R.C. §146.10: Collecting assessment.

> (A) If a member of the volunteer firefighters' dependents fund having a volunteer fire department or employing volunteer firefighters does not pay the assessment provided in section 146.09 of the Revised Code within forty-five days after notice, the state fire marshal shall proceed with collection in the same manner as provided in section 146.08 of the Revised Code.

(B) If a private volunteer fire company which is a member of the fund does not pay the assessment provided in section 146.09 of the Revised Code within forty-five days after notice, such company shall be suspended as a member of the fund and shall be ineligible to file any new claim occurring during the period of suspension.

R.C. §146.12: Benefits.

Benefits shall be paid from the volunteer firefighters' dependents fund to or on behalf of the following persons: (A) To the surviving spouse of a volunteer firefighter killed while discharging the duties of a volunteer firefighter or who dies from exposure or injury received while in the discharge of those duties, a lump sum award of one thousand dollars, and, in addition, the sum of three hundred dollars per month;

(B) To the parent, guardian, or other persons upon whom a child of a volunteer firefighter is dependent for chief support, the sum of one hundred twenty-five dollars per month for each dependent child under eighteen years of age, or under twenty-three years of age if the child is attending a post-secondary educational institution and is completing a program of instruction each school year that satisfies the equivalent of at least two-thirds of the full-time curriculum requirements of the institution.

(C) To a volunteer firefighter, totally and permanently disabled while discharging the duties of a volunteer firefighter, the sum of three hundred dollars per month. No payment shall be made to a volunteer firefighter under full salary during the time of the volunteer firefighter's disability.

R.C. §146.13: Benefits not liable to attachment.

The benefits provided for in section 146.12 of the Revised Code are in addition to all other benefits otherwise provided for by law, and are not liable to attachment, levy, or seizure under any legal or equitable process, whether such sums remain with the treasurer of state or are in the course of transmission to the person entitled thereto, but shall inure wholly to the benefit of the beneficiary.

R.C. §146.14: Claims for benefits.

Claims for benefits payable under section 146.12 of the Revised Code shall be made as follows:

(A) A surviving spouse shall file a claim under oath with the volunteer firefighters' dependents fund board on a form provided by the board, setting forth the full name of the deceased volunteer firefighter, the name of the fire department or company of which the decedent was a member, the name and address of the surviving spouse,

and the names, ages, and addresses of dependent children. The surviving spouse shall supply such documentary evidence as the board may reasonably require.

(B) A parent, guardian, or other person in charge of a dependent child shall file a claim under oath with the board on a form provided by the board, setting forth the full name of the deceased volunteer firefighter, the name of the fire department or company of which the firefighter was a member, and the name, age, and address of such dependent child. The surviving spouse shall supply such documentary evidence as the board may reasonably require.

(C) A totally and permanently disabled volunteer firefighter shall file a claim under oath setting forth the name of the fire department or company of which the firefighter was a member, the date of the injury, and satisfactory medical proof that the firefighter is totally and permanently disabled.

(D) All claims filed under divisions (A), (B), and (C) of this section shall certify that neither the claimant nor the person on whose behalf the claim is filed qualifies for benefits under sections 145.35 and 145.36 or section 145.361, or division (B) of section 145.45 of the Revised Code.

R.C. §146.15: Filing initial claims.

Initial claims under section 146.14 of the Revised Code shall be filed with the volunteer firefighters' dependents fund board located in the political subdivision or fire district in which the volunteer firefighter was a member of a fire department or company. Thereafter, claims may be transferred at the request of the claimant or the board to a board near the current residence of the claimant, provided that the transfer is mutually agreed upon by the boards concerned.

R.C. §146.16: Certifying claims for payment.

A volunteer firefighters' dependents fund board shall meet within five days after the receipt of a claim to consider the claim and, if satisfied with the validity of the claim, shall make a determination of the amount due and to become due and shall certify its determination to the state fire marshal for payment. The certificate shall show the name and address of the board, the name and address of each beneficiary, the amount to be received by or on behalf of each beneficiary, and the name and address of the person to whom the payments shall be made. The board may make a continuing order for monthly payments to become due to a claimant for a period not exceeding three months from the date of the determination. The determination may be modified after issuance to reflect any changes in eligibility of the claimant. If no changes occur at the end of the three-month period, it is sufficient authority for the state fire marshal to provide

for payment if the board certifies to him that the original certificate is continued for an additional three-month period.

R.C. §146.17: Denying claims.

If a volunteer firefighters' dependents fund board, after consideration of a claim, finds that the claimant has no right to benefits or that the claim is without merit, it shall deny the claim and issue notice of such action by delivering to the claimant a copy of the order, or by leaving a copy at the claimant's place of residence, or by mailing to the claimant a copy thereof by registered mail.

R.C. §146.18: Assuming obligations of firefighters' indemnity boards.

The volunteer firefighters' dependents fund boards established under sections 146.01 to 146.19 of the Revised Code, shall assume all obligations, claims, and outstanding liabilities of all firefighters' indemnity boards existing on November 1, 1957 and all benefits due claimants after that date shall be paid in accordance with sections 146.01 to 146.19 of the Revised Code. All firefighters' indemnity boards are hereby disbanded, and their funds transferred to the general fund of the political subdivision or fire district.

R.C. §146.19: List of fire departments.

The state fire marshal shall supply the public employees retirement board with a complete list of fire departments in the state which are supported wholly or in part at public expense, together with their addresses, and shall currently report additions to or deletions from such list.