

4765-11-08

Reinstatement of a revoked fire charter or classification.

[Comment: For dates and availability of material incorporated by reference in this rule, see paragraph (CC) in rule 4765-11-01 of the Administrative Code.]

(A) In accordance with the parameters set forth in this rule, the executive director may reinstate a charter or classification that has previously been revoked, if the applicant's charter or classification has been revoked for at least one year, but no more than three years from the date the executive director's revocation order was journalized.

(B) In order to be eligible for reinstatement, the applicant shall:

(1) Submit a completed "Fire Charter Application" to the division;

(2) Have previously held a charter or classification at the level of reinstatement sought;

(3) Meet all requirements for the issuance of a charter as set forth in rule 4765-11-03 of the Administrative Code;

(4) Meet all requirements for the provision of a classification as set forth in rule 4765-11-02 of the Administrative Code.

(C) In addition to meeting the requirements for a charter or classification as set forth in this chapter, the executive director may take into consideration other relevant factors when determining whether to grant a request for reinstatement. These factors include, but are not limited to the following:

(1) The nature and severity of the acts that resulted in the revocation of the applicant's charter or classification;

(2) The time that has elapsed since the revocation;

(3) Evidence of additional violations occurring after the revocation;

(4) Compliance with previous executive director orders or consent agreements.

(D) The executive director shall not reinstate a charter or classification if any of the following apply:

(1) The applicant's charter or classification was permanently revoked by the executive director;

(2) The applicant's charter or classification has not been revoked for at least one year from the date the executive director's revocation order was journalized.

(3) The applicant's charter or classification has been revoked for more than three

years. Such applicant shall apply for a new charter or classification in accordance with rules 4765-11-02 and 4765-11-03 of the Administrative Code.

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Certification

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