

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2011**

No. 38

Introduced by Council Members Vallone, Williams, Oddo, Crowley, Arroyo, Brewer, Cabrera, Dromm, Fidler, Gentile, Jackson, James, Koppell, Koslowitz, Lander, Mealy, Mendez, Nelson, Palma, Recchia, Rodriguez, Vacca, Vann, Lappin, Garodnick, Van Bramer, Weprin, Eugene, Dilan, Gonzalez, Chin, Greenfield, Mark-Viverito, Reyna, Rose, Wills, Halloran, Koo and Ulrich. Passed under a Message of Necessity from the Mayor.

A LOCAL LAW

In relation to increasing the maximum age for qualifying for membership in the fire department for certain persons.

Be it enacted by the Council as follows:

Section 1. Notwithstanding any inconsistent provision of section 15-103 of the administrative code of the city of New York, no person shall be disqualified from membership in the fire department on the basis of exceeding the otherwise applicable maximum age requirement for the first open competitive examination for firefighter, or the first promotion examination for firefighter in the case of persons eligible to take such examination, given after the effective date of this local law if he or she has not passed his or her thirty-sixth birthday on the date of filing his or her application for the first open competitive examination for firefighter, or the first promotion examination for firefighter in the case of persons eligible to take such examination, given after the effective date of this local law and he or she either (i) could not be appointed from an eligible list for the position of firefighter, including but not limited to a special military eligible list, established before the effective date of this local law because such list could not be used in whole or in part by the fire department due to litigation or (ii) took a civil service examination for the position of

firefighter in the five years preceding the effective date of this local law. No person who qualifies under this local law shall be disqualified from membership in the department on the basis of exceeding such maximum age requirement because of having passed his or her thirty-sixth birthday subsequent to the filing of his or her application.

§ 2. This local law shall take effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council onMay 26, 2011..... and approved by the Mayor onJune 7, 2011.....

MICHAEL M. McSWEENEY, City Clerk Clerk of the Council.

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE §27

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed Local Law (Local Law 38 of 2011, Council Int. No. 450-A) contains the correct text and was passed by the New York City Council on May 26, 2011 approved by the Mayor on June 7, 2011 and returned to the City Clerk on June 7, 2011.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.