

4.

APPROVAL, BONDS PLEASANT TOWNSHIP RURAL SCHOOL DISTRICT,
MARION COUNTY, \$70,000.00.

COLUMBUS, OHIO, January 15, 1927.

Retirement Board, State Teachers' Retirement System, Columbus, Ohio.

5.

VOLUNTEER FIREMAN—PROPERLY EMPLOYED—MEMBER OF FIRE
DEPARTMENT AS CONTEMPLATED BY SECTIONS 4647-1 TO 4647-9,
G. C.

SYLLABUS:

One properly employed as a volunteer fireman is a member of a fire department in contemplation of Sections 4647-1 to 4647-9, inclusive, of the General Code.

COLUMBUS, OHIO, January 15, 1927.

HON. LOUIS F. MILLER, *State Fire Marshal, Columbus, Ohio.*

DEAR SIR:—I am in receipt of your letter of January 10, 1927, as follows:

"I would appreciate an opinion from your department as to whether or not Section 4647-1 to 4647-9 of the General Code of Ohio, applies to volunteer fire departments, in which the members of the department are paid only a nominal sum for fighting fires, usually a dollar an hour."

Section 4647-1 of the General Code, provides:

"That in all municipalities having no firemen's pension fund created under the provisions of chapter I, title 12, division 6 of the General Code of Ohio, and having and maintaining therein a fire department supported in whole or in part at public expense, a firemen's indemnity fund shall be created and disbursed as herein provided."

Sections 4647-1 to 4647-9 of the General Code providing for the creation of a "firemen's indemnity fund" does not distinguish between volunteer and regularly employed firemen. This indemnity fund is for the protection of firemen. Webster defines fireman as "a man whose business is to extinguish fires—a member of a fire company."

Section 4390 of the General Code, provides:

"Council may provide for the employment of such firemen as it deems best and fix their compensation, or for the services of volunteer firemen.
* * *"

This section authorizes the council of a village to provide for the employment of volunteer firemen.