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## Article I: In General

### Sec. 3-101 Exercise of Governmental Authority

The corporate governmental powers of the city shall be exercised by the Mayor and Council in the manner provided by charter and by the provisions of this chapter.

### Sec. 3-102 Code of Ethics

1. Prohibited Conduct Public officials and employees of the city shall treat all citizens with courtesy, impartiality, fairness, and equality under the law, and shall avoid both actual and potential conflicts between their private self-interest and the public interest. Prohibited conduct of each such official and employee shall include, but not be limited to, the following:
  - a. Granting or making available to any person any special consideration, treatment, advantage, or favor beyond that which it is the general practice to grant or make available to the public at large;
  - b. Requesting, using, or permitting the use of any publicly-owned or publicly-supported property, vehicle, equipment, labor, or service for the personal convenience or the private advantage of himself or any other person, except as otherwise allowed by law;
  - c. Participating in the deliberation of or voting on any matter involving his financial or personal interest;
  - d. Engaging in private employment with, or rendering services for, any private person who has business transactions with the city, unless he has made full public disclosure of the nature and extent of such employment or services;
  - e. Appearing on behalf of any private person, other than himself, before any public body in the city;
  - f. Accepting any gift, whether in the form of money, thing, favor, loan, or promise; that would not be offered or given to him if he were not an official or employee;
  - g. Disclosing any confidential information concerning any official or employee, or any other person, or any property or governmental affairs of the city, without prior formal authorization of the governing body;
  - h. Using or permitting the use of confidential information to advance the financial or personal interest of himself or any other person; or
  - i. Appointing or voting for the appointment of any person related to him by blood or marriage to fill an office, position, employment, or duty, when the salary, wages, pay, or compensation is to be paid out of public funds.
2. Hearings and Determinations Upon sworn complaint of any person alleging facts which if true would constitute a violation of this section, the City Administrator shall conduct an investigation of the matter and take

Sec. 3-102 Code of Ethics (Continued)

appropriate action. A report of the findings and actions shall be forwarded to the Mayor and Council Members and the complainant. At the request of the Mayor or by majority vote of council, a public hearing, conducted by council shall be held and the accused shall be given an opportunity to be heard, either personally or through counsel. At the conclusion of said hearing, the council shall, in written findings of fact and conclusions based thereon, make a determination concerning the propriety of the conduct of the official or employee in question.

Sec. 3-103 Administrative Policy and Procedures

1. Officers Each officer shall perform all duties required of his office by state law, the charter, and this code and such other duties not in conflict therewith as may be required by the mayor.
2. Department Heads All department heads shall:
  - a. Be immediately responsible to the City Administrator for the effective administration of their respective department and all activities assigned thereto;
  - b. Keep informed as to the latest practices in their particular field and inaugurate, with the approval of the City Administrator, such new practices as appear to be of benefit to the service and to the public;
  - c. Submit quarterly and annual reports of the activities of their respective department to the City Administrator as requested;
  - d. Establish and maintain a system of filing and indexing records and reports in sufficient detail to furnish all information necessary for proper control of departmental activities and to form a basis for the periodic reports to the City Administrator;
  - e. Have power to appoint and remove, subject to personnel regulations, all subordinates under him; and
  - f. Be responsible for the proper maintenance of all city property and equipment used in their respective departments.
3. Departments Each department shall cooperate with every other department and shall furnish, upon the direction of the City Administrator, any other department such service, labor, and materials as its own facilities permit and as may be requisitioned by the head of each department.
4. Records All municipal records, except those which by order of a state court or by law are prohibited from being open to public inspection, shall be open for personal inspection by the public during the hours of operation of the respective administrative body.

Sec. 3-103 Administrative Policy and Procedures (Continued)

5. Operation of Administrative Service All units in the Administrative Service shall:

- a. Office Hours Be open between the hours of 8:00 a.m. and 5:00 p.m. on weekdays and shall be closed on Saturday, Sunday, and legal holidays.
- b. Make Daily Deposit Make a daily deposit with the City Treasurer of any monies received directly from the public.
- c. Payment of Monies Pay out monies belonging to the city only in the manner prescribed herein.

Sec. 3-104 Oath

All officers and employees required by charter or some other provision of law to take an oath shall, before entering upon the discharge of their respective duties, take and subscribe to the following oath before an officer authorized by law to administer oaths:

I, \_\_\_\_\_, do solemnly swear or affirm that I will support the Constitution of the United States, the Constitution of the State of Georgia, the Charter and Ordinances of the City of Woodbine; and that I will, to the best of my ability, faithfully perform the duties of the office of \_\_\_\_\_ during my continuance therein, so help me God.

Sec. 3-105 Bonds

Except as otherwise provided by law, the Mayor and Council may require any department head, city official, or employee, before entering upon the discharge of his duties to give good and sufficient bond in any reasonable amount decided by the Mayor and Council. Said bond shall be payable to the City of Woodbine for the faithful performance of said duties and to secure against corruption, malfeasance, misappropriations, or unlawful expenditures in office. Said surety bonds shall be obtained from a surety company licensed to do business in the State of Georgia and approved by the Mayor and Council. The premiums thereon shall be paid the city.

Sec. 3-106 Compensation

Each officer and employee of the city shall receive such compensation as may be provided, from time to time by resolution.

## **Article II: The Mayor and City Council Generally**

### **Sec. 3-201 Election**

The Mayor and Council shall be elected as provided in Georgia laws 1953, Page 2903, et seq., entitled “Woodbine Charter”, in Section 7 of said Charter, Page 2910, Georgia Laws 1953, and as provided in the “Georgia Municipal Election Code” (O.G.C.A. 21-3-1 et seq.).

### **Sec 3-202 Qualifications for Office**

Any person whose principal place of residence is within the corporate limits of the city and at least 18 years of age at the time of election shall be eligible for the office of Mayor or Councilman. Should the Mayor or any Councilman cease to maintain his principal place of residence within the city during his term of office, his office shall thereby become vacant.

### **Sec. 3-203 Vacancies**

In the event that the office of Mayor, or any one or more of the Councilmen shall become vacant by death, resignation, removal or otherwise, said vacancy or vacancies may be filled by selection and appointment by the Mayor and Councilmen. In the case of vacancies in the council, and by the Councilmen in the case of a vacancy in the office of Mayor; persons selected by the aforementioned procedure shall fill such vacancies for the unexpired terms. Should the Mayor or any member of the Council fail or refuse to perform the duties of his office may for a period of three consecutive months, or should any officer-elect refuse to qualify; the office may, in the discretion of the remaining members of the Council, be declared vacant and the vacancy filled as above provided.

### **Sec. 3-204 Meetings**

The city council shall hold regular meetings on the 1<sup>st</sup> Monday of the month at 7:00 p.m., unless otherwise ordered by the Council; provided, that the Mayor may convene the Council whenever in his option the public business requires it, and he shall do so upon the application of three members of the City Council. All meetings at which official actions are to be taken shall be open to the public.

1. Duty to attend It shall be the duty of each member of the City Council to attend each meeting of the City council, unless he is prevented by some unavoidable circumstance.

### **Sec. 3-205 Standing Committees**

The following shall be the standing committees of the City Council:

Sec. 3-206 Rules for the Conduct of Business

Except as otherwise provided in this section, Roberts' Rules of Order shall govern the conduct of council meetings.

1. Call to Order All meetings of the council shall be open to the public, except as otherwise permitted by the "Government in the Sunshine" law, Chapter 14, Title 50, of the Official Code of the State of Georgia. The Mayor, or in his absence, the Mayor Pro Tempore, shall take the chair at the hour appointed for any regular, temporarily adjourned, special, or called meeting; and shall immediately call the council to order.
2. Roll Call Before proceeding with the business of the council, the City Clerk or his Deputy shall check the roll of the members, and the names of those present shall be entered in the minutes.
3. Quorum The Mayor and two Councilmen shall constitute a quorum at any regular or special meeting of the council and an affirmative vote by the forenamed officers, excluding the Mayor or presiding Mayor Pro Tem except in instances where the vote of the presiding officer is necessary to break a tie, shall be sufficient to permit the conduct of all business except that for which a larger vote has been mandated by the Code.
4. Order of Business The business of the council shall be taken up for consideration and disposition in the following order:
  - a. Call to order by the presiding officer.
  - b. Roll call.
  - c. Approval of minutes of previous meeting.
  - d. Petitions and communications.
  - e. Reports of standing committees.
  - f. Reports of special committees.
  - g. Unfinished business.
  - h. New business.
  - i. Adjournment.
5. Reading of Minutes Unless a reading of the minutes of a council meeting is requested by a Council Member, such minutes may be approved without a reading if the City Clerk has previously furnished each member with a copy thereof.
6. Reports by Committees Any business coming before the City Council concerning the subject matter of which any standing or special committee has jurisdiction, may be referred to the proper committee for investigation and report. It shall be the duty of each standing or special committee, whenever required by the Mayor or by the City Council, or any member of the City Council, to examine any matter referred to such committee, and make a report

Sec. 3-206 Rules for the Conduct of Business (Continued)

thereof at the next regular meeting of the City Council, or show good cause why no report is made. Such reports shall not be in writing unless so directed by the presiding officer.

Each standing committee shall inquire into the condition the matters within its jurisdiction, and make such reports and recommendations from time to time as may be necessary.

7. Manner of Addressing Council No member, while the City Council is in session, shall speak on any subject unless recognized by the presiding officer. Every speaker shall address the chair, and no member shall interrupt anyone who is speaking, except to call him to order or for explanation.
8. Limitations on Addressing Council Any person not a member of City Council who desires to address the council shall first secure the permission of the presiding officer and then shall give his name and address in an audible tone of voice for the record; directing his remarks to the council as a body rather than to any particular member, limiting such remarks to five minutes unless additional time is granted by council. This section does not apply to department heads that are at the meeting to answer questions or make statements concerning any matter.
9. Ordinances, Resolutions, Contracts and Inter-Local Agreements Unless otherwise provided in this code, all ordinances, resolutions, contracts and inter-local agreements of the city shall be approved, introduced, and adopted in the following manner:
  - a. Administrative Staff Approval All ordinances, resolutions, and contract documents shall, before presentation to the council, have been approved as to form and legality by the City Attorney or his authorized representative, and shall have been examined and approved for administration by the Mayor or his authorized representative where there are substantive matters of administration involved. All such instruments shall have first been referred to the head of the department under whose jurisdiction the administration of the subject matter of the ordinance, resolution, or contract document would devolve and be approved by said department head; provided, however, that if approval is not given, then the same shall be returned to the Mayor with a written memorandum of the reasons why such approval is withheld. In the event the questioned instrument is not redrafted to meet a department head objection, or objection is not withdrawn and approval in writing given, then the Mayor shall so advise the council and give the reasons advanced by the department head for withholding approval.

b. Introduction and Adoption

- (1) Ordinances, resolutions, and other matters or subjects requiring action by the council must be introduced and sponsored by a member of the council except that the Mayor or City Attorney may present ordinances, resolutions, and matters or subjects to the council, and any Councilman may assume sponsorship thereof by moving that such ordinances, resolutions, matters, or subjects be adopted.
- (2) No ordinance shall relate to more than one subject, which shall be clearly expressed in its title, and nor ordinance, or section thereof, shall be amended or replaced unless the new ordinance contains the title of the ordinance or section amended or repealed, and when practicable all ordinances shall be introduced as amendments to this Code.
- (3) An ordinance, resolution, or contract shall be deemed adopted or approved when it received the affirmative vote of a majority of the members present unless the Mayor vetoes the same in which case it shall not become law unless subsequently passed over his veto by a vote of a least three Councilmen.

c. Effective Date No ordinance shall take effect until five days after the date of its passage, except that an ordinance passed by a majority of the council members present, designated therein as a public health, public safety, public property, or the public peace, may be made effective upon adoption.

10. Recording Vote Whenever any member shall request it, the yeas and nays of the members present shall be recorded on the minutes on any question taken.
11. Questions of Order The presiding officer shall decide all questions of order, but any councilman who is dissatisfied with the decision may appeal to the city council in the manner provided by Roberts' Rules of Order for appealing from decisions of presiding officers.
12. Elections All elections by the City Council may be by ballot, and a majority vote of the council members present shall be necessary for a valid election.
13. Executive Session The City Council may, at any time, upon call therefor by the presiding officer or upon motion duly carried by a council member, meet in executive session. Attendance at such session shall be limited to the Mayor and members of council and such invitees as shall be invited with the majority consent of the Mayor and council members present.

Sec. 3-207 Legislative Authority Generally

The City Council shall exercise the legislative functions of the city, and may pass any ordinance or resolution that it deems best for the government of the city in the manner set forth in this chapter; provided, that the same is not in conflict with the charter of the city, the Constitution or laws or the United States.

**Article III: The Mayor**

Sec. 3-301 General Authority

The Mayor shall be the chief executive and administrative officer of the city government, shall enforce the laws of the city and shall require the faithful performance of all administrative duties.

Sec. 3-302 Duties

The Mayor shall have the following duties:

1. Presiding at Meetings To preside at all meetings of the City Council, but the Mayor shall not be allowed to vote at such meetings except in the case of a tie vote by the council on any question;
2. Appointment of Standing Committees To appoint at the first meeting each year, or as soon thereafter as expedient, standing committees for that year; but the Mayor may at any time alter the committees and make such changes as the interest of the city may require;
3. Executing Legal Documents To sign and execute all contracts, deeds, and bonds of the city duly authorized by the Mayor and Council.

Sec. 3-303 Powers

The Mayor shall have the following powers:

1. Rulemaking To prescribe such rules and regulations as may be deemed necessary or expedient for the conduct of administrative agencies subject to this authority, and to revoke, suspend or amend any rule or regulation of the administrative service by whomever prescribed;
2. Investigation To investigate and to examine or inquire into, either by himself or by any officer or person designated for the purpose by him, the affairs or operation of any department, including the power to employ consultants and professional counsel when so authorized by the council to aid in such investigations, examinations, or inquiries;

Sec. 3-303 Powers (Continued)

3. Overriding To set aside any action taken by the City Administrator or Department Head and to take administrative action allowed by law as he deems necessary, provided that written notice with reasons of any action overriding a Department Head or City Administrator be provided City Council within three (3) working days of said action, and further provided that the City Council may rescind said overriding order by a majority vote. (amended April 5, 1982).
4. Delegation To direct any department to perform the work of any other department, and to authorize any department head or officer responsible to him to appoint and remove subordinates serving under such person.

Sec. 3-304 Mayor Pro Tempore

The Mayor and Councilmen at their first regular meeting shall elect one of the Councilmen as Mayor Pro Tem. who shall in the case of absence or disqualification of the Mayor, perform and discharge all duties, and exercises all of the authority of the office of Mayor upon taking the usual oath.

Sec. 3-401 Election

The City Council shall at its first regular meeting after election and qualifications elect a City Clerk/Treasurer.

Sec. 3-402 Term of Office

The City Clerk/Treasurer shall hold his office for one year subject to removal for cause, and until his successor is elected and qualified.

Sec. 3-403 Bond

Before entering upon the duties of his office, the City Clerk/Treasurer shall give a good and sufficient bond, payable to the City Council, such bond to be fixed and approved by the City Council.

Sec. 3-404 Duties of City Clerk

The City Clerk/Treasurer may have the following duties in his capacity as City Clerk said duties to be subject to the direction and approval of the City Administrator:

1. To exercise such duties as are set forth in the city charter;

Sec. 3-404 Duties of City Clerk (Continued)

2. To attend all meetings of the City Council;
3. To keep correct and full minutes of the proceedings of City Council together with all ordinances and resolutions passed by it, in a properly indexed book or register kept for that purpose;
4. To receive all applications or petitions made to the city and to place them before the Mayor and City Council at the meeting of council next succeeding the receipt thereof;
5. To issue all licenses, and keep a record thereof, and all badges and permits authorized by the council;
6. To attend all sessions of the Recorder's Court;
7. To keep an execution docket, in which he shall enter the names of all person tried and fined by the Recorder's Court, the nature of the offense, date of trial, amount of fine, and return of the police officer thereon;
8. To issue all summonses, processes, and subpoenas to witness that may be necessary in the enforcement of this Code or other rules, regulations, and ordinances of the City Council;
9. To be the custodian of the city seal and affix its impression on documents whenever required; and
10. To carefully preserve the records and documents belonging to the city which are not assigned to the custody of some other office, and to maintain a proper index to all such records and documents so that ready access thereto and use thereof may be secured by the public.

Sec. 3-405 Duties of City Treasurer

The City Clerk/Treasurer may have the following duties in his capacity as City Treasurer, said duties to be subject to the direction and approval of the City Administrator:

1. To receive all money due to the City Council, including taxes.
2. To keep a book of accounts showing all money received on behalf of the city and the source and disposition thereof, which book shall be open for inspection by the public and City Councilmen.

## **Article V: The City Administrator**

### Sec. 3-501     Qualifications and Appointment

The City Administrator shall be appointed by and serve at the pleasure of the City Council. Such person shall be selected solely on the basis of his executive and administrative qualifications. The City Administrator need not be a resident of the city or the state at the time of his appointment. The City Administrator shall be the head of city government acting as the direct agent of the Mayor.

### Sec. 3-502     Bond and Oath

Before entering upon the duties of his office the City Administrator shall take an oath or affirmation for the faithful performance of his duties and shall execute a bond payable to the city in the sum of \$10,000 for the faithful accounting of premium on such bond shall be paid by the city.

### Sec. 3-503     Powers and Duties

The City Administrator shall have the following powers and duties:

1. To advise the Mayor and Council of the necessary administrative processes to ensure that the policies and ordinances of the council are fully carried out, and to supervise and direct the City Clerk in the performance of his duties.
2. To see that the laws of the State pertaining to the city are duly enforced.
3. To be the Chief Personnel Officer:
  - a. Develop administrative procedures for the effective recruitment, selection and promotion of city employees based on merit;
  - b. Administer a pay and classification system adopted by the City Council;
  - c. Recommend equitable personnel policies to the City Council;
  - d. Directly supervise each department head and provide scheduled evaluations of departmental personnel.

Sec. 3-503 Powers and Duties (Continued)

4. To be the Chief Budget and Finance Officer:
  - a. Submit annual estimates of total city operating expenditures and revenues to the city council in the form of Preliminary Budget prior to the beginning of each fiscal year;
  - b. Keep current accounts showing at all times the fiscal condition of the city.
  - c. Keep the Mayor and City Council fully advised as to the financial condition and needs of the city.
  - d. Countersign all orders, drafts, and checks authorized by the City Council, subsequent to said orders drafts and checks being drawn by the City Clerk and countersigned by the Mayor, or Mayor Pro Tem, and any one Councilman, after the Mayor and Councilman have allowed the same by proper resolution entered on minutes.
  - e. Oversee the collection of all taxes, assessments, rentals, license fees and other charges due the city, and supervise the City Clerk in the performance of his charter-created duties as Ex Officio Tax Collector and Treasurer and further, to serve as Clerk Pro Tempore in the performance of the duties as Tax Collector and Treasurer in the absence of the Clerk.
  - f. Make prudent investments of idle city funds.
5. To act as the purchasing agent for the purchase of supplies, materials and equipment for the city and see that the same are received as contracted for, provided that if a purchase in excess of \$500.00 is involved, prior approval of City Council shall be necessary and opportunity for competitive bids shall be given after reasonable advertisement. The salary of the City Administrator shall be as the City Council shall from time to time determine.
6. To act as the information officer:
  - a. Adjust all complaints filed against any employee, department, division or policy of the city;
  - b. Cooperate with all community organizations to encourage citizen participation and city pride; and
  - c. Provide information about city policy and practices to all citizens.

Sec. 3-503 Powers and Duties (Continued)

7. To attend all meetings of the City Council and its subcommittees, unless excused by the City Council, and to be responsible for the maintenance of good and sufficient minutes of all meetings of the City Council and its subcommittees.
8. To recommend to the City Council for adoption such measures as deemed necessary and expedient.
9. To be an Ex-Officer Member of all boards and commissions appointed by the Mayor and City Council with the right to participate in all deliberations or actions, but without having voting right.
10. To sign on behalf of the city any contract authorized by the City Council after thorough examination.
11. To see that contract agreement terms are fulfilled.
12. To ensure the maintenance of an up-to-date inventory of real and personal property of the city and its location.
13. To ensure the development of and to offer recommendations for the city's comprehensive plan, short and long range city improvements and funding sources for implementation.
14. To carry out such other duties and functions as prescribed by the Mayor or City Council through adoption of ordinances, resolutions, and policies.
15. In the event that the City Administrator and the City Clerk is not one and the same person, it shall be the duty of the City Administrator, and the City Administrator shall be empowered, to supervise the City Clerk in the performance of the Clerk's duties as Ex-Officio Tax Collector and Treasurer.
16. Limitations of Powers and Duties: The City Administrator shall have no power to exercise any policy making or legislative functions whatever, nor to commit or bind the mayor or city council or any member thereof to any action, plan, or program requiring official action by the and/or City Council.

Sec. 3-504 Removal

The City Administrator shall serve at the pleasure of the City Council and may be removed from office at any time by a vote of the majority of the members of City Council.

## Article VI: Officers

### Sec. 3-601 The City Attorney

1. Appointment and Qualifications The city attorney shall be appointed by the City Council, and shall serve until a successor is appointed and has qualified. No person shall be so appointed unless he is a member in good standing of the State Bar of Georgia and has been actively engaged in the practice of law for at least three years preceding his appointment.
2. Oath Before entering upon the duties of his office, the City Attorney shall take the oath prescribed by this Code for City Officers.
3. Powers and Duties The City Attorney shall be the legal advisor and representative of the city and in such capacity shall:
  - a. Advise the council or its committees or any city officer, when thereto requested, upon all legal questions arising out of the conduct of city business;
  - b. Give his opinion upon any legal matter or question submitted to him by the council, or any of its committees, or by any city officer;
  - c. Attend all council meetings in their entirety for the purpose of giving the council any legal advice requested by its members;
  - d. Prepare for execution all contracts and instruments to which the city is a party and approve, as to form, all bonds required to be submitted to the city;
  - e. Prepare, when authorized by the council, all charges and complaints against the accused, and appear in the recorder's court as requested by the Mayor or Council in the prosecution of persons charged with a violation of this Code or of a city ordinance or of any regulations adopted under authority of the charter, and see to the full enforcement of all judgments or decrees rendered or entered in favor of the city;
  - f. Defend any and all suits and actions at law or equity brought against the city, unless otherwise directed by City Council;
  - g. Make immediate report to the Mayor and Council of the outcome of any litigation in which the city has an interest;
  - h. Make an annual report to the Mayor and Council of all pending litigation in which the city has an interest and the status thereof;

Sec. 3-601 The City Attorney (Continued)

- i. Have the power, with approval of the Mayor, to adjust, settle, compromise, or submit to arbitration, any action, causes of action, accounts, debts, claims, demands, disputes, and matters in favor of or against the city or in which the city is concerned as debtor or creditor, now existing or which may hereafter arise not involving or requiring payment to exceed \$500.00;
  - j. Keep complete and accurate records of the following, which records shall forever remain the property of the city:
    1. All suits in which the city had or has an interest, giving the names of the parts, the nature of the action, the disposition of the case or its status, if pending, and the briefs of counsel; and
    2. All written opinions prepared by the City Attorney and all certificates or abstracts of titles furnished by him to the city, or any department or official thereof; and
  - k. Render such other legal services as may be required by the Mayor or Council.
4. Compensation The City Attorney shall submit to the council a monthly bill for his services, itemizing the type of work performed for the city and the number of hours engaged in each type of work during the month.

Sec. 3-602 The City Engineer

1. Appointment The City Engineer shall be appointed by the City Administrator with the advice and consent of the City Council, and shall serve until a successor is appointed and has qualified.
2. Oath Before entering upon the duties of his office, the City Engineer shall take the oath prescribed by this code for city officers.
3. Duties The City Engineer shall advise the council and city officials on all engineering matters referred to him and shall, from time to time as required by the Mayor or Council, make reports regarding public improvement, repairs of streets, bridges, and sidewalks, and prepare such other reports as the Mayor or Council may request. He shall keep accurate maps, plats, and records of all public works, lands, or property owned by the City, and performs such other duties as may be imposed upon him from time to time by the Mayor or Council.
4. Compensation The City Engineer shall submit to the council a monthly bill for his services, itemizing the type of work performed for the city and the

Sec. 3-602 The City Engineer (Continued)

number of hours engaged in each type of work during the month.

**Article VII: Departments**

Sec. 3-701 Departmental Organization

The administrative service of the city shall be divided into the following departments and heads thereof:

Department of Finance.....Director of Finance  
Department of Public Works...Director of Public Works  
Department of Personnel.....Personnel Director  
Police Department.....Police Chief  
Fire Department.....Fire Chief  
Department of Housing.....City Building Inspector and Building Inspection

Sec. 3-702 Department of Finance

1. Composition The Department of Finance shall consist of the Director of Finance and such other officers and employees as may be provided by the Mayor and Council.
2. Appointment of Director The Director of Finance shall be appointed by the City Administrator with the advice and consent of City Council, and shall exercise general supervision over all officers of the city regarding the proper management of the fiscal concerns of their respective offices.
3. Duties of Director The Director of Finance shall have the following duties:
  - a. To prepare and keep all financial records of the city;
  - b. To make all purchases of materials, supplies, or equipment for the city which are authorized by the council, in the manner provided by law and subject to the limitations imposed by law;
  - c. To keep a current account of the amount appropriated each year and the sums spent out of each appropriation showing the unexpended balance for each item;
  - d. To keep in proper books a full and accurate account of all the monies received and disbursed by him on behalf of the city, specifying the date of receipt and disbursement, from whom received and to whom disbursed,

Sec. 3-702 Department of Finance (Continued)

and on what account received and disbursed, and how paid;

- e. To prepare and keep for the City Treasurer all bond registers and other records required by law to be kept by the Treasurer, and to prepare for signature and publication the annual Treasurer's report and other report required by law;
- f. To receive and have custody of all monies paid to the city and to disburse city monies as provided by law;
- g. To receive and collect all license fees, permit fees, charges for the use of city property or special services rendered by the city, sums due the city on any contract, and all other sums due the city other than those which are by law paid directly to another municipal officer; and
- h. To perform any and all such additional duties as may be assigned to him from time to time by the City Administrator.

Sec. 3-703 Department of Public Works

1. Composition The Department of Public Works shall consist of the director of public works, who shall be the head of the department, and all officers and employees assigned thereto by the City Administrator.
2. Appointment of Director The Director of Public Works shall be appointed by the City Administrator with the advice and consent of the City Council, and shall have control and supervision over all officers and employees assigned to the department, subject to the control of the City Administrator.
3. Duties of Director The Director of Public Works shall have the following duties:
  - a. To have charge of and be responsible for the water distribution system, the sanitary sewer system and disposal plant, and the street lighting system;
  - b. To have charge of and supervision over all public property of the city, including all parks, parkways, playgrounds, municipal cemeteries, buildings, and utilities; not assigned to some other department or officer;
  - c. To have charge of and be responsible for the condition of all motor vehicles and other equipment of the City Water/Sewer Department, and of all buildings or places in which the same are housed or kept; and

Sec. 3-703 Department of Public Works (Continued)

- d. To perform such additional duties as may be assigned to him from time to time by the City Administrator.

Sec. 3-704 Personnel Policy (Reserved for future use.)

Sec. 3-705 Police Department

1. Composition The Police Department shall consist of the Chief of Police and such other officers and personnel as the chief of police shall prescribe, provided said officers and personnel are approved by the city administrator and budgeted by the City Council.
2. Rank Following the Police Chief in rank shall be the Captain, the Lieutenants, and the Policemen, in order of seniority within each group.
3. Police Chief
  - a. Appointment and Powers The Police Chief shall be appointed by the City Council, and shall be the Chief Executive Officer of the Police Department, subject always to the orders and regulations of the Mayor and Council. In the exercise of his duties, the Police Chief shall have
  - b. Bond and Oath Prior to entering upon the discharge of his duties, the Police Chief of the city shall execute a bond in the amount of \$5,000 and shall take and subscribe to the oath prescribed by this Code.
  - c. Duties The Police Chief shall have the following duties:
    - (1) To attend all trials before the Recorder's Court;
    - (2) To see to the proper service of all summonses, subpoenas, citations, executions, attachments, and rules of the city council;
    - (3) To see to the collection of all fines and costs imposed by the Recorder's Court;
    - (4) To see that the ordinances, rules and regulations of the city and all statutes applicable therein are faithfully enforced;
    - (5) To preserve the public peace, prevent infractions of the law, and arrest violators thereof;
    - (6) To protect the rights of persons and property;

Sec. 3-705 Police Department (Continued)

- (7) To oversee the conduct of the officers and men of the police force, and to be held strictly responsible for such conduct and for the general good order of the department;
  - (8) To keep adequate records of all personnel and equipment of the department including a log of all questions, activities, and investigations. Criminal investigation files shall be under the sole authority of the chief of police and released only to persons as authorized by the chief of police.
  - (9) To submit a monthly report to the city council outlining the number and type of arrests for state offenses, the number and type of cases involving violations of municipal ordinances, and the number of arrests made and cases reported by each police officer;
  - (10) To submit monthly to the Georgia Department of Public Safety the "Uniform Crime Report" prescribed by state law.
  - (11) To discharge such other duties as may be required of him by the City Council.
- d. Resignation, Removal, Death, or Disability In the event of resignation, removal, death, or disability of the police chief, the officer next in rank shall perform the duties of the chief until removal of such disability or until a successor has been duly appointed.

4. Police Officers

- a. Qualifications Any person employed by the city as a police officer shall have the following qualifications:
  - (1) Be at least 18 years of age;
  - (2) Be a citizen of the United States;
  - (3) Have a high school diploma or its recognized equivalent;
  - (4) Not have been convicted, by any state or by the federal government, of any crime, the punishment for which could have been imprisonment in a federal or state prison or institution; nor shall he have been convicted of sufficient misdemeanors to establish a pattern of disregard for the law;

Sec. 3-705 Police Department (Continued)

Be fingerprinted and a search made of local, state, and national fingerprint files to disclose any criminal record;

(5) Possess good moral character as determined by investigation under procedure established by the Georgia Peace Officers Standards and Training Council;

(6) Have an oral interview with the Chief of Police to determine such things as applicant's appearance, background, and ability to communicate;

(7) Be found, after examination by a licensed physician or surgeon, to be free from any physical, emotional, or mental conditions which might adversely affect his exercising the powers of duties of a police officer; and

(8) Be accepted to and complete satisfactorily at least a basic course of \_\_\_\_\_ hours of instruction within 12 months of the date of his appointment as a police officer, except that an extension may be granted by the Georgia Peace Officers Standards and Training Council on account of illness, injury, military service, or other reasons deemed sufficient by said council.

b. Bond and Oath Prior to entering upon the duties of their respective offices, all officers of the Police Department shall execute a bond in the amount of five thousand dollars (\$5,000.00) and shall take and subscribe to the oath prescribed by this code.

c. Duties It shall be the duty of the officers of the Police Department to acquire a full knowledge of and to enforce all of the ordinances of the city and all statutes applicable therein; to become familiar with the rules and regulations established by the Police Chief concerning the discipline, good order, proper conduct, care, and management for the Police Department; and to respect and obey all orders of the Police Chief not in conflict with the law or ordinances of the city. Police officers shall also be appointed Deputy City Marshals fulfilling all duties and having the same powers as the City Marshal.

d. Conduct Every member of the Police Department shall conduct himself or herself in a proper and law-abiding manner at all times and shall avoid the use of unnecessary force. Prohibited conduct shall include, but not be limited to, the following:

(1) Absence from regular hours of duty without permission;

Sec. 3-705 Police Department (Continued)

- (2) Sleeping on duty;
- (3) Insubordination or disobedience of orders;
- (4) Drinking any malt or intoxicating beverage while on duty or in uniform;
- (5) Willful maltreatment of any person or prisoner;
- (6) Using profane language;
- (7) Giving out or releasing any information covering the affairs, business or operation of the Police Department without the consent of the Police Chief;
- (8) Receiving or accepting a reward from any person, firm, or corporation for any services rendered in the line of duty;
- (9) Accepting bribes of money, gifts, or other articles of apparent or actual value, or accepting any fee, reward, or gift of any kind from a person arrested or from any friend on his behalf while he is in custody or
- (10) after his release or discharge; or

e. Penalties for Improper Conduct Any police officer violating the rules or regulations of the Police Department or of this code shall be reprimanded, fined, suspended, or dismissed by the Chief of Police. Any one or more of said penalties may be imposed in the discretion of the Chief of Police provided however, that the officer may appeal the decision as set forth in the personnel policy of this code.

5. Arms and Uniforms Each officer and member of the Police Department shall be furnished with such uniform, arms, and police equipment as provided for by the city council. Uniforms shall be kept clean and pressed and shall be worn on duty at all times, unless otherwise ordered by a superior officer. The equipment, arms, and uniforms furnished by the city shall be and always remains the property of the city and shall be, when a change is ordered or on retirement from office, returned to the city. The members of the department shall be liable on their bonds for any loss or careless destruction of or damage to their arms and uniforms.

Sec. 3-705 Police Department (Continued)

6. Arrests Police officers of the city may make arrests for violations of municipal ordinances and state laws when such violations are committed in their presence or when they have obtained a valid arrest warrant from the judge of the Recorder's Court or from some other proper authority. In exercising such power of arrest, all police officers shall see that all necessary warning are given to the accused as required by law.
7. Entering Private Dwelling No police officer shall enter a private dwelling without a search or arrest warrant unless he is in hot pursuit of a fugitive or has probable cause to believe has committed or attempted to commit a crime, the officer has received permission to enter from the occupant of the dwelling.
8. Disposition of Stolen or Impounded Property All personal property which comes into the custody of the Police Department, where said property has been stolen or impounded, shall be held for a period of 30 days in which it may be claimed by its owner. The owner of said property, upon proving ownership and paying all expenses and costs, including reasonable charges for storage, shall have the right to have such property returned to him.

If after the expiration of 30 days the property is unclaimed, the Chief of Police shall advertise the property for sale in the newspaper in which the city's legal advertisements are printed. Such advertising shall take place at least 14 days before the date set for the sale shall give a description of the property to be sold and specify the time and place of sale, it shall be sold as advertised and the proceeds shall be placed in the city treasury.

Sec. 3-706 Fire Department

1. Composition The Fire Department shall consist of a chief and such subordinate officers and firemen as may from time to time be provided for the Mayor and City Council.
2. Rank Following the Fire Chief in rank shall be the Assistant Chief, the Captain (s), the Lieutenants, and the firemen, in order of seniority in each group.
3. Fire Chief
  - a. Appointment The Fire Chief shall be appointed by the City Council, and shall be the Chief Executive Officer of the Fire Department, subject always to the orders and regulations of the Mayor and council.

Sec. 3-706 Fire Department (Continued)

- b. Bond and Oath Prior to entering upon the discharge of his duties, the Fire Chief shall execute a bond in the amount of five thousand dollars (\$5,000.00) and shall take and subscribe the oath prescribed by this code.
- c. Powers and Duties The Fire Chief shall be responsible for and have control over the Fire Department and all fire apparatus belonging to the city, and shall have the following duties:
  - (1) To see to the proper and speedy extinguishment and containment of all accidental or intentionally caused fires;
  - (2) To keep or cause to be kept adequate records of all fires, inspections, equipment, fire prevention efforts, and other activities of the department;
  - (3) To submit a yearly written report to the City Administrator on the activities on the department;
  - (4) To establish rules and regulation concerning the discipline, good order, proper conduct, care, and management of the Fire Department, subject to approval by the City Council; and
  - (5) To investigate the causes of all extended or destructive fires occurring within the city.
- d. Resignation, Removal, Death, or Disability In the event of resignation, removal, death, or disability of the Fire Chief, the officer next in rank shall perform the duties of the chief until removal of such disability or until a successor has been appointed.

4. Firemen

- a. Qualifications Any person employed by the city as a firemen shall have the following qualifications:
  - (1) Be at least eighteen (18) years of age;
  - (2) Not have been convicted of a felony within ten (10) years prior to employment as a fireman;
  - (3) Have good moral character as determined by investigation under procedure approved by the Georgia Firefighters Standards and Training Council;

Sec. 3-706 Fire Department (Continued)

- (4) Be in good physical condition as determined by a medical examination approved by said council;
  - (5) Complete at least a basic training course of one hundred twenty (120) hours of instruction within twelve (12) months after being appointed a full-time paid member of the department (if the department employs a total of three or more firemen); and
  - (6) Train, drill, or study in a council-approved school, classes, or courses at least one hundred twenty (120) hours in each calendar year following the first year of employment.
- b. Bond and Oath Prior to entering upon the discharge of their duties, all firemen shall execute a bond in the amount of five thousand dollars (\$5,000.00) and shall take and subscribe the oath prescribed by this code.
  - c. Duties It shall be the duty of all firemen to become familiar with and proficient in the handling of all of the apparatus of the Fire Department, to be prepared at a moment's notice to respond to all alarms of fire, to observe all rules and regulation of the Fire Department established by the Fire Chief, and to obey all orders of the commanding officer at all fires.
  - d. Exceptions; Volunteers Volunteer firemen for the city are not required to comply with those qualifications in paragraph a(1), a(3), a(4), a(6) and b. above but are required to attend Fire Department meetings and training sessions as may be directed by the Chief or by the policy of the Fire Department Organization; and be, in good physical condition as determined by certificate from a licensed practicing physician bi-annually, or by demonstration. The method of such demonstration to be determined by the chief and such method must be reasonable.
5. Daily Inspections Each fire station and its equipment shall be examined daily. Such inspections shall be rigidly made and shall insure that all apparatus in maintained in excellent working conditions at all times, ready for immediate service, and that all fire stations and surroundings are in a clean and sanitary condition.
  6. Right-Of-Way Apparatus The Fire Department, including its apparatus, when going to any fire in the city or returning therefrom, shall have the right-of-way over the streets, lanes, and ways, of the city to the exclusion of all persons, vehicles, and railroad trains of every kind.

Sec. 3-706 Fire Department (Continued)

7. Persons Permitted on Apparatus No persons other than members of the Fire Department shall be permitted to ride upon the firefighting apparatus in going to or returning from fires.
8. Obstructing Firefighting Apparatus It shall be unlawful for any person to obstruct in any manner any firefighting apparatus or any of the officers or members of the fire department in the performance of their duties.
9. Obstructing Fire Plugs It shall be unlawful for any person to obstruct any fire plug so as to obstruct approaches to the same by the Fire Department.
10. Command at Fires In case of fire, the officer of the highest rank at the fire shall take command of the Fire Department and direct the management thereof for the suppression of the fire in the best manner possible. Such commanding officer may cause buildings to be removed, torn down, or destroyed when such acts are necessary for the protection of other property and for the prevention of the spread of the conflagration.
11. Persons Permitted Within Vicinity of Fire No persons other than fireman, city officials, police officers, and the property owner(s) or his agent(s) shall be allowed within the immediate vicinity of a fire, unless such persons are given permission to do so by the Fire Chief.
12. False Alarms It shall be unlawful for any person to make, give, send or turn in, in any manner or way whatever, a false fire alarm or riot alarm, knowing the same to be false.
13. Use of Equipment Outside City Limits Upon the orders of the Fire Chief or the Mayor, members of the Fire Department are authorized to go outside the corporate limits of the city for the purpose of extinguishing fires or rendering aid to other fire departments, or for rendering aid in the case of accidents.

Sec. 3-707 Department of Streets and Solid Waste

1. Composition The street and solid waste department shall consist of the street/solid waste director who shall be the head of the department, and all officers and employees assigned thereto by the City Administrator.
2. Appointment of Director The Street-Solid Waste Director shall be appointed by the City Administrator with the advice and consent of city council and shall have control and supervision over all officers and employees assigned to the department, subject to the control of the City Administrator.

Sec. 3-707 Department of Streets and Solid Waste

3. Duties of Director The Street/Solid Waste Director shall have the following duties:
  - a. To provide for and supervise the care, maintenance, construction, and extension of all streets, sidewalks, street gutters and drains, alleys and public ways;
  - b. To have charge of the collection and disposal of garbage and refuse;
  - c. To have charge of and be responsible for the condition of all motor vehicles and other equipment of the general government of the city;
  - d. To be the custodian of all tools, equipment and other personal property belonging to the city and not assigned to the care of any other public officer of the city; and
  - e. To perform such additional duties as may be assigned to him from time to time by the City Administrator.

Sec. 3-708 Department of Housing and Building Inspection

1. Composition The Department of Housing and Building Inspection shall consist of the City Building Inspector, who shall serve as director of the department, and such other officers and employees as may be provided for from time to time by the Mayor and council.
2. Appointment of City Building Inspector The City Building Inspector shall be appointed by the City Administrator, by and with the advice and consent of City Council, and shall exercise general supervision and administration over the affairs of the housing and building department.
3. Powers and Duties of City Building Inspector The City Building Inspector shall have the following powers and duties:
  - a. To see to the enforcement of all ordinances or codes relating to buildings or zoning and to inspect all buildings or structures being erected or altered as frequently as may be necessary to insure compliance with said city Ordinances or codes;
  - b. To make or cause to be made, at any reasonable hour, entries into buildings or premises where the work of altering, repairing, or constructing is going on, for the purpose of making constructions;

Sec. 3-708 Department of Housing and Building Inspection (Continued)

- c. To issue written “stop-work” orders on construction, alteration, or repair of buildings in the city when such work is being done in violation of any provision of any ordinance or code relating thereof; or in violation of the zoning ordinance;
- d. To act as Ex-Officio Plumbing Inspector and perform all such duties as may be connected with that office;
- e. To act as Ex-Officio Electrical Inspector and perform all such duties as may be connected with that office; and
- f. To exercise such other powers and duties as may be delegated to him from time to time by the City Administrator.

**Article VIII: Board and Commissions**

Sec. 3-801 Planning Commission

1. Adoptions of State Rules and Regulations The rules, regulations, and provisions contained in GA. Const. Art. IX, sec. IV, para. II governing the creation, appointment, organization, powers, and duties of municipal and county planning commissions are hereby adopted as the rules, regulations, and provisions governing the planning commission of this municipality.
2. Composition, Appointment, and Tenure The Municipal Planning Commission shall consist of five (5) members appointed by the Mayor, by and with the advice and consent of City Council. Except for the initial appointments, the terms of the members shall be for three (3) years each. Two (2) of the members first appointed shall be appointed for a three (3) year term, two (2) shall be appointed for a two (2) year term, and one shall be appointed for a one year term. Members shall serve until successors are appointed.
3. Vacancies Vacancies shall be filled by appointment for unexpired terms only and in the same manner as for original appointments.
4. Removal Any member of the Planning Commission may be removed by the Mayor or City Council for cause after written notice and a public hearing.
5. Compensation All members of the Municipal Planning Commission shall serve without compensation.
6. Officers and Rules of Procedure The Planning Commission shall elect one of its members as chairperson who shall serve for one year or until such person is

Sec. 3-801 Planning Commission (Continued)

reelected of a successor is elected. A second appointive member shall be elected as vice-chairperson and shall serve for one year or until such person is reelected of a successor is elected. The commission shall appoint a secretary, who may be an officer or employee of the city or of the Planning Commission. The Planning Commission shall meet at least once each month at the call of the Chairperson and at such other times as the Chairperson or Commission shall determine; shall adopt rules for the transaction of business; and shall keep a record of its proceedings, which record shall be open to public inspection. Employees and staff may be appointed by the Planning Commission as necessary.

7. Powers and Duties The Municipal Planning Commission shall make careful and comprehensive surveys and studies of existing conditions and probable future developments and prepare plans for physical, social, and economic growth in an effort to promote the public health, safety, morals, convenience, prosperity, or general welfare of the municipality. In carrying out its objectives the planning commission shall have the following specific powers and duties:
  - a. To prepare a master plan or parts thereof for the development of the city;
  - b. To prepare and recommend for adoption a zoning ordinance and map for the city;
  - c. To prepare and recommend for adoption regulations for the subdivision of land within the city limits and to administer the regulations that may be adopted;
  - d. To prepare and recommend for adoption a plat or plats of an official map showing the exact location of the boundary lines of existing, proposed, extended, unlined or narrowed streets, public open spaces, or public building sites and provide for the regulation of construction of buildings or other structures within such lines;
  - e. To cooperate with, contract with, or accept funds from federal, state, or local public or quasi-public agencies, and to expend such funds; and
  - f. To exercise all other powers and duties conferred upon municipal planning commissions by GA. Const. Art. IX, sec. II, para. IV and by any other provisions of state law.

Sec. 3-802 Park and Recreation Board

1. Composition, Appointment, and Tenure The Park and Recreation Board shall consist of five (5) persons appointed by the Mayor. Except for the initial appointments, the term of the members shall be for five (5) years each. The five members first appointed shall be appointed for terms of one, two, three, four, and five years respectively so that the term of one member expires each year.
2. Vacancies Vacancies shall be filled by the Mayor for unexpired terms only.
3. Compensation The members of the Park and Recreation Board shall serve without compensation.
4. Officers and Rules of Procedures Immediately after their appointment, the members of the Park and Recreation Board shall meet and elect one of their members President and elect such other officers as may be necessary. The board shall adopt rules and regulations to govern its proceedings and keep a correct record thereof.
5. Powers and Duties The Park and Recreation Board shall establish, conduct, and maintain a recreation system for the city in such a way as to employ the leisure of the people in a wholesome and constructive manner. In particular, it shall have the following responsibilities:
  - a. To provide for, conduct, and supervise public playgrounds, indoor recreation centers, and other recreational facilities owned or controlled by the city;
  - b. To recommend the setting aside, leasing, or acquisition of lands or building within or without the city limits for use as parks, playgrounds, recreation centers, or for other recreational purposes, and to provide for the maintenance and improvement of such areas;
  - c. To cooperate with the local school board in the establishment, conduct, and maintenance of a recreation system;
  - d. To submit an annual report to the city council which shall include a financial statement of money received and expended and a description of all activities sponsored by the board during the year;
  - e. To submit a budget request annually to the City Council for approval; and
  - f. To exercise such other powers and duties as may be delegated to it from time to time by the Mayor and Council.

## Article IX: Personnel Policy

### Sec. 3-901 Introduction

1. Purpose The purpose of these personnel policies, rules, and general procedures, together with the position classification and pay plan, is to provide the fundamental features for an effective system of personnel administration for the City of Woodbine, Georgia.
2. Administration The City Administrator is responsible for administering these policies.
3. Employees Covered These personnel policies and procedures apply to all employees of the City of Woodbine unless specifically excluded by these policies and procedures or by other city ordinances.
4. Policy Changes These policies shall reflect, and be superseded by, any changes mandated by state or federal legislation.

### Sec. 3-902 Definitions

For the purpose of these policies and procedures, the following terms shall have the meanings respectively ascribed to them below, unless another meaning is specifically indicated.

1. Appeal The right of an applicant or employee to appear before the City Council to be heard on matters of discrimination, unfair practices or other grievances of such person in the manner prescribed in these policies and procedures.
2. Classified Service The classified service consists of all positions included in the classification and pay plan with the exception of those positions specifically excluded by the Mayor and City Council.
3. Classification and Pay Plan The system of assigning jobs to classes and to appropriate pay grades based on the similarities of positions.
4. Continuous Service Continuous service is employment that is uninterrupted except for authorized leaves of absence, suspension, or separation due to a reduction in work force.
5. Demotion Demotion means a change in the rank of an employee from a position in one class to a position in another class having a lower minimum starting salary and less discretion and/or responsibility.

Sec. 3-902     Definitions (Continued)

6. Department Head The position with overall administrative responsibility for a department.
7. Dismissal The termination of a regular employee for just cause.
8. Eligible A person who has made a passing score on any examination required under these regulations and who has qualified to be employed by the City.
9. Employee A person appointed to a position in the City government for which he or she is compensated on a full time or part time basis.
10. Grievance Any dispute concerning the interpretation or application of these personnel policies and procedures or any decision relative to any disciplinary action, dismissal, demotion or charge of discrimination.
11. Lay-off The separation of an employee from the classified service due to lack of work, lack of funds, abolishment of the position, or for other material changes in duties or organization.
12. Merit Increase An increase in pay based on an employee's job performance.
13. Overtime Time worked in excess of the regular work schedule for the position in accordance with the Fair Labor Standards Act.
14. Part Time Employee An employee who works on a continuing basis, but does not work a full or normal work period.
15. Performance Evaluation A method of evaluating each employee on a periodic basis as to his or her performance on the job.
16. Probationary Employee An employee serving the first year of his or her appointment, promotion, re-employment, or reinstatement to any position in the classified service. A probationary employee is not a regular employee until completion of the one (1) year probationary period.
17. Promotion A change in rank of an employee from a position in one class to a position in another class having a higher minimum salary and carrying a greater scope of discretion and responsibility.
18. Promotion List A list of persons who have been found qualified for appointment to a higher position. They may be qualified either by a written examination or other evaluation technique.

Sec. 3-902     Definitions (Continued)

19. Provisional Employee An employee appointed to a position without competition pending the establishment of an eligibility list. Such employee may serve for a limited time only and must compete with other applicants to qualify for a probationary appointment (if applicable).
20. Public Hearing A meeting of the Mayor and City Council, open to the public, at which any interested party may appear and be heard.
21. Regular Employee An employee who has completed the probationary period.
22. Reprimand A reprimand is a formal means of communicating to an employee that a problem exists and that it must be corrected.
23. Resignation The termination of an employee at the employee's request.
24. Salary Increase An increase in salary within the salary range prescribed for the class by the classification and pay plan.
25. Suspension An enforced leave of absence for either a disciplinary purpose or a pending investigation of charges against an employee.

Sec. 3-903     Position Classification and Pay Plan

1. Establishment The City Administrator shall be responsible for developing, maintaining and administering a position classification and pay plan covering all employees in the classified service of the City of Woodbine, Georgia. Such plan shall be approved and amended by recommendation of the Mayor and City Council, and shall constitute the official approved system of grouping positions into appropriate classes and pay scales.
2. Definitions For the purpose of this section, the following words shall have the meanings respectively ascribed to them below.
  - a. To "allocate" a position shall mean assigning the position to an appropriate class on the basis of the similarity of work performed and level of responsibility inherent in the position.
  - b. A "class" shall mean a group of positions (or one position) that:
    - (1) Has similar duties and responsibilities.
    - (2) Requires like qualification; and

Sec. 3-903 Position Classification and Pay Plan (Continued)

(3) Can be equitably compensated by the same salary range.

- c. The “class title” shall be the official designation or name of the class as stated in the job description. It shall be used on all personnel records and actions. Different working or office titles may be used for purposes of internal administration.
- d. A “position” shall mean a group of currently assigned duties and responsibilities requiring the full or part time employment of one person. A position may be occupied or vacant.
- e. “Reclassification” shall mean the assignment of an existing position from one class to a different class due to a significant change in duties or responsibilities.

3. Allocation of Positions

- a. Initial Allocation The City Administrator shall be responsible for the initial allocation of the position of every employee of the City to one of the classes in the plan.
- b. New Positions When a new position is established and approved by the Mayor and City Council, the department head involved shall complete a position description covering the duties and responsibilities of such new position. The City Administrator shall allocate the position to one of the classes in the classification plan, unless a suitable class does not exist, in which case the City Administrator shall recommend that the Mayor and City Council establish a new class. Upon the recommendation and approval of such new class by the Mayor and City Council, the City Administrator shall allocate the new position to it.
- c. Allocation Appeals If an employee has reason to believe that his or her position has been improperly allocated, such employee may, with the knowledge of the department head, request the City Administrator to review the allocation of such position. Any such request must be submitted in writing and contain a statement of justification. If not resolved to the employee’s satisfaction, the employee may appeal to the City Council in the manner provided in Section 12.

Sec. 3-903 Position Classification and Pay Plan (Continued)

4. Maintenance of Plan

- a. Vacancies Each time a vacancy occurs, the department head shall submit a description of the vacant position to the City Administrator for a review of the allocation of the position. The City Administrator may waive this requirement for cases in which he has determined that no material changes have occurred.
  - b. Departmental Reorganization Each time a department or division under the jurisdiction of a department head is significantly reorganized, such department head shall submit to the City Administrator new position descriptions for all affected positions.
  - c. Changes in Duties of Position The City Administrator may require departments or employees to submit position descriptions on a periodic basis or at any time he has reason to be believed that there has been a significant change in the duties and responsibilities of one or more positions.
  - d. New and Abolished Positions Each time a new position is established, a position description shall be written and incorporated into the existing plan. Likewise, an abolished position may be deleted from the classification plan.
5. Interpretation of Job Descriptions The job descriptions are descriptive and not restrictive. The use of a particular description as to duties, qualifications or other factors shall not be held to exclude others.
6. Official Copy of the Plan The City Clerk shall be responsible for maintaining an official copy of the Position Classification and Pay Plan. The official copy shall include a list of class titles and job descriptions, plus all amendments. A copy of the official plan shall be available for inspection by the public under reasonable conditions during business hours.
7. Amendments to the Plan When there is a need for the establishment of new positions or the abolition of current positions, the City Administrator shall submit findings and recommendations to the Mayor and City Council, which shall take such action as deemed appropriate.

All changes in the position classification and pay plan shall be in the form of amendments to the plan approved by the Mayor and City Council.

Sec. 3-904 Rate of Pay

1. New Appointees New employees shall be paid the minimum rate of pay for the class to which they are assigned, subject to the following exceptions which require the approval of the City Administrator and or the Mayor and City Council.
  - a. If an appointee to a particular position does not meet the minimum qualifications stated in the job description or if certain classes of work require a formalized training period which is of unusual duration, and the needs of the City can best be met by placing an individual in a training capacity, the City Administrator may designate such position as a “trainee” position. Appointment to a “trainee” position shall be at a salary range below the minimum rate established for the classification.
  - b. If an appointee exceeds the minimum qualifications for the position, such employee may be started at a rate up to four (4) steps above the starting salary for the classification. Written approval of the City Administrator is required in such instances.
  - c. If an employee to be appointed possesses special qualifications, or extenuating circumstances exist, the department head may recommend to the City Administrator a rate higher than four (4) steps above the starting salary for the classification. In such cases, the Mayor and City Council must grant final approval.
2. Promotion
  - a. An employee shall be promoted when:
    - (1) The employee is transferred to a position classified in a higher pay range.
    - (2) The employee’s position is reclassified to a classification having a higher pay range.
  - b. Promotions may occur within a department or between departments.
  - c. Pay upon promotion At the time an employee is promoted to a previously established position in a classification with a higher pay range, a salary increase may be granted:
    - (1) Up to 10 percent above the employee’s current salary; or
    - (2) Up to the minimum of the new classification, whichever is greater.

Sec. 3-904 Rate of Pay (Continued)

3. Demotion

a. An employee shall be demoted when:

(1) The employee is placed in a different classification having a lower pay range.

(2) The employee's position is reclassified to a classification having a lower pay range.

b. When an employee receives a demotion of the type stated in Paragraph A (1) above, such employee's pay may remain unchanged or may be reduced at the discretion of the City Administrator.

4. Reinstated Employees A reinstated employee shall be paid at a salary rate within the approved salary range for the position to which the employee is reinstated. The rate of salary at appointment shall be in accordance with Section 3-904.1b and 3-904.1c.

5. Part Time and Temporary Employment Pay for part time and temporary employment shall be the hourly rate of pay for full time employment in similar positions.

6. Overtime

a. Overtime is work beyond the normal hours of any scheduled work week as authorized by the Department Head, subject to the approval of the City Administrator. Compensation for overtime will be in accordance with the provisions of the Fair Labor Standards Act as amended, and shall be calculated on actual hours worked, and shall not include any leave hours.

b. Compensatory time may be granted in lieu of payment for overtime hours at a rate of one and one-half times the amount of actual hours worked. Approval of the Department Head and City Administrator must be obtained prior to earning compensatory time. The maximum accumulation of compensatory time shall not exceed 80 hours and must be used within 10 pay periods of the date earned. The taking of compensatory time shall be governed by the same procedures as outlined in Sec. 3-916, Attendance and Leave.

All hours worked which are subject to compensatory time shall be shown on the time card for that period. In addition, an annual compensatory time log in a format approved by the city Administrator shall be maintained for every employee, including department heads, and copy furnished to the

Sec. 3-904 Rate of Pay (Continued)

City Bookkeeper with the last time card for each month.

7. Increases in Salaries Increases in pay for the City employees shall be governed by the following principles.
  - a. Any employee shall be initially employed for a probationary period of one year.
  - b. The pay plan consists of a number of pay grades. The Mayor and City Council may add, change, or delete pay grades as deemed necessary.
  - c. Each pay grade shall have a pay range with an entry rate and steps placed at approximately 2-1/2% intervals. The range between the entry rate and the maximum rate is approximately 50 percent.
  - d. After an employee reaches the maximum rate within a pay grade, such employee shall only be entitled to across-the-board salary adjustments and merit payments in bonus form.
  - e. Each department head shall file an annual performance evaluation report on each employee within that department. This report shall become a permanent part of each employee's personnel file.
  - f. In order for an employee to receive a merit increase, the following are required:
    - (1) Performance evaluation for current fiscal year.
    - (2) Recommendation by the department head.
    - (3) Recommendation by the City Administrator.
  - g. In order to move to a higher pay grade, an employee must apply for a new position within a higher pay grade or be an incumbent in a position which has been reclassified to a higher pay grade.
  - h. Annually, the Mayor and City Council may consider increasing the salaries within all pay grades on an equal percentage basis. During budget hearings, the Mayor and City Council shall determine what percentage increase, if any, will be allotted for increases to employee salaries. The percentage for cost-of-living pay increases will change the entry rate, steps and maximum rate for each pay grade of the salary schedule.

Sec. 3-904 Rate of Pay (Continued)

- i. Merit increases may be granted upon the recommendation of the department head, approval of the City Administrator, if funds for that purpose are available in the approved budget. Employees shall be eligible for merit increases annually until the maximum pay rate for the classification has been reached.

NOTE: Merit increases are not to be granted for simply meeting job requirements. The function of a merit increase is to recognize exceptional performance above and beyond the requirements of the job.

- j. Employees below the top step of their grade, whose work is exceptional, may be granted a special merit increase to the next step after serving at least three (3) months in the current step, upon the approval of the City Administrator, if funds for that purpose are available in the approved budget. Only one (1) special merit increase per twelve month period may be granted. A special merit increase disqualifies the employee from being considered for a yearly merit step increase.

Sec. 3-905 Application and Examinations

1. Announcement of Vacant Positions Except as otherwise provided below, all vacancies in the classified service shall be publicized by posting announcements in the office of the City Administrator deems advisable. The announcements shall specify the titles and salary ranges of the vacant positions, qualification requirements, manner of making application and other pertinent information, and shall specify the date, time and place of examinations (if required) for the positions. Applications will be accepted for at least 10 days following the announcement by the City Administrator.
2. Application Forms All applicants for positions in the classified service of the City of Woodbine shall submit an application to the City Administrator. All applicants shall provide proof of citizenship as required by federal law. Such forms shall require information concerning training, experience, and other pertinent information, and shall be signed by the applicant.

No person shall be employed by the City unless and until such person has made application with the City Administrator.

3. Employment Requirements All positions in the classified service shall be open only to persons who meet such requirements as are listed on the public announcement of the examination. Such requirements may include but are not limited to the following factors: experience, education and training.
4. Receipt and Duration of Applications Applications from all persons desiring

Sec. 3-904 Rate of Pay (Continued)

employment with the City shall be accepted during regular business hours and place on file. Applicants must complete a new application for each announced position vacancy.

5. Rejection of Applications The City Administrator may reject an application which indicates that the applicant is deficient in any or all of the requirements as specified in the public announcement of the vacancy. An applicant may also be rejected for fraud or deception in the completion of the application, or if his or her past record of employment is determined to be unsatisfactory by the City Administrator.
6. Open Competitive Appointments Positions to be filled by recruitment from outside the classified service shall be filled through a competitive process open to the public. This process may include, but shall not be limited to, ratings of training and experience; job-related tests; or any combination of these as determined by the City Administrator. Factors such as education, job-related qualifications, attitude and experience may be taken into account in making employment decisions. The City Administrator may require the applicant to submit proof of education and military service or any other such documentation as is deemed necessary.
7. Promotional Appointments Promotional appointments shall be open to all employees who meet the training and experience requirements included in the position description or who have an equivalent combination of experience and training which provides the required knowledge, skills and abilities.

Sec. 3-906 Appointments

1. Initial Appointments All employees of the City shall be appointed upon the recommendation of the appropriate department head and approval of the City Administrator.
2. Types of Appointments When initially hired, employees shall be given one of the following types of appointment.
  - a. Probationary A probationary appointment is an appointment to a position in the classified service. An employee serving a probationary period may be discharged or returned to his or her previous position at the discretion of the department head and shall not have the right to utilize the grievance and appeal procedure set forth in this policy.

Sec. 3-906 Appointments (Continued)

- b. Provisional A provisional appointment may be made only after applications for the position have been taken and no qualified applicant has been found.
  - (1) When there is need to fill a vacancy and no qualified applicant is available, a provisional appointment may be made.
  - (2) No provisional appointment shall be continued for more than three (3) months from the date of appointment, unless, due to extenuating circumstances, and extension is approved by the City Administrator.
- c. Temporary Temporary appointments may be made to fill positions which are authorized and established for a specified period of time, when the work of a department requires the services of one or more employees on a seasonal or intermittent basis, or in cases of emergency. Temporary appointments shall not exceed 120 calendar days; however, extensions to such appointments may be granted by the Mayor and City Council.
- d. Regular Appointments A classified employee given an initial probationary appointment shall automatically become permanent upon successful completion of the probationary period.

Sec. 3-907 Probationary Period

- 1. Objective The probationary period shall be one (1) year in duration and no employee shall have a property interest in his or her position during the probationary period. During an employee's probationary period, the employee may be released or returned to his or her previous position without notice.
- 2. Duration The probationary period shall be one year in duration.
- 3. Promotional Appointments The probationary period shall be used in connection with promotional appointments in the same manner as it is used for initial appointments. If a person is removed during the probationary period following a promotion, such person shall be entitled to general reemployment rights in his or her former class.
- 4. Interruption of Probationary Period If an employee is laid off during a probationary period and such person is subsequently reappointed in the same department, he or she may be given credit for the portion of the probationary period completed before the lay-off.
- 5. Demotion during Probationary Period A department head may, with the approval of the City Administrator, demote an employee during the

Sec. 3-907 Probationary Period (Continued)

probationary period. A written report of such demotion must be filed with the City Administrator within three days after the effective date of the demotion.

6. Prior to the expiration of the employee's probationary period, the department head shall notify the City Administrator in writing of whether or not the employee has successfully completed the probationary period. Failure to send such a notice within five working days of the expiration date of the probationary period shall be construed as successful completion of the probationary period.

Sec. 3-908 Promotion and Transfers

1. Announcement of Vacant Positions for Internal Hire It shall be the policy of the City to fill vacancies in the classified service, as far as practicable, by promotion. To this end, internal announcements may be posted and applications from current employees accepted as directed by the City Administrator. This policy places no restrictions on the City Administrator's decision to hire internally or externally.
2. Political or Partisan Endorsement Prohibited Promotions to positions in the classified service shall be based upon merit and fitness for promotion only. No consideration shall be given to political or partisan endorsement.
3. Intra-Departmental Transfers The appropriate department head may, with the prior approval of the City Administrator, transfer an employee in the classified service under his/her jurisdiction from one position to another within the same class and within the same department.
4. Inter-Departmental Transfers A transfer of an employee from one department to another shall require the approval of both department heads concerned and the City Administrator. Requests for such transfer shall show how the employee concerned meets the qualification requirements of the class to which the transfer is proposed.
5. Pay Grade after Transfer An employee who is transferred shall continue at the same rate of pay unless otherwise provided.

Sec. 3-909 Employee Performance Evaluation

1. Objective The purpose of the employee performance evaluation shall be primarily to inform employees of how well they are performing their work and how they can improve their work performance. Such performance

Sec. 3-909 Employee Performance Evaluation (Continued)

evaluation may also be used in determining merit raises, as a basis for training, promotion, demotion, transfer or dismissal, and for such other purposes as set forth in these policies. The City Administrator shall provide the format and guidelines for the formal and informal evaluations.

2. Period of Evaluation All employees, except temporary workers, shall be formally evaluated annually. An employee shall not be eligible for a merit pay raise until the performance evaluation form has been completely processed. Employees shall also be evaluated at the time of separation. Evaluation dates will be established by the City Administrator. A signed copy of the evaluation will be provided to the employee within 30 days of the established evaluation date.
3. Evaluations
  - a. Formal Formal evaluations shall be prepared by the immediate supervisor of each employee and reviewed by the department head and City Administrator.
  - b. Informal At the six month point in the evaluation cycle, informal evaluations shall be prepared in the same manner as the annual evaluations. These informal evaluations. Will not become part of an employee's personnel record, but will be maintained on file by the department head and a copy will be maintained by the City Administrator. These informal evaluations and copies will be maintained until the next informal evaluation is completed and then they are to be destroyed. The purpose of these informal evaluations is to provide feedback and allow for counselling in an informal setting; provide an opportunity for recognition of good performance or to assess progress, problems and goals.
4. Review with Employees The evaluator shall discuss each performance evaluation with the employee being evaluated. If an employee disagrees with statement (s) in an evaluation, such employee may submit, within ten days following the conference with his or her supervisor, a written statement which shall be attached to the evaluation form and forwarded to the City Administrator.
5. Performance Evaluations Confidential Performance evaluations shall be confidential and shall be made available only to the employee evaluated, the employee's department head, the City Administrator and the Mayor and City Council.

Sec. 3-910 Separations

1. Types of Separation From the Classified Service Separations from positions in the classified service shall be designated as one of the following:
  - a. Resignation.
  - b. Abandonment of job.
  - c. Lay-off or reduction in force.
  - d. Inability to perform the essential functions of the position even the reasonable accommodation.
  - e. Loss of a job requirement necessary to perform the essential functions of the position.
  - f. Dismissal or discharge.
  - g. Retirement.
  - h. Death.
2. Resignation An employee shall submit to the department head written notice of resignation at least 14 days in advance of the date of resignation. Immediately upon receipt of such notice of resignation, the department head shall forward the same to the City Administrator. Failure to comply with this rule shall be entered on the service record of the employee.
3. Abandonment of Job An employee not on authorized leave of absence who fails to report for work for three (3) consecutive days may be terminated from the service of the City for job abandonment.

Any employee terminated for job abandonment shall have the right of appeal to the City Council in the manner set forth in Section 12 of these policies and procedures.
4. Lay-off or Reduction in Force Any involuntary separation not related to an employee's conduct shall constitute a lay-off or reduction in force.
  - a. Reasons for Any employee may be laid off because of shortage of funds or work, abolishment of the position, material changes in the duties or organization, or related reasons beyond the employee's control which do not reflect dissatisfaction with the service of the employee. The duties previously performed by any laid-off employ may be reassigned to other employees holding positions in appropriate classes.

Sec. 3-910 Separations (Continued)

- b. Notice to Department Head Whenever the lay-off of any employee shall become necessary, the City Administrator shall notify the department head at least 15 calendar days in advance of the intended action, of the necessity for such lay-off and the reasons therefore. The department head shall thereupon recommend to the City Administrator the names and job titles of the employees to be laid off and the order in which such lay-off shall be affected.
- c. Order of Lay-off Should it become necessary to reduce the number of employees within a given class in any department, such employees shall be laid off on the basis of the following two factors to be weighted equally: length of service in class and length of service with the City. If an employee believes that an error has been made in determining lay-off order, he or she may request an administrative review by the City Administrator.
- d. Special Cases Should a department head determine that the retention of a certain employee is essential to effective operation because of the fact that such employee possesses special skills or ability, and should the department head wish to retain such employee in preference to another with a higher rating, then the department head shall submit a written request to the City Administrator. Such notification shall set forth in detail the specific skills and abilities possessed by the employee and the reasons why such employee is essential to effective operation. With the approval of the Mayor and City Council, the individual may be retained.
- e. Notice to Employees Regular employees to be laid off shall be notified in writing by the City Administrator at least fourteen (14) calendar days prior to the effective date of the lay-off.
- f. Demotions Any regular employee scheduled to be laid off shall have the right to be demoted to a lower classification, provided that a vacancy exists and such employee is qualified to fill the position in the lower classification.
- g. Reemployment List Former employees who were separated from the city service by lay-off and desire to be considered for reemployment with the City will be placed on the reemployment list. Such persons may remain on the reemployment list for a period not to exceed one (1) year.

Former employees will be listed by seniority in terms of service as defined in Section 3-910 and will be offered reemployment for the first vacancy that becomes available in the same classification in which they were employed at the time of separation. All employees appointed to a position

Sec. 3-910 Separations (Continued)

in this manner will serve the stated probationary period for that position; if said employee does not complete the probationary period he or she will be separated from the city service without the right of appeal.

A person on the reemployment list may voluntarily accept a position at a lower classification level than his or her former position.

If a person placed on the reemployment list does not accept the first offer for reemployment in a position having the same classification as the one held at the time of separation, he or she will be removed from the reemployment list. Such persons will no longer have guarantee of reemployment rights when a vacancy occurs, but may be considered for reemployment on the same basis as other applicants.

5. Inability to Perform If an employee suffers from a physical or mental disability which prevents him or her from performing the essential functions of the position, even with reasonable accommodation, the employee is subject to termination for inability to perform the job. The employee will cooperate with the employer to determine the limitations imposed by the disability and to design accommodation for the essential functions of the job. Termination due to an inability to perform essential functions shall be subject to an appeal pursuant to Section 3-912, Grievance and Appeal Procedures.
6. Loss of Job Requirements Any employee who is unable to perform the essential functions of his or her job adequately because of loss of a necessary license or other necessary requirement may be separated from employment based upon recommendation of the department head and approval of the City Administrator.
7. Dismissals Dismissals shall constitute discharges or separations for just cause and shall be governed by the provisions of Section 3-911 of these policies and procedures as hereinafter set forth.
8. Retirement The retirement of an employee shall consist of the voluntary separation of an employee who has met the requirements of age and length of service under the laws governing any applicable pension fund of which such employee may be a member.
9. Death Separation shall be effective as of the date of death of the employee. All compensation, including annual leave pay, due to such employee, as of the effective date of separation, shall be paid to the beneficiary of the employee, the surviving spouse of such employee, or to the estate of such employee, as may be determined by law or by the applicable executed documents in the personnel folder of such employee.

Sec. 3-911 Disciplinary Actions

1. Intent Effective supervision and good employee relations should reduce to a minimum those instances necessitating disciplinary action. The establishment of rules and regulation and the imposition of disciplinary action for a violation thereof are not intended to restrict the rights of any employee, but are for the purpose of insuring the rights of all and for securing cooperation and orderliness throughout the classified service. The severity of the disciplinary action imposed should be related to the gravity of the offense, the employee's record of disciplinary action and the disciplinary action imposed in similar cases. Any disciplinary action imposed shall be for just cause. The City will not allow discrimination against any employee because of race, color, religion, sex, age, national origin, disability or political affiliation.
2. Conduct Subject to Disciplinary Action The following actions shall constitute just cause for disciplinary action but the imposition of disciplinary action shall not be limited to the offenses set forth:
  - a. The conviction of a felony, or of a misdemeanor involving moral turpitude.
  - b. Excessive absenteeism.
  - c. absence without leave, or failure to report after the expiration of a leave of absence.
  - d. Excessive tardiness.
  - e. Abuse of sick leave.
  - f. Insubordination or serious breach of proper discipline.
  - g. Inefficiency or incompetency.
  - h. Abuse or theft of City property.
  - i. The borrowing of City equipment for personal use without prior official permission.
  - j. The loss of a job requirement, such as the loss of a necessary license, which prevents the adequate performance of the essential functions of the position.
  - k. The willful making of false statements to supervisors, officials, the public, boards, commissions or agencies.

Sec. 3-911 Disciplinary Actions (Continued)

- l. The violation of City ordinances, administrative regulations, departmental rules, or these rules and regulations.
  - m. The consumption, sale or possession of alcoholic beverages and/or illegal substances while at work, or being intoxicated on the job, or being otherwise affected on the job because of the prior use of some illegal substance.
  - n. The discovery of a false statement in an application.
  - o. Acceptance of gratuities in conflict State law of City ordinance.
  - p. Engaging in offensive conduct or using offensive language toward the public, supervisory personnel or fellow employees.
  - q. Harassment on the basis of race, color, sex, religion, national origin, citizenship, age, or disability.
3. Types of Disciplinary Action A department head, subject to the employee's right of appeal as provided in Section 3-912, shall have the following alternatives when disciplining an employee.
- a. Reprimand.
    - (1) Oral Reprimand An oral reprimand is a progressive disciplinary measure which may be issued for an incident, action or behavior which does not warrant more severe disciplinary action. In the oral reprimand, the supervisor will verbally and privately explain to the employee that he or she is being reprimanded, describe the problem and indicate what must be done to correct the problem
    - (2) Written Reprimand Where the incident, action, or behavior of the employee is such as not to initially warrant a more severe type of disciplinary action, a written reprimand may be issued for first or second offences, including but not limited to unauthorized absence from duty (for less than three (3) days), abuse of sick leave privileges, frequent unexcused tardiness, inattention to duty, insubordination, improper conduct, or loss or destruction of City property. Written reprimands shall be issued by the department head to the affected employee and a copy of same shall be forwarded to the City Administrator and filed in the personnel folder of such employee.

Sec. 3-911 Disciplinary Actions (Continued)

b. Suspension

- (1) A department head may, with the approval of the City Administrator, suspend without pay any employee under his or her supervision for a period of not less than one (1) or more than ten (10) working days.
- (2) A written statement specifically setting forth the reasons for such action and the length of time of such suspension shall be furnished by the department head to the affected employee, and a copy of same shall be sent to the City Administrator and filed in the personnel folder of such employee within one (1) working day of the effective date of the action.
- (3) An employee may be suspended for a period longer than ten (10) working days upon the express approval of the City Administrator. The City Administrator shall, within one working day of the decision, furnish a written statement to the affected employee advising the employee of the length of and the reason for the suspension.
- (4) When an employee has been accused of serious misconduct or criminal behavior, the employee may be suspended with pay for a period of five (5) days, during which the City Administrator will conduct or have conducted an investigation to determine whether the pending charges will affect the employee's job performance or whether the conduct which resulted in the arrest is the basis for disciplinary action. Where the City Administrator determines that an employee's return to work would not be in the best interests of the City, the employee will be given notice of his or her proposed indefinite suspension without pay, including the reasons for the suspension and the employee will be given an opportunity to respond to the City Administrator concerning those reasons. After the employee has had an opportunity to respond, the City Administrator will issue a decision on the indefinite suspension.

c. Demotion

- (1) For just cause, a department head may reduce the salary of a regular employee within the range provided in the pay plan or demote the employee to a lower graded position. The department head shall take such action only after approval by the City Administrator.
- (2) A written statement specifically setting forth the reasons for any such action shall be furnished by the department head to the affected employee, and a copy of same shall be forwarded to the City

Sec. 3-911 Disciplinary Actions (Continued)

Administrator and filed in the personnel folder of such employee within one (1) working day of the effective date of the action.

d. Dismissal

- (1) When a regular employee is charged with misconduct that serves as just cause for dismissal, the department head shall place the employee on a three (3) day, paid administrative suspension with a recommendation for dismissal.
  - (2) A written statement specifically setting forth the reasons for suspension with a recommendation for dismissal shall be furnished by the person proposing the dismissal to the affected employee, and to the City Administrator, prior to the suspension.
  - (3) The City Administrator shall ensure that a written notice of the charges has been furnished to the affected employee and shall conduct an investigation to assure that the charges are substantiated and that no errors relevant to the charges were made.
  - (4) Within three (3) working days of the affected employee being notified of all charges, the City Administrator shall hold a conference at which the employee shall be authorized to present information which is pertinent to the charges on his/her behalf.
  - (5) The City Administrator shall render a decision on the proposal for dismissal based on all of the relevant information.
  - (6) The City Administrator shall advise the employee of his/her right to appeal the decision under the grievance procedures.
- e. Notification of Right of Appeal Any written notification submitted to a regular employee who is being subjected to disciplinary action shall set forth the right of the employee to appeal such action to the City Council in the manner set forth in Section 3-912. Oral and written reprimands are not grievable actions.

Sec. 3-912 Grievance and Appeal Procedures

1. Intent

- a. City employee grievances should receive prompt consideration and equitable resolution. Wherever possible, grievances should be resolved or

Sec. 3-912 Grievance and Appeal Procedures (Continued)

adjusted informally, and both supervisors and employees shall be expected to make every effort to do so. With respect to those grievances which cannot be so resolved, employees shall be entitled to process the grievances as hereinafter provided.

- b. These procedures governing the processing of grievances and providing the right of appeal are established for the purpose of eliminating or correcting justifiable complaints or dissatisfaction of regular employees or certain complaints of probationary employees and applicants (see Section 3-912.2); insuring that all employees shall be afforded fair, equitable and expeditious review of their grievances without fear, coercion or discrimination; and providing a systematic and orderly method for resolving complaints and differences between employees and supervisory or management personnel.
2. Procedure for Grievance Resolution Any regular employee in the classified service who has been demoted, suspended, dismissed or subjected to any other type of disciplinary action (except oral or written reprimand), or who is aggrieved as a result of the interpretation and application of these rules and regulations, and any applicant or employee (regular or probationary) who has been subjected to any alleged discriminatory action that is prohibited by federal law, shall have the right to utilize the grievance and appeal procedure hereinafter set forth.
- a. A formal grievance shall not be initiated unless and until the employee has discussed the grievance with the department head and City Administrator or in the case of an applicant, with the City Administrator. Such discussion shall be held within ten (10) working days after the employee becomes aware of the occurrence of a grievable matter. The department head, or City Administrator, in the case of an applicant, shall render a decision on the matter within ten (10) working days after the grievance has been discussed.
  - b. Should the employee or applicant not be satisfied with the decision of the department head or City Administrator, the employ or applicant, within five (5) working days, shall state the grievance in writing and file a standard grievance form with the City Administrator setting forth the reasons for the appeal. The City Administrator shall make appropriate inquiries; consider all facts surrounding the action, and make effort to resolve the grievance to the satisfaction of the department head and the employee, or the applicant.
  - c. Should no decision resulting in the settlement of the grievance be reached within ten (10) working days after the filing of the written grievance, the

Sec. 3-912 Grievance and Appeal Procedures (Continued)

the employee or applicant, within five (5) working days, may appeal to the City Council. Such appeal shall be submitted through the City Administrator and shall be accompanied by all of the facts and information concerned with the grievance as well as any written responses of the department head.

- d. The City Council shall, within fifteen (15) working days after the receipt of an appeal, hold a hearing upon same and consider the action complained of in the grievance.
  - (1) Whenever possible, the hearing shall be scheduled during normal working hours and employees, supervisors, applicants and their representatives and witnesses shall have the right to appear before the Council for the purpose of presenting facts, information and relevant evidence. All hearings conducted by the City Council shall be in accordance with Title 50, Chapter 14 Official Code of Georgia.
  - (2) At the hearing before the City Council, technical rules of evidence shall not apply. All testimony before the Council shall be under oath or affirmation. Any member of the Council shall have the power to administer oaths and call witnesses and may compel the production of relevant books, records and documents.
  - (3) A copy of the decision of the City Council shall be given to the affected employee and the department head of same, or to the applicant, within three (3) working days following the completion of the hearing.
- e. The failure of supervisory employees to follow the steps outlines above shall result in conferring upon the employee the right automatically to proceed to the next step in the grievance procedure. The failure of the employee to follow the steps outlined above may result in the dismissal of the grievance at any step.
- f. In those cases where dismissal of an employee is involved, the City Administrator shall immediately notify the affected employee that, if requested, a hearing before the City Council will be set up and held within fifteen (15) working days of the action taken. At all such hearings, the department head shall be required to appear and explain the reasons for the dismissal.
- g. No punitive, discriminatory or adverse action shall be taken against any employee or applicant on account of the filing of a grievance or an appeal.

Sec. 3-913 Employee Development

1. In-service Training The City Administrator shall be responsible for fostering and promoting in-service training of employees for the purpose of improving the quality of service and to assist employees in preparing themselves for advancement.

Sec. 3-914 Records and Reports

1. Personnel Transactions All appointments, separations, and other personnel transactions shall be recorded on forms provided by the City Administrator. A separate file folder shall be prepared and maintained for each employee and shall contain the original or a copy of all pertinent documents.
2. Public Inspection Information relative to employees and former employees shall be available for public inspection at reasonable times and in accordance with Title 50, Chapter 18 Official Code of Georgia Annotated.
3. Destruction of Records Employee service records shall be kept in accordance with state and federal regulations after termination of employment. Such records may be kept in their original form or in any other duplicate form the City Administrator deems appropriate. All other records, including correspondence, applications and examinations may be destroyed after two (2) years.
4. Attendance Records Regular attendance reports shall be prepared and submitted by each department head in the form designated by the City Administrator.

Sec. 3-915 Payroll

1. Initial Appointments Upon the appointment of any employee to the classified service, the City Administrator shall submit to the Mayor and City Council such information, if any, as is necessary to certify the employment status, title or position and salary or wage of such employee.
2. Payroll Adjustments
  - a. Each department head shall be responsible for immediately notifying the City Administrator of any occurrences or actions taken which require an adjustment in the salary or wage of any employee or employees under the supervision of such department head.
  - b. Upon receipt of such notice or upon the taking of any action by the Mayor and City Council that requires an adjustment in the salary or wage of any

Sec. 3-915 Payroll (Continued)

employee or employees, the City Administrator shall make such payroll adjustments for such employee or employees as may be required.

3. Recovery of Salaries Improperly Paid Officers and employees may be held liable for the return of salaries improperly, accidentally or illegally paid to employees.
4. Voluntary Deductions The City shall be authorized to provide for automatic payroll deductions for employees. The number, type and minimum duration of payroll deductions will be established, and may be changed, by the City Administrator.

Sec. 3-916 Attendance and Leave

1. Hours of Work The established work week and the hours of work shall, insofar as practicable, be uniform within occupational groups and shall be determined in accordance with the needs of the city and the reasonable needs of the public who may be required to do business with various city departments. The work schedule for each department shall be established by the department head with the advice and approval of the City Administrator.
2. Attendance Each department head shall be responsible for the attendance of all persons in his or her department. The City Administrator shall keep complete attendance and other records on each employee, including annual leave, sick leave, overtime, and others, as provided in Section 3-914.
3. Holidays All full-time employees shall be eligible for holiday leave for the following days and other days as designated by specific action of the Mayor and City Council:

New Year's Day	Thanksgiving Day
MLK Jr. Day	Day after Thanksgiving Day
Good Friday	Christmas Eve
Memorial Day	Christmas Day
Independence Day	Day after Christmas Day
Labor Day	

- a. The City Administrator will set the holidays by date and cause the City Clerk to post and distribute the listing prior to the start of each calendar year. An employee who is not on approved leave and fails to report on his/her scheduled work day before or after a holiday shall not be paid for the holiday.

Sec. 3-916 Attendance and Leave (Continued)

- b. Holidays which occur during annual or sick leave shall not be charged against annual or sick leave. Permanent employees shall be paid for holidays based on the number of hours they normally work each day, exclusive of overtime. Temporary employees will not be paid for holidays not worked.
- c. Any essential employee schedules to work on an official city holiday shall be paid at one and one-half times the regular rate for each hour worked during the actual holiday or be given compensatory time at a rate of one and one half times the amount of hours actually worked as decided by the Department Head. Public safety employees are an exception to this rule and will be governed by the Fair Labor Standards Act and established work schedules.

4. Annual (Vacation) Leave

- a. General Vacations are for the purpose of rejuvenating both physical and mental faculties and all employees are urged to avail themselves of vacation periods.
- b. Eligibility All regular or permanent employees in the classified service shall be entitled to earn and accrue annual leave. Permanent part time employees shall be entitled to annual leave in proportion to the number of hours worked. Temporary employees shall not be eligible for annual leave.
- c. Rate of Leave Accrual Full time and part time employees begin to accrue annual leave immediately upon employment. Employees under temporary, provisional or emergency appointments and employees not deemed to be in the classified service will not accrue annual leave under these policies.

Annual leave shall be accrued according to the following schedule:

0-1 Years of Service.....4 Hours a Month  
1-7 Years of Service.....7 Hours a Month  
7+ Years of Service.....10 Hours a Month

- d. Notice of Leave A request for annual leave shall be submitted to the employee's immediate supervisor. Annual leave may be taken only after approval by the appropriate department head so that, insofar as practicable, the department can function without the hiring of additional temporary help. Annual leave shall be authorized in units of days or hours only.
- e. Maximum Allowable Accumulation Unused annual leave not exceeding

Sec. 3-916 Attendance and Leave (Continued)

160 hours may be carried into the next calendar year. It is the intent of these rules to have employees take their annual leave yearly. Therefore, no payment shall be made for non-use of annual leave except as provided in Paragraph F below unless approved by the Mayor and City Council.

f. Payment for Unused Leave

- (1) When an employee is separated from the service, such employee shall be paid for all unused annual leave (up to 160 hours) unless he or she fails to give proper notice of resignation as provided in Section 3-910.
- (2) Employees may sell 40 hours of unused leave once each calendar year. No less than 40 hours may be sold. (Added 2/2/98)

5. Sick Leave

a. General Sick leave shall be allowed to an eligible employee:

- (1) In the case of actual sickness or disability of the employee or for medical, dental or eye examination or treatment for which arrangements cannot be made outside of working hours; and
- (2) When the employee is required to care for a sick or injured spouse, child or member of immediate family domiciled in the employee's household. The employee shall report the illness prior to his or her scheduled work time if possible. If not, the employee shall see that the illness is reported within 30 minutes after the time he or she is scheduled to have reported for work.

b. Eligibility Those employees entitled to earn annual leave shall also be eligible to earn sick leave. Permanent part time employees shall be entitled to sick leave in proportion to the number of hours worked. Temporary employees shall not be eligible for sick leave. Probationary employees shall be eligible to take sick leave.

c. Rate of Leave Accrual Eligible employees begin to accrue sick leave immediately upon employment at the rate of one day per month.

d. Certification by Physician A medical certificate signed by a licensed physician may be required by a department head to substantiate a request for sick leave. Such certificate shall be required for all absences, due to illness or disability, of three (3) or more days. Failure to provide certificated, when required, shall result in disapproval of the sick leave

Sec. 3-916 Attendance and Leave (Continued)

request.

- e. Maximum Allowable Accumulation A maximum of 360 hours of sick leave may be accumulated.
- f. No Payment of Unused Sick Leave When an employee is separated from the service, no payment shall be made for any unused sick leave.
- g. Donation of Unused Leave to Other Employees This section is reserved for future use. (Added 2/2/98)

6. Other Types of Leave

a. Military Leave

- (1) Any regular employee who leaves the classified service to join the military forces of the United States during time of war or other national emergency, or is inducted by Selective Service, may, upon written request, prior to induction into the military, be placed on military leave without pay, such leave to extend through a date, ninety (90) days after which such service terminates. Such employee shall be entitled to be restored to the vacated position, or a comparable position, provided the employee makes application to the City Administrator within ninety (90) days of the date of discharge under honorable conditions, and is physically and mentally capable of performing the essential functions of the position with or without reasonable accommodation.
- (2) The returning employee shall be entitled to any increases in salary (including cost-of-living increases) or any advancement in grade which would normally be accorded to the incumbent of the position, with the exception of any increases or advancement in grade which would normally be dependent on meritorious performance of the duties of the position.
- (3) In the event a position vacated by a person entering the military service as stated above no longer exists at the time he or she qualifies to return to work, such person shall be entitled to be re-employed in another position of the same status, class and pay in the classified service, provided such re-employment does not necessitate the laying off of another employee.

Sec. 3-916 Attendance and Leave (Continued)

- (4) Any regular employee who is a member of the National Guard or an organized military reserve of the United States will be allowed leave of absence with pay not to exceed eighteen (18) calendar days (or in compliance with State law) during any calendar year to attend training camps upon presentation of orders concerning such training. Such leave shall not be charged to annual leave.
- b. Funeral Leave Funeral leave of three (3) working days annually will be granted with pay for employees absent from duty due to the event of death in the family. Family, in this instance, shall mean spouse, child, father, mother, father-in-law, mother-in-law, brother, sister, brother-in-law, sister-in-law, grandparents, grandchildren, or any relative who is domiciled in the employee's household.
- c. Workers Compensation An employee who is temporarily disabled because of an injury or illness sustained directly in the performance of his or her work may be covered by the provisions of the State Workers' Compensation Act.
- d. Temporary Disabilities Not Covered by Workers Compensation An employee who becomes temporarily disabled shall be allowed to exhaust his or her accrued sick and vacation leave. After all sick and vacation leave have been used, further extension of leave (either with or without pay) must be specifically authorized by the Mayor and City Council upon recommendation of the Department head and approval of the City Administrator.
- e. Civil Leave An employee shall be given necessary time off, without loss of pay, when performing jury duty, or when required by proper authority to be a witness in legal proceedings, provided such call to duty is reported in advance to the employee's Department Head.
- f. Maternity Leave
- (1) Maternity leave is a period of approved absence for incapacitation related to pregnancy and confinement. Maternity leave may be charged to sick leave or any combination of sick leave, annual leave and leave without pay.
- (2) The employee desiring maternity leave should report the pregnancy to the Department Head. Such notification shall include a written statement from the attending physician specifying the approximate date of birth.

Sec. 3-916 Attendance and Leave (Continued)

- (3) An employee will be permitted to continue work, with reasonable accommodation, so long as the conditions of the pregnancy do not adversely impair work performance or health.
- (4) An employee may be granted leave without pay for maternity purposes in accordance with the Family and Medical Leave Act.

g. Leave of Absence without Pay A Department Head, with the approval of the City Administrator, may grant a regular employee a leave of absence without pay for a period not to exceed six (6) months. Leave of absence without pay for a period of exceeding six (6) months and not more than one year may be granted with the approval of the Mayor and City Council.

All departments are required to adhere to the following regulations:

- (1) Leave without pay shall be granted only when it will not adversely affect the interests of the city service.
- (2) Failure of an employee to return to work at the expiration of approved leave shall be considered as absence without leave and grounds for disciplinary action.
- (3) Any employee who has been granted leave of absence and who wishes to return before the leave period has expired shall be required to give his or her department head at least a one (1) week notice. Upon receipt of such written notice, the employee shall be permitted to return to work.
- (4) No sick leave or annual leave will be earned by an employee for the time that such employee is on leave without pay.
- (5) An employee may elect to have health insurance continue to be provided, with the employee paying the monthly premium in advance.
- (6) An employee shall return from leave without pay to the same salary grade as at the time of commencement of leave.
- (7) An employee who obtains either part time or full time employment elsewhere while on an authorized leave of absence without pay is required to notify his or her Department Head in writing within three (3) days of accepting such employment.

Sec. 3-916 Attendance and Leave (Continued)

- (8) An employee returning from a leave of absence without pay shall be entitled to employment in the same department in the same or equivalent class wherein employed when said leave commenced.
- h. Family and Medical Leave Family and medical leave shall be granted in accordance with the Family and Medical Leave Act of 1993 (P.L. 103-3).
- i. Absence with Leave An absence of an employee from duty, including any absence for a single day or part of a day, that is not authorized by a specific grant of leave of absence under the provisions of these regulations shall be deemed to be an absence without leave. Any such absence shall be without pay and shall be cause for disciplinary action.
- j. Administrative Leave An employee may be placed on administrative leave with pay at the discretion of the Department Head and approval of the City Administrator when such action is deemed to be in the best interest of the city.
- k. Notification to City Administrator When an employee has taken leave of any kind or is absent without leave, his or her Department Head shall notify the City Administrator in writing within the same pay period in which the leave is taken or the absence without leave occurs. Such notification may be by notation on a time card or attendance sheet or by memo, giving specific information covering type of leave, dates, hours, and other pertinent data.

Sec. 3-917 Nepotism

It is hereby declared to be the policy of the City of Woodbine that no Department Head, the Mayor or member of the City Council, or City Administrator shall appoint or employ any person to any regular classified position in the City who is a member of the immediate or extended family of such officer if such appointment or employment would cause a relative of such officer to come under the direct supervision of such officer.

The employment of relatives is not prohibited by the City as long as none of the related persons are employed in a supervisory role in when they might have an effect on a relative's progress, performance or welfare as an employee.

An employee may not be promoted into a position in which they would have supervisory responsibility over a relative, unless the relative can be transferred to another position that would not be under the supervision of the relative that is being promoted.

Sec. 3-917 Nepotism

For this nepotism policy, “relatives” are defined as spouse, mother, father, step-mother, stepfather, son, daughter, mother-in-law, father-in-law, son-in-law, daughter-in-law, stepson, stepdaughter, half-brother, half-sister, grandchild, grandparent and grandparents of spouse.

This section does not apply to persons employed by the City prior to the adoption of these policies and procedures.

Sec. 3-918 Equal Opportunity and Non-Discrimination

1. Policy All applicants for positions and employees of the City shall be assured of fair and equitable treatment in all aspects of personnel administration, including training, promotion, and disciplinary action, without regard to political affiliation, race, color, national origin, sex, age, disability, or religious creed and with proper regard for their privacy and constitutional rights as citizens.
2. Publicity The City Administrator shall see that information about job opportunities and the equal employment policy of the City is readily available to all citizens of the City and especially to all potential job applicants.
3. Appeals Based on Alleged Discrimination Any applicant or employee who believes that he or she has been discriminated against shall have the right to counsel with City Administrator and to avail himself or herself of the Grievance Procedure outlined in Section 3-912.
4. Affirmative Action Plan The Mayor and City Council may adopt an affirmative action plan to formulate actions to correct employment practices which have, or potentially could have, a negative impact upon minority groups or females.

Sec. 3-919 Political Activities

No employee in the classified service shall engage in political activities at the work place or during business hours.

Sec. 3-920 Anti-Harassment Policy

This section is reserved for future use.

Sec. 3-921 Substance Abuse Policy (Section Added 01/03/00)

Sec. 3-921 Substance Abuse Policy (Continued)

The City of Woodbine is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any City of Woodbine employee illegally uses drugs on or off the job, comes to work under their influence, possesses, distributes or sells drugs in the workplace, or abuses alcohol on the job. Therefore, the City of Woodbine has established the following policy:

1. Violations

- a. It is a violation of city policy for any employee to use, possess, sell, trade, offer for sale, or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on or off the job.
- b. It is a violation of city policy for any employee to report to work under the influence of or while possessing in his or her body, blood, or urine illegal drugs in any detectable amount.
- c. It is a violation of city policy for any employee to report to work under the influence of or impaired by alcohol.
- d. It is a violation of the city policy for any employee to use prescription drugs illegally, i.e., to use prescription drugs that have not been legally obtained or in a manner or for a purpose other than as prescribed. (However, nothing in this policy precludes the appropriate use of legally prescribed medications.)
- e. Violations of this policy are subject to disciplinary action up to and including termination.

2. Employee Assistance

- a. The City of Woodbine offers resource information on various means of employee assistance in our community, including but not limited to drug and alcohol abuse programs. Employees are encouraged to use this resource file, which is located in the City Hall personnel office.
- b. Information will be distributed to employees for their confidential use, upon request.

3. General Procedures

- a. An employee reporting to work visibly impaired will be deemed unable to properly perform required duties and will not be allowed to work. If

Sec. 3-921 Substance Abuse Policy (Continued)

possible, the employee's supervisor will first seek another supervisor's opinion to confirm the employee's status.

- b. The supervisor will consult privately with the employee to determine the cause of the observation, including whether substance abuse has occurred.
- c. If, in the opinion of the supervisor, the; employee is considered impaired, one of the following actions will be taken:

(1) The employee will be sent home.

(2) The employee, if unable to care for himself, will be sent to a medical facility.

Depending on the determination of the observed impairment, the employee may be accompanied by a supervisor, if necessary. An impaired employee will not be allowed to drive.

4. Opportunity to Contest or Explain Results

- a. Employees and job applicants who have a positive confirmed test may explain or contest the result to the City of Woodbine within five (5) working days the City contacts the employee or job applicant and show him/her the positive test result as it was received from the laboratory in writing.
- b. Any disciplinary action taken as a result of the test results will proceed once the test results are received and are not dependent upon the employee's right to explain or contest the results.

5. Confidentiality

The confidentiality of any information received by the City of Woodbine through a substance abuse testing program shall be maintained, except as otherwise provided by law. All information received through substance abuse testing is confidential, but may be disclosed in a criminal, civil or administrative proceeding in accordance with Georgia law.

6. Pre-employment Drug Testing

- a. Applicants to the City of Woodbine for position that are sensitive from a safety, health or security standpoint will undergo testing for the presence of illegal drugs as a condition of employment. Any applicant with a confirmed positive test will be denied employment.

Sec. 3-921 Substance Abuse Policy(Continued)

- b. Applicants will be required to submit voluntarily to a urinalysis test at a laboratory chosen by the City of Woodbine, and by signing a consent agreement will release the City of Woodbine, its officers and agents from liability. An applicant who refuses to submit to substance abuse testing will not be eligible for hire.
- c. If the physician, official, or lab personnel have reasonable suspicion to believe that the job-applicant has tampered with the specimen, the applicant will not be considered for employment.
- d. This City will not discriminate against applicants for employment because of a past history of drug abuse. It is the current abuse of drugs, preventing employees from performing their job properly, that the City of Woodbine will not tolerate. Individuals who have failed a pre-employment test may initiate another inquiry with the City after a period of not shorter than six (6) months; but they must present themselves drug-free as demonstrated by urinalysis or other test selected by the City of Woodbine.

7. Employee Testing

- a. This City has adopted testing practices to identify employees who use illegal drugs on or off the job or who abuse alcohol on the job. It shall be a condition of employment for all employees to submit to substance abuse testing under the following circumstances:
  - (1) When there is reasonable suspicion to believe that an employee is using illegal drugs or abusing alcohol. "Reasonable suspicion" is based on a belief that an employee is using or has used drugs or alcohol in violation of the employer's policy drawn from those facts in light of experience. Among other things, such facts and inferences may be based upon, but not limited to, the following:
    - (a) Observable phenomena while at work such as direct observation of substance abuse or of the physical symptoms or manifestations of being impaired due to substance abuse.
    - (b) Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
    - (c) A report or suspicion of substance abuse provided by a reliable and credible source.

Sec. 3-921 Substance Abuse Policy (Continued)

- (d) Information that any employee has caused or contributed to an accident while at work.
  - (e) Evidence that any employee has used, possessed, sold, solicited, or transferred drugs while working or while on the City's premises or while operating the City's vehicle, machinery, or equipment.
- (2) When employees have caused or contributed to an on-the-job inquiry that resulted in a loss of worktime, which means any period of time during which an employee stops performing the normal duties of employment and leaves the place of employment to seek care from a licensed medical provider. A Supervisor may send employees for a substance abuse test if they are involved in on-the-job accidents where personal injury or damage to City or private property occurs.
  - (3) As part of a follow-up program to treatment for drug abuse.
  - (4) When a substance abuse test is conducted as part of a routinely scheduled employee fitness-for-duty medical examination that is part of the City's established policy or that is scheduled routinely for all members of an employment classification group.
  - (5) Upon request as part of a random drug screening program.
- b. Employees with a confirmed positive test result may, at their option and expense, have a second confirmation test made on the same specimen. An employee will not be allowed to submit another specimen for testing.
  - c. If the physician, official, or lab personnel have reasonable suspicion to believe that the employee has tampered with the specimen, the employee is subject to disciplinary action up to and including termination.
  - d. An employee who refuses to submit to substance abuse testing will be subject to disciplinary action.

8. Alcohol Abuse

- a. The consumption or possession of alcoholic beverages on the City's premises is prohibited.
- b. An employee whose normal faculties are impaired due to the consumption of alcoholic beverages, or whose blood alcohol level tests positive, while

Sec. 3-921 Substance Abuse Policy (Continued)

on duty or on City business shall be guilty of misconduct, and shall be subject to discipline up to and including termination.

- c. Failure to submit to a required substance abuse test is misconduct and shall be subject to discipline up to and including termination.
9. It is the responsibility of the City's supervisors to counsel employees whenever they see changes in performance or behavior that suggest an employee has a drug problem. Although it is not the supervisor's job to diagnose personal problems, the supervisor should encourage such employees to seek help and advise them about available resources for getting help. Everyone shares responsibility for maintaining a safe work environment, and co-workers should encourage anyone who has a drug problem to seek help.
10. The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive, and drug-free environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that the illegal use of drugs and the abuse of alcohol are incompatible with employment with the City of Woodbine.

Sec. 3-922 Travel Policy

This section is reserved for future use.

**Article X: Purchasing Policy**

Sec. 3-1001 Introduction

1. Establishment of rules The following rules and regulations, and other administrative provisions for purchasing administration are hereby declared to constitute the purchasing policy of the city.
2. Dissemination of rules The city administrator will furnish copies of all rules and changes thereto and shall be responsible for maintaining a complete current set of the rules and regulations.
3. Organization for purchasing The city administrator is designated as purchasing office and is responsible for purchasing the city.
4. Purchasing forms The basic purchasing forms to be used are the requisition, request for quotation, and purchase order.

Sec. 3-1002 Requisition

1. Description The requisition is the form on which a department requests the goods or services it wishes to purchase (See Exhibit A.). It describes the item to be purchased, the quantity, and gives the name and budgetary account number of the using department. It should be prepared in duplicate with a copy retained by the originating department. All requisitions will be pre-numbered by order of use to facilitate filing, and must be signed by the using department supervisor.
2. Use The requisition is the purchasing office's authority to initiate procurement. Listed on the requisition should be a complete description of the item(s) to be purchased (include model number and/or catalog number if possible), quantity, the date material is needed, where delivery is to be made, and suggested vendors.
3. Preparation
  - a. Department Identify the department by name.
  - b. Date Date the requisition is prepared.
  - c. Account Number Proper budgetary account number to which purchase is to be charged.
  - d. Requisition Number Number starting with the year, department number and consecutive number and continue on. (This will give you the number of requisition you place through your department. Example: 77-260-1, 77-260-2, etc.)
  - e. Date Needed Be specific. (Do not use ASAP, soon, etc.)
  - f. P.O. Number Leave blank; this will be entered by purchasing office.
  - g. Suggested Vendor(s) Optional
  - h. The remainder of the form is self-explanatory. If you have any questions, do not hesitate to contact the purchasing office for assistance.
4. Signature required
  - a. Requisitions are to be signed by the department supervisor or his authorized representative. If a department supervisor authorizes someone to sign requisitions, he shall provide the purchasing office with a list of those individuals.

Sec. 3-1002 Requisition (Continued)

- b. The purchasing officer is authorized to amend requisitions in regard to price and vendor in the best interest of the city. He may not change specifications without consulting the originating department.

Sec. 3-1003 Request for quotation

1. Use The request for quotation shall be used on all items purchases in excess of \$50.00 (Amended 2/1/88). The purchasing officer may request quotes on any purchase at his discretion. The request for quotation is to be used by the purchasing office.
2. Preparation
  - a. Date of Request Date form is completed.
  - b. Submit Quote Before Deadline for quote.
  - c. Item and Quantity Description List of items desired, number needed and full description, describe without using brand or trade names if possible.
  - d. Vendor Give vendor name, address, phone number and name of person quoting, especially if business telephone number is given.
  - e. Quote Vendor's stated price, delivery date, and any other important information.
  - f. Purchasing Officer Must be signed by person obtaining quote.
  - g. Purchasing Order Number, and How Obtained Give P.O. number and check how the quote was obtained.
  - h. Reason Order Placed Check reason or give full details in box listed "other"; use back of form if necessary.
  - i. How Filed Attach quote forms to purchase order copy retained in purchasing office.

Sec. 3-1004 Purchase Order

1. Preparation After receiving the requisition, the purchasing office will type the purchase order, assign a number and place the order, if funds are appropriated.

Sec. 3-1004 Purchase Order (Continued)

2. Distribution of Copies

- a. White purchase order, send to vendor. (See Exhibit B.)
- b. Yellow receiving copy and green department file copy: (Exhibit C and D)

(1) Both yellow and green copies will be sent to the originating department.

(2) The yellow receiving copy is to be filed in the originating department pending delivery of merchandise; it will be signed upon receipt of the goods and forwarded to the purchasing office, together with all delivery tickets.

\*Do not sign the receiving copy if there should be a discrepancy, or if the merchandise received is not satisfactory. Bring this to the attention of the purchasing office. Sign and return the receiving copy as soon as the error is corrected.

- c. Blue purchasing office copies: these copies will be retained by the purchasing office. (Exhibit E.).

3. Processing of Paper It is the responsibility of the originating department to sign the certification on the receiving copy indicating the material has been received and is satisfactory. Then submit all necessary papers, such as packing slips and bills, to the purchasing office promptly. After a final check for completeness, payment will be made.

Sec. 3-1005 Appropriations for Purchases

1. Funds Not Available If funds have not been appropriated or are not available, the originating department will be notified and the requisition will be returned.
2. Additional Funding The responsibility for action to initiate receipt of additional funds rests with the originating department. A request for additional funds with complete justification should be submitted to the administrator.
3. Resubmitting Requisition If funds are provided, the originating department must submit another requisition to the purchasing office.

Sec. 3-1006 Exceptions to Standard Procedures

1. Blanket Purchase Order

Sec. 3-1006 Exceptions to Standards Procedures (Continued)

- a. Description Blanket purchase orders are used for those few vendors from whom many repetitive purchases are made as required rather than issue a purchase order for each purchase; one purchase order will be issued for a specified period to cover all such purchases during that period.
- b. Issuing The purchasing office will place the order with the selected vendor by issuing a blanket purchase order. A blanket purchase order is issued by writing in the description selection "term order"; items will be furnished as requested when above purchase order number is referenced.)

Monthly statements must be supported by signed counter tickets. This order expires on \_\_\_\_\_, 20\_\_.

- c. Originating Department Responsibility The originating department must determine those employees who will be authorized to make purchases under the blanket purchase order. They should use the blanket purchase order number to obtain the item (s) from the vendor. They should also obtain a copy of the vendor counter ticket and forward it to the purchasing office.
  - d. Closing Blanket Purchase Orders The purchasing office shall close the blanket purchase orders as they expire by writing "complete" on the copies maintained in that office, issuing a new purchase order for the coming period and informing the originating department of the new purchase order number.
  - e. Payment Payment of the closed blanket purchase order will be made upon receipt of the signed receiving copy from the originating department, and reconciliation of the counter tickets with vendor invoice(s).
2. Requisition Not Needed Some vendors may be paid directly by voucher, and no requisition is needed when they are paid for contractual services, fees, or reimbursement of expenditures.
  3. Emergency Purchases
    - a. Description Some departments must be able to have access to supplies under emergency conditions, i.e. conditions which adversely and unduly affect the life, health, or convenience of citizens.
    - b. Purchase Order Number Obtained Emergency purchases, however, must be confirmed with a purchase order. Such purchases during working hours should be approved verbally by the purchasing office in order that a

Sec. 3-1006 Exceptions to Standards Procedures (Continued)

- c. purchase order number can be assigned. That number must be given to the vendor to be used on the invoice he submits to the city.
- d. Requisition Submitted Following Workday A requisition for the emergency purchase must be submitted to the purchasing office no later than the following workday. It should indicate the emergency purchase order number and all relevant facts about the purchase.

Sec. 3-1007 Securing of Price Quotations and Bids

- 1. Purchase Officer's Responsibility The securing of price, quotations, or bids will be the responsibility of the purchasing office, subject to existing ordinances and other regulations pertaining to purchasing. Prices will be obtained by one of the following methods. Quoted are required on any purchase in excess of fifty dollars (\$50.00) (Amended 2/1/88).
  - a. Telephone The greatest number of prices will be obtained by use of the telephone.
  - b. Request for Quotation A request for quotation form will be used when the purchasing office determines that the cost of an item is relatively high or that an item is difficult to secure. This form is used to permit two or more vendors to furnish prices, in writing. An opening date of the informal bid may be designated on the front of the form.
  - c. Sealed bid This method will be used on all purchases exceeding two thousand dollars (\$2,000.00), or when legally required or at the discretion of the purchasing officer if it will be advantageous because of price or material.

If this method is used, a legal notice stating the pertinent facts of the contemplated purchase will be published in the legal organ and sealed bids will be opened at the specific time and place as published in the newspaper.

Specifications will be drafted by the originating department supervisor seeking the necessary material, and finalized by the purchasing officer in consultation with the department supervisor.

- d. Georgia Department of Administrative Services This service utilizes the services the State Purchasing and Supplies Division. Under this procedure, the city may purchase on any state contract and possibly obtain a lower price due to the volume that the state purchases. The purchasing office

Sec. 3-1007 Securing of Price Quotations and Bids

- e. maintains a current copy of Field Purchasing Contracts Manual issued by the Georgia Department of Administrative Services.

Sec. 3-1008 Personal Liability

1. Department Heads Responsibility It is the responsibility of each department supervisor to ensure that each of his or her subordinates is instructed in the use of these purchasing procedures.
2. Personal Liability for Nonconforming Purchases Any purchase made not in accordance with these procedures automatically becomes the direct, personal obligation of the individual making such purchase.

Sec. 3-1009 Future Purchasing Procedures

The City Administrator is authorized to establish additional rules and regulations to effectively implement this policy.

Sec. 3-1010 [Sections 3-1010 through 3-1030 are reserved for future use.]

### **Article XI: Donations**

Sec. 3-1101 Eligible Donations

Only donations to organizations which give a direct benefit to the citizens of Woodbine shall, at the discretion of the City Council, be considered for any type of tax advantage.

Sec. 3-1102 Exceptions

This policy is not intended to exclude such organizations as the Woodbine Citizen's Steering Committee or any organization which works for the direct betterment of our city. (Amended 9/9/83).

### **Article XII: Use of Tobacco Products**

Ordinance Prohibiting the Use of Tobacco Products in all City of Woodbine Owned, Operated, or Leased Building and Vehicles

Sec. 3-1201 Purpose. To prohibit smoking or other use of tobacco products in city buildings, within those areas of other building which are operated or occupied by city employees, the public, including leased office space and vehicles. In addition, to prohibit smoking or other use of tobacco products within 25 feet of a public entrance to an enclosed area where smoking or other use of tobacco products is

- Sec. 3-1202 Posting The City of Woodbine Administrator shall see to the posting of each city building and vehicle affected by this ordinance, indicating the use of tobacco products is prohibited within the building or vehicle by ordinance, and that violators shall be subject to prosecution.
- Sec. 3-1203 Enforcement The Camden County Sheriff's Department and all other law enforcement officers shall be authorized to issue citations to violators of any provisions of this ordinance. Such citations shall state the time and place at which the accused is to appear for trial, shall identify the offense with which the accused is charged, shall have an identifying number by which it shall be filed with the court, shall indicate the identity of the accused and the date of the service, shall be signed by the officer who completes and serves it. (Amended 7/6/2004).
- Sec. 3-1204 Penalty
- a. Any person violating this ordinance, or provision hereof, upon conviction, may be punished up to the maximum punishment which may be imposed for violation of a city ordinance; and in no case shall the maximum punishment of the violation of such ordinance exceed the fine of one-thousand dollars (\$1,000.00) or imprisonment for sixty (60) days or both.
  - b. Municipal Court of the City of Woodbine shall have jurisdiction over all violations of this ordinance.
  - c. Persons accused of violating this ordinance may be arrested and required to post a bond for future appearance in said court.
- Sec. 3-1205 Severability If any provision, clause, sentence, or paragraph of this Article or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this Article which can be given effect without the invalid provision or application and to this end the provisions of this Article is declared to be severable. (Amended 7/6/2004).
- Sec. 3-1206 Effective Date This ordinance shall become effective upon adoption and subject to enforcement August 7, 1995. Adopted in legal assembly by the Woodbine City Council on August 7, 1995.

Amended by the Woodbine City Council meeting in regular session on July 6, 2004.