

Ordinance No.

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF COMER, GEORGIA.

THE COUNCIL OF THE CITY OF COMER HEREBY ORDAINS:

WHEREAS, the Mayor and City Council have determined that it is in the best interests of and consistent with the convenience and necessity of the City of Comer to amend its city code, the following action is taken:

SECTION 1. THE CODE OF ORDINANCES OF THE CITY OF COMER, GEORGIA, IS HEREBY AMENDED BY DELETING SUBSECTION 3-604.11.B AND BY REPLACING IT WITH A NEW SUBSECTION 3-604.11.B TO READ AS FOLLOWS:

Section 3-604 Municipal Personnel Policy

11. Dismissal

B. Hearing. An employee disagreeing with the cause for dismissal shall have the right to a hearing with the Mayor and City Council, whose decisions shall be conclusive on all city personnel matters. The request for a hearing must be made in writing, signed by the employee, and filed with the Mayor or City Clerk within ten (10) days from the dismissal date. The Mayor and City Council shall have the authority to affirm, reverse or modify the dismissal decision upon the completion of the hearing. The employee shall be free from harassment or retribution for requesting a hearing.

SECTION 2. LIABILITY

Neither the approval of any action under the provisions of this ordinance, nor the compliance with provisions of this ordinance, shall relieve any person from the responsibility for damage to any person or property otherwise imposed by law nor impose any liability upon the Mayor or City Council for damage to any person or property.

SECTION 3. CONFLICTS BETWEEN SPECIFIC AND GENERAL PROVISIONS.

Where there is an apparent conflict in this Ordinance between specific and general provisions, it is the intention hereof that the specific shall control.

SECTION 4. SEVERABILITY.

If any section, provision, or clause of any part of this Ordinance shall be declared invalid or unconstitutional, or if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent that this Ordinance would have been adopted had such invalid portion not been included herein.

SECTION 5. REPEAL OF CONFLICTING PROVISIONS.

All ordinances or parts of ordinances in conflict with this ordinance, and not preserved hereby, are hereby repealed.

SECTION 6. EFFECTIVE DATE

This Ordinance shall become effective immediately after its passage and approval in the manner prescribed by law.

Passed and approved this 9 day of May, 2006, at a meeting of the Mayor and Council of the City of Comer, Georgia.

William E. Burroughs, Mayor, City of

Comer
Attest:

Stephen H. Sorrells, City Clerk
[CITY SEAL]

Approved as to Legal Form:

Victor Y. Johnson, City Attorney