

AN ORDINANCE TO AMEND THE MUNICIPAL PERSONNEL POLICY OF 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 RENUMBERING SECTIONS 3-604.11.D THROUGH 3-604-11.I AS 3-604.12 THROUGH 3-604.17, AND BY ADDING SECTION 3-604.18, TO READ AS FOLLOWS:

12. **Retirement.** A retirement policy shall be established by the Mayor and Council as required by the city, subject to modification or change when conditions warrant.
13. **Resignation.** A retirement policy shall be established by the Mayor and Council as required by the city, subject to modification or change when conditions warrant.
14. **Holidays.** Public holidays to be observed with pay for city employees shall be as follows:
  - (1) New Year's Day
  - (2) President's Day
  - (3) Good Friday
  - (4) Veterans Day
  - (5) Memorial Day
  - (6) Independence Day (July 4<sup>th</sup>)
  - (7) Labor Day
  - (8) Thanksgiving Day
  - (9) Christmas.Martin Luther King Day may be taken as a holiday by a public employee, but is not a paid holiday.  
*(Adopted June 5, 2001)*
15. **Vacations.** The procedures and duration of vacation leave with pay for all city employees shall be as follows:
  - (1) Five (5) days paid vacation per year after one (1) year of employment.
  - (2) Ten (10) paid vacation days per year after the first five (5) years of employment.
  - (3) All vacation requests and times must be approved by the department head.  
*(Adopted June 5, 2001)*
16. **Sick Leave.** Each employee shall have five (5) days paid sick leave per calendar year. Sick leave does not accumulate from year to year, but the employee may receive one-half (1/2) day pay for each unused day of sick leave at the end of each year. *(Adopted June 5, 2001)*
17. **Travel Expenses.** For trips and other expenses incurred in the pursuit of official duties and authorized by the Mayor and Council, employees shall receive compensation to be paid as established by the Mayor and Council.
18. **Firearms.** No employee may carry firearms while on duty as a city employee unless
  - (1) that employee is currently certified by the Peace Officers Standard and Training Council, and
  - (2) that POST certified employee is acting within the confines of his or her

assigned duties as a city employee, and said duties include the carrying of firearms.

All city employees, whether or not on duty as a city employee, are prohibited from carrying firearms in a city vehicle, or on city property, other than those POST certified employees referenced above. Violation of this provision is cause for immediate dismissal of the employee or disciplinary action against the employee.

## SECTION 2. LIABILITY

1. 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 individuality 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 5th day of April, 2005, at a meeting of the Mayor and Council of the City of Comer, Georgia.

On File  
William E. Burroughs, Mayor, City of

Comer  
Attest:

On File  
\_\_\_\_\_  
Stephen H. Sorrells, City Clerk  
[CITY SEAL]

Approved as to Legal Form:

On file  
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Victor Y. Johnson, City Attorney