

**ORDINANCE NO. 002-15**

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE PERSONNEL CODE CHAPTER 197 OF THE CODIFIED ORDINANCES OF THE CITY OF NAPOLEON; AND DECLARING AN EMERGENCY**

**WHEREAS**, the Personnel Code was amended in 2014 and the change from an eight hour day to determine overtime to a forty-hour work week to determine overtime had some unintended consequences for Police Lieutenants; and,

**WHEREAS**, the change of the position of Assistant Fire Chief to a salaried, administrative position, caused some changes that should be specifically addressed in the Personnel Code; and,

**WHEREAS**, City Council acknowledges that from time to time it must review the various codes and policies of the City of Napoleon; and,

**WHEREAS**, City Council now desires to amend the Personnel Code of the City of Napoleon; Now Therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO:**

Section 1. That, the City of Napoleon does hereby amend Chapter 197 of the Codified Ordinances of the City of Napoleon, Ohio as follows:

**“197.16 PAID LEAVES OF ABSENCE**

**(a) Applicability**

The provisions of this chapter shall apply only to employees who are full-time regular employees unless otherwise expressly applied to other than full-time regular employees. This chapter (Paid Leaves of Absence) shall also expressly apply to members or officers of the appointing authority and other full-time regular unclassified employees, excluding elected officials. *STARTING AS OF THE FIRST PAY PERIOD FOR 2015, THIS WOULD INCLUDE ASSISTANT FIRE CHIEFS.* Nothing in this provision (a) shall be construed as prohibiting the limiting or restricting of applicability of a leave policy to “key employees” as may be provided in a specific policy.

**(b) Applications for Time Off and Scheduling of Time Off**

The following guidelines will be followed when applying for and authorizing time off. Vacation, holidays, personal holidays, and compensatory time are considered time off. Any and all combinations of the above may be used when applying for time off.

<b>Number of Days Off</b>	<b>Minimum Notice</b>
less than 5	7 days
5 plus	35 days

To reserve vacation time, employees must apply for their vacations by November 25th of the year prior to the year the vacations will be taken and priority for time off within the above categories will be determined by departmental seniority from an employee's most recent employment date. With regard to any vacation application received after November

25th, priority for time off within the above categories will be determined by departmental seniority from an employee's most recent employment date only when employees apply for vacation on the same calendar day. Advanced application for vacation may be made so long as the employee will have credited the requested hours at the time the employee's vacation is to commence; however, an employee may not, in advance, lock in vacation dates for multiple years.

Exceptions to minimum notice may be permitted subject to the approval of the appropriate supervisor.

Authorization of time off is subject to availability of personnel, and the recognized City objective of minimizing overtime paid.

**(c) Bereavement Leave**

**(1) General**

A full-time regular employee may be granted a leave of absence with pay to attend the funeral of a member of his/her immediate family. Such leave of absence will be granted between the day of death until and including the day of the funeral, not to exceed three (3) calendar days and shall not be charged against the employee's accumulated sick leave.

Immediate family, for the purposes of this Section, shall be defined as the employee's grandparents, brother, sister, father, father-in-law, mother, mother-in-law, spouse, child, stepchild, grandchild, or legal guardian.

A full-time regular employee shall be granted a one (1) day leave of absence with pay to attend the funeral of his/her spouse's brother, sister and grandparents, or the employee's son-in-law, daughter-in-law, aunt and uncle.

In the event of the death of any other relative of an employee, the employee shall, upon request, be excused for one (1) day to attend the funeral, with such leave day being deducted from the employee's accumulated vacation, compensatory time, personal holiday, or sick leave balance at the employee's discretion. Alternatively, the employee may elect to take an unpaid leave day.

**(2) Additional Bereavement Leave**

Additional leave may be granted, at the discretion of the department head, or appointing authority whichever is applicable, for travel or such other related purposes, with such additional leave days being deducted from the employee's accumulated vacation, compensatory time, personal holiday, or sick leave balance at the employee's discretion. Alternatively, the employee may elect to take the leave unpaid.

**(3) Notification Requirements for Bereavement Leave**

The employee must notify his/her supervisor of the purpose of his/her absence as soon as possible but not later than one (1) hour prior to his/her scheduled starting time on the employee's first day of such absence from scheduled duty. The employee may be asked to provide to the department head, or appointing authority, whichever is applicable, verification of the death, relationship, and funeral date.

**(d) Personal Holidays**

Except as herein provided, each employee shall be entitled to five (5) personal holidays per calendar year to be taken on any work day chosen by the employee and approved in advance by the employee's supervisor or the appointing authority, whichever is applicable. During the first calendar year of employment, the number of personal holidays, or portion thereof, shall be prorated based upon the month in which the employee is hired. An employee hired on December 1 or later shall have no personal holidays for that year. Personal holidays must be taken prior to the last day of the last complete pay period of the calendar year or they will be lost. Personal holidays from year to year cannot be accumulated.

For officers of the police department, any holidays banked shall be taken prior to the last day of the last complete pay period in November, or they will be converted to eight (8) hours cash payment on the first pay of December.

~~Instead of what has been stated above, the Assistant Chief of the fire/rescue department shall be entitled to five (5) personal days or one hundred twenty (120) hours each calendar year.~~

(e) **Sick Leave**

(1) **Crediting of Sick Leave**

Except as otherwise provided, sick leave credit shall be earned at the rate of 0.0575 hours for each hour of service only in active pay status, up to a maximum yearly accumulation of one hundred twenty (120) hours. Unused sick leave credit shall accumulate from year to year without limit. Effective September 1, 2000, of the non-full-time regular status employees, only permanent part-time employees shall earn sick leave credit and at the same rate as full-time regular employees; however, any other part-time or temporary employee that received such benefit prior to September 1, 2000 shall retain the same until such time is otherwise exhausted.

~~The Assistant Chief of the fire/rescue department may accumulate a maximum of one hundred ninety-two (192) sick leave hours each calendar year; however, in no event shall the Assistant Chief of the fire/rescue department accumulate more than three thousand six hundred (3,600) total hours.~~

(2) **Retention of Sick Leave**

An employee who formerly worked for another public agency shall be given credit for any accumulated but unused sick leave provided that the employee was hired by the city within ten (10) years of the date on which the employee was last terminated from public service, and further provided that deduction from such sick leave credit shall be made for any payment or credit given by the previous agency in lieu of taking sick leave.

Unless otherwise provided by a specific ordinance or resolution of council pertaining to employment or previously authorized by the City, the sick leave so credited (transferred) may be used only to extend sick leave coverage while in the employment of the City, and only after all sick leave earned at the City has been exhausted; further, unless otherwise provided, such credited (transferred) sick leave may not be used in computing sick leave payout at retirement or additional (sick leave conversion) vacation leave purposes.

This provision shall not narrow or reduce the amount of sick leave credit received, nor shall it narrow or reduce a current sick leave balance, a sick leave conversion right or sick leave payout, as was previously authorized, of any person who is employed by the City at the time of this Code enactment.

**(3) Expiration of Sick Leave**

If illness or disability continues beyond the time covered by earned sick leave, the employee may be granted further leave in accordance with the City's FMLA policy, or other applicable leave policies, subject to qualification.

**(4) Charging of Sick Leave**

Sick leave shall be charged in minimum units of one-quarter (1/4) hour. An employee shall be charged for such leave only for days upon which he/she would otherwise have been scheduled to work. Sick leave payment shall not exceed the normal scheduled work day or work week earnings.

**(5) Uses of Sick Leave**

Sick leave shall be granted to an employee who qualifies for sick leave only upon approval of the City and for the following reasons:

Illness or injury of the employee that requires time off from work.

Illness or injury to a member of an employee's immediate family when care or attendance by the employee is necessary requiring time off from work.

Medical, dental or optical examination or treatment of an employee or a member of his/her immediate family which requires the employee to take time off work, and which cannot be scheduled during non-working hours or, when a member of the immediate family of an employee is afflicted with a contagious disease that requires the care and attendance of the employee or when, through exposure to a contagious disease the presence of the employee at his/her job would jeopardize the health of others.

For the purpose of this section, immediate family shall include the employee's father, mother, spouse, child, without regard to residency and will include a stepchild if in the employee's residence. The immediate family provisions contained herein shall be for a limited period of time (not to exceed three (3) consecutive days per week) to enable the employee to secure other arrangements for the care of the member of his/her immediate family, except as may be approved by the employee's appointing authority in unusual and exceptional circumstances.

\* Notwithstanding any other provision in this section, pregnancy, childbirth and other related medical conditions and temporary disability requiring the necessity of an employee to take time off work, will be considered, subject to qualification, under the FMLA and pregnancy and temporary disability policies of the City. In cases where any other leave qualifies, the applicable leave policy shall control in accordance with the City's Employment Policy Manual.

**(6) Evidence Required for Sick Leave Usage**

Any employee requesting sick leave shall be required to furnish a satisfactory written signed statement to justify the use of sick leave.

If medical attention is required, a certificate stating the nature of the illness from a physician shall be required to justify the use of sick leave. Falsification of either a written, signed statement, or a physician's certificate may be grounds for disciplinary action including dismissal.

**(7) Notification by Employee**

When an employee is unable to report to work, he/she shall notify his/her immediate supervisor, or other designated person, one (1) hour before the time he/she is scheduled to report to work on each day of absence, unless emergency conditions make it impossible, or other arrangements have been made in advance with the supervisor.

**(8) Abuse of Sick Leave**

Employees failing to comply with sick leave rules and regulations shall not be paid for the period of time missed from work. Application for sick leave with intent to defraud will result in denial of pay to cover the day(s) in question and may result in disciplinary action up to and including dismissal. If pay has been received for sick leave for which there was no entitlement, the City shall have the right to recover from the employee any money wrongly paid.

Sick leave shall not be paid to any employee for time off of work which results from any action within the control of the employee such as intentional self-inflicted wounds, use of illegal drugs, alcoholic beverages, or injury sustained while committing a felony or other criminal action. This provision shall not apply to sick leave used for the purposes of participating in bona fide drug treatment, alcohol treatment, or mental health treatment programs.

**(9) Physician Statement**

Employees on sick leave on more than three (3) consecutive working days shall be required to furnish a certificate from a physician notifying the City that the employee is unable to perform the job, and may be required to present a like certificate from a physician upon the employee's return to work indicating his/her fitness and ability to perform the job.

In addition, employees shall also be required to furnish a certificate from a physician for each illness of less than three (3) days duration, for each occasion which exceeds any one (1) of the following calendar year limits:

- Two (2) occasions per employee for the employee's illness, for which no physician's certificate was presented and/or two (2) occasions per family member, for which no physician's certificate was presented; however, the total occasions per calendar year shall not exceed four (4).

Exceptions may be made to the limits listed above in certain circumstances, and only upon advance written approval of the department head or the appointing authority, whichever is applicable.

Employees may be required to furnish a certificate from a physician for each illness of less than three (3) days duration, for each occasion which is less than anyone (1) of the calendar year limits shown above, if the City has reasonable suspicion that sick leave abuse is occurring or will occur.

Where sick leave is requested to care for a member of the immediate family, the City may require a physician's certificate to the effect that the presence of the employee is necessary to care for the ill person.

#### **(10) Physical Examination**

The City may require an employee to take an examination, conducted by a physician, to determine the employee's physical or mental capability to perform the job. If determined incapable of doing so as a result of such examination, the employee may be placed on paid leave of absence, unpaid leave of absence, or disability separation. The cost of such examination shall be paid by the City.

#### **(11) Sick-Leave Payout**

Unless otherwise provided or modified by a specific ordinance or resolution of Council pertaining to employment, or unless otherwise declined by the employee, or otherwise deferred by the employee in anticipation of rehire by the City, any employee who retires or otherwise departs service, other than an involuntary departure, after ten (10) years of continuous service with the City or who dies in service after five (5) years of continuous service with the City, except part-time permanent employees, shall be compensated for accumulated but unused sick leave at the time of retirement or death in the form of a lump sum payment at the rate of:

- One (1) day's pay for every four (4) days of accumulated but unused sick leave up to nine hundred sixty (960) hours; the remaining time shall be at the rate of one (1) day's pay for every three (3) days of accumulated but unused sick leave.
- Such lump sum payment shall reduce to zero (i.e., eliminate) the employee's sick leave credit.

An employee's "daily base rate" or "day's pay" shall be figured by dividing the employee's annual base rate at the time of retirement or voluntary departure by 2080 hours and multiplying that base hourly rate figure by eight (8) hours.

The death benefit payment shall be made to the beneficiary designated by the employee in writing on a form provided by the City. In the event that there is no such valid designation, the payment shall be made to the employee's estate upon application of the legal representative thereof.

In the case of sick leave payout being deferred in anticipation of rehire by the City, the sick leave reconciliation shall be made as provided for in this section. A rehired employee shall be entitled to use all or part of the deferred sick leave so long as it is used in accordance

with use of sick leave policies of the City. Any deferred sick leave amount may be demanded for payment by the earner of the sick leave at anytime in accordance with the sick leave payout schedule, so long as the sick leave is not used or otherwise transferred to another governmental entity. In any event, full reconciliation and settlement of deferred sick leave payout shall be completed not later than twenty-four (24) months after last employment with the City.

**(12) Sick Leave Conversion**

An employee with a sick leave balance in excess of nine hundred and sixty (960) hours may use a portion of such excess sick leave as vacation time by converting three (3) sick leave days for each one (1) day of vacation time. An employee may convert up to a maximum of fifteen (15) such excess sick leave days per calendar year. However, such conversion shall not be permitted if payment of overtime to another employee becomes necessary as a result. This provision is subject to the provisions contained in Section 197.18 of this Code (Vacations).

**(f) Legal Holidays**

**(1) Effects of Vacations and Days Off on City Observed Legal Holidays**

When one (1) of the City observed legal holidays falls within an eligible employee's approved vacation period or scheduled day off, he/she shall be entitled to holiday pay for the legal holiday in lieu of his/her vacation pay. Those employees who work "shift work" may elect to receive the pay, to bank the holidays, or to bank the vacation day. Except for salary employees, shift work employees who work on any of the herein City observed legal holidays listed shall have the option of electing one (1) of the following when applied for in writing by the employee to the payroll department prior to the next scheduled pay period following the holiday:

Receive eight (8) hours holiday pay plus one and one-half (1-1/2) times their regular rate of pay for all time worked, ~~except in the case of the Assistant Chief of the fire department position(s) which shall receive 11.2 hours holiday pay plus one and one-half (1-1/2) times his/her regular rate of pay for all time worked.~~

Receive an additional banked holiday (to be taken off prior to the ending of the next to last full pay period of the current fiscal year) plus receive one and one-half (1-1/2) times their regular rate of pay for all time worked. If the additional banked holiday is not taken off by the end of the next to last full pay period of the year it shall be paid in cash for eight (8) hours at straight time ~~(except for the positions of Assistant Chief of the fire/rescue department which shall be 11.2 hours)~~ rate payable the first pay in December of the current fiscal year.

***EXCEPT FOR POLICE LIEUTENANTS WHO SHALL FOLLOW:***

***WHEN A STATUTORY HOLIDAY FALLS WITHIN AN ELIGIBLE EMPLOYEE'S APPROVED VACATION PERIOD, THE EMPLOYEE SHALL BE ENTITLED TO HOLIDAY PAY IN ADDITION TO THE EMPLOYEE'S VACATION PAY. THE EMPLOYEE MAY ELECT TO RECEIVE THE PAY OR BANK THE HOLIDAY.***

**EMPLOYEES WHO WORK ON ANY OF THE HOLIDAYS LISTED SHALL RECEIVE EIGHT (8) HOURS HOLIDAY PAY PLUS ONE AND ONE HALF (1-1/2) TIMES THEIR REGULAR RATE OF PAY FOR ALL TIME WORKED. THEY SHALL HAVE THE OPTION OF TAKING ANOTHER DAY OFF AT A FUTURE DATE SO SPECIFIED BY THE EMPLOYEE AND APPROVED BY THE CHIEF OF POLICE OR THE CHIEF OF POLICE'S DESIGNEE IN LIEU OF RECEIVING THE EIGHT HOURS HOLIDAY PAY.**

**ALL HOURS WORKED IN EXCESS OF EIGHT (8) HOURS ON ANY OF THE HOLIDAYS LISTED SHALL BE PAID AT THE RATE OF ONE AND ONE-HALF (1½) TIMES THE EMPLOYEE'S REGULAR RATE OF PAY PLUS ONE (1) HOUR OF COMPENSATORY TIME FOR EACH SUCH HOUR WORKED, REGARDLESS OF WHETHER THE EMPLOYEE HAS REACHED THE FORTY HOUR THRESHOLD.**

**WHEN ONE OF THE HOLIDAYS FALLS ON A SCHEDULED DAY OFF, THE EMPLOYEE MAY ELECT TO RECEIVE THE PAY OR TO BANK THE HOLIDAY. AS A THIRD OPTION, AND IF APPROVED IN ADVANCE BY THE CHIEF OF POLICE, THE EMPLOYEE MAY ELECT TO TAKE THE DAY OFF IMMEDIATELY PRECEDING THE HOLIDAY.**

## **(2) Observance Days**

For employees who have a regular work schedule other than Monday to Friday, the observance of the holiday shall be on the day of such City observed legal holiday. For those employees whose regular schedule is Monday to Friday, City observed legal holidays that fall on a Saturday will be observed on Friday, and City observed legal holidays that fall on Sunday will be observed on Monday.

## **(3) Schedule of Observed Legal Holidays**

The following are the paid City observed legal holidays:

January 1, Good Friday (being the Friday immediately prior to Easter Sunday), Memorial Day (being the last Monday in May), July 4th, Labor Day (being the first Monday in September), Thanksgiving (being the fourth Thursday in November), December 25th, and an additional floating holiday as specified below:

If December 25th is Sunday, then December 25th will be recognized on December 26th and an employee shall also receive December 27th as the additional floating holiday.

If December 25th is Monday, then an employee shall also receive December 26th as the additional floating holiday.

If December 25th is Tuesday, then an employee shall also receive December 24th as the additional floating holiday.



If December 25th is Wednesday, then an employee shall also receive the day after Thanksgiving as the additional floating holiday.

If December 25th is Thursday, then an employee shall also receive December 26th as the additional floating holiday.

If December 25th is Friday, then an employee shall also receive December 24th as the additional floating holiday.

If December 25th is Saturday, then December 25th will be recognized on December 24th and an employee shall also receive December 23rd as the additional floating holiday.

In addition to what has been stated herein, President's Day shall be considered a legal holiday for the Assistant Chief of the fire/rescue department position(s); regardless, President's Day shall not be construed as a legal holiday for the City for any other purpose, ***THIS IS INTENTIONALLY LEFT IN THE CODE DESPITE OTHER CHANGES TO THE PERSONNEL CODE EFFECTING THE ASSISTANT FIRE CHIEF.***

**(4) Failure to Work on Holiday**

To become eligible for holiday pay, the employee must work the full last scheduled work day prior to, and the full next scheduled work day after, each of the City observed legal holidays listed unless the employee was otherwise in active pay status.

Employees who are scheduled to work on a designated City observed legal holiday and do not report for work on the holiday shall not be entitled to holiday pay unless their reason for not reporting would ordinarily constitute an acceptable excuse under the applicable provisions of this Code.”

Section 2. That, additionally, the City of Napoleon does hereby amend Chapter 197 of the Codified Ordinances of the City of Napoleon, Ohio as follows:

**“197.18 VACATIONS**

**(a) Entitlement Restrictions**

Except as otherwise provided in Section 197.18(h), full-time regular employees are entitled to vacation with pay after one (1) year of continuous service in the most recent employment with the City and will be due only upon the completion of the first year of said employment, calculated from hire date. The amount of vacation leave to which an employee is entitled is based upon length of service and calculated and earned on a biweekly basis as follows:

Full-time regular employees (~~except Assistant Chief of the fire/rescue department positions~~)

<u>Years of Service</u>	<u>Annual Hours</u>	<u>Bi-Weekly Accrual Hours</u>
0 year but less than 6 years	80 hours	3.077 hours/each normal pay
6 years but less than 12	120 hours	4.616 hours/each normal pay
12 years or more	160 hours	6.154 hours/each normal pay

— ~~Full-time Assistant Chiefs of the fire/rescue department positions:~~

<del>0 year through 1</del>	<del>48 hours</del>	<del>1.85 hours/each normal pay</del>
<del>2 years through 8</del>	<del>120 hours</del>	<del>4.62 hours/each normal pay</del>
<del>9 years through 15</del>	<del>192 hours</del>	<del>7.385 hours/each normal pay</del>
<del>16 years or more</del>	<del>240 hours</del>	<del>9.231 hours/each normal pay</del>

(b) **Effect of Time Spent on Authorized Leave of Absence**

Time spent on any authorized leave of absence, whether paid or unpaid, shall be counted in determining length of service for purposes of vacation eligibility.

(c) **Scheduling of Vacations**

Vacations will be arranged to give consideration to the desire of the employee in accordance with a procedure established by the employee's department head which will not interfere with City operations.

(d) **Vacations to be Taken During Year After Earned**

Except for the first year of service, accrued vacation leave may be taken by an employee at any time after accrual and entitlement, subject to the minimum increments established, so long as properly scheduled in accordance with other provisions of this Code, policy manual or work rule.

An employee shall not allow his/her total vacation time to exceed his/her maximum accrual entitlement for any employment year without prior approval from the appointing authority. For the purpose of this section, the twelve month span of time between employee's anniversary date is an employment year.

This provision is applicable to accrued vacation as a result of sick leave conversion which is authorized in Section 197.16(e)(12) of this Code. When carryover is requested by a department director, such approval may be by the council president, with notification to the body of council, or merely by the body of council.

(e) **Vacation Forfeiture**

Employees shall forfeit their right to take or to be paid for any vacation leave to their credit which is in excess of any authorized balance; moreover, any vacation time accrued in the first year of service shall be forfeited if any employee fails to complete one (1) year of continuous service.

(f) **Accrual**

Vacation leave is accrued only while on active pay status, excluding overtime and in accordance with Section 197.18(a).

(g) **Lump Sum Payment of Vacation**

In the event an employee is denied the opportunity to schedule and take accrued vacation leave due to operational needs of the City, or in the event an employee fails to schedule and take accrued vacation leave due to the operational needs of the City, the appointing authority may authorize a year-end lump sum payment to the employee in an amount not to exceed the monetary value of the employee's annual vacation accrual as provided in Section 197.18(a). In the case of a department director, lump sum payment may be approved by the council president, with notification to the body of council, or merely by the body of council.

(h) **Prior Service Credit.**

A. Except as otherwise provided for in separate legislation, and except as otherwise specifically excluded by a collective bargaining agreement under Ohio R.C. 4117, to determine prior service for the purpose of computing the amount of vacation leave for an employee first employed on or after July 5, 1987 by the City of Napoleon, the employee shall have only his or her prior service with the City of Napoleon counted. Those employees (not elected officials) who were employed by the City of Napoleon prior to July 5, 1987 shall have all their public service with the State of Ohio or any of its political subdivisions credited pursuant to Ohio R.C. 9.44 (A). An employee who has retired in accordance with the provisions of any retirement plan offered by the State of Ohio and who is employed by the State of Ohio or any political subdivision of said State on or after June 24, 1987, shall not have his or her prior service with the State of Ohio or any political subdivision of said State counted for the purpose of computing vacation leave. (ord 059-13. passed 11-18-13.)

B. Except as may be otherwise provided for by separate legislation, employees entitled to prior service credit for purpose of computing vacation leave shall have their anniversary date deferred to their most recent date of employment with the City of Napoleon for purposes of: (1) vacation use or, (2) any use or forfeiture policy regarding vacation.

C. Elected officials are not entitled to prior service credit for purpose of calculating vacation benefit, if any. (Ord. 093-08. Passed 12-15-08.)

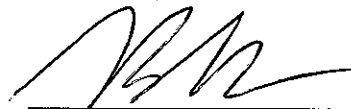
Section 3. That, the current Assistant Fire Chief has significant banked time from previous years and there would be no intention to force a payout or forced reduction in entitled, banked benefits that were previously approved to be carried over, at this time. However, it is expected that the current Assistant Fire Chief be diligent in trying to conform to the Personnel Code regarding the banked time.

Section 4. That, it is found and determined that all formal action of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 21.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon, Ohio.

Section 5. That, unless otherwise stated, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 6. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City and for the further reason that this Ordinance is required to be immediately effective in order to effectuate the changes prior to personnel issues that may arise due to the conflict in past practices versus the actual Code; wherefore, this Ordinance shall be in full force and effect immediately upon its passage.

Passed: January 19, 2015



Travis B. Sheaffer, Council President

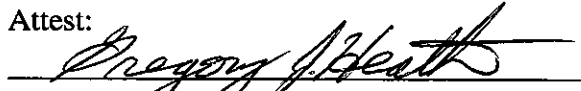
Approved: January 19, 2015



Ronald A. Behm, Mayor

VOTE ON PASSAGE 7 Yea 0 Nay 0 Abstain

Attest:



Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 002-15 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 19<sup>th</sup> day of January, 2015; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

  
Gregory J. Heath, Clerk/Finance Director