

ORDINANCE NO. 266

AN ORDINANCE TO AMEND TITLE 4, CHAPTER 4, OF THE CODE OF ORDINANCES RELATING TO PERSONNEL POLICES; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the long-standing personnel policy of the Town of Mount Carmel has been to prevent in its employment that form of favoritism, commonly referred to as nepotism, which might be shown to relatives by reason of relationship rather than merit; and

WHEREAS, Section 7.100 of the PERSONNEL POLICIES AND PROCEDURES presently in effect has been determined by the Board of Mayor and Aldermen to be more restrictive than necessary to achieve said purpose.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF The Town of Mount Carmel, Tennessee, as follows:

SECTION I. That Title 4, Chapter 4, is hereby amended by adding a new section to the numbered Section 4, 402, the remaining sections to be appropriately renumbered to conform with the numbering system used in this Code, which said section shall read as follows:

4-402. No member of an immediate family, including spouse, mother or stepmother, father or stepfather, children, sister, brother, grandparents, current mother-in-law or current father-in-law, step-grandparents, grandparents-in-law, and grandchildren, shall be employed in such capacity as to have one directly supervised by the other. This does not preclude employment of immediate family member under other lines of supervision.

SECTION II. That Title 4, Chapter 4, is hereby amended by adding a new section to be number Section 4-403, the remaining sections to be appropriately renumbered to conform with the numbering system used in this Code, which said section shall read as follows:

4-403. That in carrying out the Mayor's duties pursuant to *Tenn. Code Anno. §6-3-106(b)(2)(A)*, in employing, promoting, disciplining, suspending and discharging all employees and department heads, in accordance with the PERSONNEL POLICIES AND PROCEDURES adopted by the Board of Mayor and Aldermen, the Mayor shall submit the employment or promotion, but not the discipline, suspension and discharge, of a member of the immediate family of an existing employee for confirmation by the Board of Mayor and Aldermen. In confirming or denying the employment the Board shall consider the specific benefit to the Town; the specific qualifications of the candidate for employment or

promotion; the line of supervision; and any other similar factor affecting the interest of the Town.

SECTION II. LEGAL STATUS PROVISIONS.

A. Conflict With Other Ordinances. In case of conflict between this ordinance or any part thereof, and the whole or part of any existing or future ordinance of the Town of Mount Carmel, the most restrictive shall in all cases apply.

B. Validity. If any section, clause, provision or portion of this ordinance shall be held to be in doubt or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this ordinance which is not of itself invalid or unconstitutional.

C. Effective Date. This Ordinance shall become effective upon passage and publication, the public welfare requiring it.



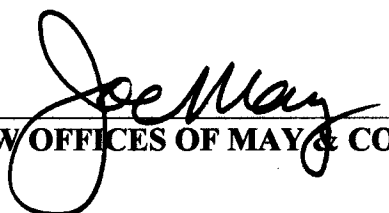
GARY W. LAWSON, Mayor

ATTEST:



NANCY CARTER, Recorder

APPROVED AS TO FORM:



LAW OFFICES OF MAY & COUP

FIRST READING	AYES	NAYS	OTHER
Alderman Henry Bailey	✓		
Vice-Mayor Eugene Christian	✓		
Alderman Paul Hale	✓		
Mayor Gary Lawson			<i>abstain</i>
Alderman Tresa Mawk	✓		
Alderman Thomas Wheeler	✓		
Alderman Wanda Worley		✓	
TOTALS	5	1	1

PASSED FIRST READING 11-25-03

SECOND READING	AYES	NAYS	OTHER
Alderman Henry Bailey	✓		
Vice-Mayor Eugene Christian	✓		
Alderman Paul Hale	✓		
Mayor Gary Lawson			<i>abstain</i>
Alderman Tresa Mawk	✓		
Alderman Thomas Wheeler	✓		
Alderman Wanda Worley		✓	
TOTALS	5	1	1

PASSED SECOND READING 12-23-2003

PUBLISHED ON: <u>12-30-2003</u> NEWSPAPER: <u>Kingsport Times News</u>

KINGSPORT TIMES-NEWS

PUBLICATION CERTIFICATE

Kingsport, TN

January 2, 2004

This is to certify that the Legal Notice hereto attached was published in the Kingsport Times-News, a daily newspaper published in the City of Kingsport, County of Sullivan, State of Tennessee, beginning in the issue of 12-30-03, and appearing 1 consecutive week~~s~~/times, as per order of

King of Mt. Carmel

Signed

Karen C. Muskey

PUBLIC NOTICE

The following ordinances were passed by the Mt. Carmel Board of Mayor and Aldermen at the December 23, 2003 meeting: Ordinance 265, amending Code Title 15, to include failure to maintain lookout, Section 15-129. Ordinance 266, to amend Title 4, Chapter 4, of the Code of Ordinances relating to personnel policies; and to fix the effective date of the Ordinance.

Pub 1T: 12/30/2003

STATE OF TENNESSEE, SULLIVAN COUNTY, TO-WIT:

Personally appeared before me this 2nd day of January, 2004, Karen C. Muskey of the Kingsport Times-News and in due form of law made oath that the foregoing statement was true to the best of my knowledge and belief.

Arthur F. Shuler
NOTARY PUBLIC

My commission expires

March 4, 2007