

ORDINANCE NUMBER 2021-10

AN ORDINANCE HEREBY AMENDING THE VILLAGE EMPLOYEE HANDBOOK AS ADOPTED IN ORDINANCE 2004-06, AND ANY SUBSEQUENT AMENDMENTS THERETO, FOR LICENSED WATER AND SEWER PLANT OPERATOR'S INITIAL TERMS OF EMPLOYMENT, AND DECLARING AN EMERGENCY.

WHEREAS, in Ordinance 2004-06 the Village Council adopted an Employee Handbook which declared in Section 306 that qualified employees would be eligible for paid vacation as provided by the Village; and

WHEREAS, said vacation days only begin to accrue upon an employee's date of hire with the Village and employees are not been eligible for "carry over" vacation days from employment with other municipalities; and

WHEREAS, due to EPA licensing requirements it is imperative that the Village immediately retain qualified and experienced personnel to manage Village utilities; and

WHEREAS, it has been determined necessary to amend said ordinance by Village Council so that licensed sewer and water plant operators employed by the Village might be employed by the Village and not lose accrued vacation benefits from other municipalities when hired by the Village; and

WHEREAS, Village Council has determined this ordinance and amendment to the employee handbook is in the best interests of the Village's residents and promotes the general welfare of said citizenry;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Apple Creek, Ohio, as follows:

SECTION ONE:

Licensed sewer and water plant operators shall be exempt from Section 306 of the Village of Apple Creek Employee Handbook, as adopted in Ordinance 2004-06, and as may have been subsequently amended, as pertains to the operator's beginning number of vacation days with the Village. Said number of vacation days shall be negotiated with the Village as a term of employment.

SECTION TWO:

All other terms and conditions of Section 306 of the Village of Apple Creek Employee Handbook shall remain applicable to licensed sewer and water plant operators so long as they are not in conflict with any terms of employment as negotiated with the Village.

SECTION THREE:

All prior Ordinances and Resolutions, and parts of Ordinances and Resolutions, which conflict with the provisions of this ordinance are hereby repealed to the extent that they are in conflict herewith.

All remaining provisions of said prior Ordinances and Resolutions shall remain intact and unaffected.

SECTION FOUR:

This Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately from and after its passage. The reason for the emergency lies in the fact that this Ordinance is necessary for the immediate preservation of public health, safety and welfare.

SECTION FIVE:

All prior Ordinances which conflict with the provisions of this Ordinance are hereby repealed to the extent that they are in conflict herewith.

SECTION SIX:

If any provision of this Ordinance, or the application thereof to any person or circumstance, is held invalid, the invalidity does not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions are severable.

VOTE TO SUSPEND RULES: Yeas 5 Nays 0

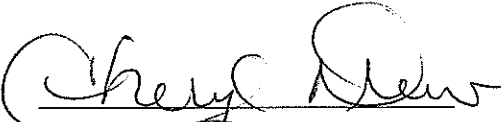
VOTE ON EMERGENCY ORDINANCE: Yeas 5 Nays 0

PASSED: May 3 , 2021.

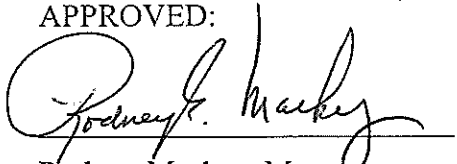
ATTEST:



President of Council



Fiscal Officer

APPROVED:


Rodney Mackey, Mayor