

ORDINANCE NO. OR15-382

AN ORDINANCE AMENDING THE STOCKBRIDGE MUNICIPAL CODE WITH RESPECT TO EMPLOYEE RIGHTS OF NON-DEPARTMENT HEAD APPOINTED EMPLOYEES; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WITNESSETH:

WHEREAS, this Council has the authority pursuant to Section 4.15(5) to adopt policies to provide for the adequate and systematic handling of personnel affairs;

WHEREAS, it is the intent of the City Council to insure all appointed employees of the City are provided an opportunity to be treated fairly;

THEREFORE, THE COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY ORDAINS:

**SECTION 1.** That Section 2.23.040 of the Stockbridge Municipal Code is hereby amended by deleting said section in its entirety and replacing in lieu thereof the following:

*“2.23.040 – Appeals of Certain Appointed Employees.*

*The mayor may provide for disciplinary action of certain employees appointed by the City Council in accordance with the mayor’s general supervisory powers under the Charter, but such disciplinary action shall not be effective for ten calendar days following the mayor’s giving written notice of such action and the reason therefor to the appointed employee involved and to the city council. Provider further, the mayor shall not be entitled under this Section to remove any employee appointed by the City Council unless the Charter specifically provides the right of the Mayor to remove such employee. The appointed employee involved may appeal to the city council which, after a hearing, may override the mayor’s action by a vote of three councilmembers.”*

**SECTION 2. Intention of the Governing Body.** It is the intention of the governing body, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of the City of Stockbridge, Georgia, and the sections of the ordinance may be renumbered to accomplish such intention.

**SECTION 3. Approval of Execution.** The Mayor is hereby authorized to sign all documents necessary to effectuate this Ordinance.

**SECTION 4. Attestation.** The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

**SECTION 5. Codification and Severability.**

(a) It is hereby declared to be the intention of the City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were upon their enactment believed by the City Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the City Council that to the greatest extent allowed by law each and every section, paragraph, sentence, clause or phrase of this ordinance is severable from every other section, paragraph, sentence, clause or phrase of this ordinance. It is hereby further declared to be the intention of the City Council that to the greatest extent allowed by law no section, paragraph, sentence, clause or phrase of this ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this ordinance.

(c) In the event that any section, paragraph, sentence, clause or phrase of this ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the ordinance and that to the greatest extent allowed by law all remaining Sections, paragraphs, sentences, clauses, or phrases of the ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

**SECTION 6. Repeal of Conflicting Provisions.** Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 7. Effective Date.** This ordinance shall become effective immediately upon its adoption by the Mayor and City Council of the City of Stockbridge as provided in the City Charter.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

SO ORDAINED this 14th day of December, 2015.

Alphonso Thomas  
ALPHONSO THOMAS, MAYOR PRO TEM

ATTEST:

Vanessa Holiday (SEAL)  
VANESSA HOLIDAY, CITY CLERK

APPROVED AS TO FORM:

Michael Williams  
MICHAEL WILLIAMS, CITY ATTORNEY

Date Presented to Mayor: 12-15-2015  
Pro Tem

Date Received from Mayor: 12-15-2015  
Pro Tem