

Sponsor: Councilman Rasmussen
First Reading: 07/06/21
Second Reading: 07/19/21
Third Reading: 08/02/21
Ord. No.: 007-21

AN ORDINANCE AMENDING THE TOWN CODE OF THE TOWN OF SMYRNA TO ESTABLISH THE OBSERVATION OF THOSE HOLIDAYS SPECIFIED IN THE PERSONNEL POLICY MANUAL AND COLLECTIVE BARGAINING AGREEMENTS

WHEREAS, the Town of Smyrna has outlined certain holidays in the Town Code that are observed by the Town of Smyrna;

WHEREAS, holidays observed by the Town of Smyrna are also listed in collective bargaining agreements and the Personnel Policy Manual;

WHEREAS, in order to avoid conflicts between the Town Code, the collective bargaining agreements, and the Personnel Policy Manual, in the opinion of the Town Council, it is in the best interest of the public health, safety, and welfare to clarify in the Town Code that holidays observed by the Town shall be those holidays outlined in Personnel Policy Manual and collective bargaining agreements.

NOW THEREFORE, BE IT HEREBY ENACTED by the Town Council of the Town of Smyrna, a majority thereof concurring in Council duly met, that the Town Code be and hereby is amended as follows:

Section 1. Amend Chapter 1 (General Provisions) by making insertions as shown by underline and deletions as shown by strikethrough as follows:

Sec. 1-4. - Designation of legal holidays.

- (a) The Town of Smyrna shall observe as holidays those days identified as holidays in the Town Personnel Policy Manual. To the extent any conflicts exist between the Personnel Policy Manual and collective bargaining agreements, those employees covered by a collective bargaining agreement shall observe those holidays established by said agreement. ~~The following days shall be legal holidays in this town: New Year's Day; the third Monday in January, known as Martin Luther King, Jr.'s Birthday; the third Monday of February, known as Presidents' Day; Good Friday; the last Monday in May, known as Memorial Day; the fourth day of July; the first Monday in September, known as Labor Day; the second Monday in October, known as Columbus Day; the 11th day of November, known as Armistice or Veterans' Day; the fourth Thursday in November, known as Thanksgiving Day, and the day following; Christmas; Saturdays; and the day of the general election as it biennially occurs.~~
- (b) Except as otherwise indicated in the Town Personnel Policy Manual, if any of the legal holidays falls on Sunday, the Monday following shall be a legal holiday. If any of the legal holidays other than Saturday falls on Saturday, the Friday preceding shall be a legal holiday.

To the extent any conflicts exist between the Town Personnel Policy Manual and collective bargaining agreements, the collective bargaining agreements shall control for those employees covered by the agreements.

Section 2. Severability. The provisions of this Ordinance shall be severable. If any provisions of this Ordinance are found by any court of competent jurisdiction to be unconstitutional or void, the remaining provisions of this Ordinance shall remain valid, unless the court finds that the valid provisions of this Ordinance are so essentially and inseparably connected with, and so dependent upon, the unconstitutional or void provision that it cannot be presumed that the Town Council would have enacted the remaining valid provisions without the unconstitutional or void provision; or unless the court finds that the remaining valid provisions, standing alone, are incomplete and incapable of being executed in accordance with Town Council's intent.

Section 3. Effective Date. This Ordinance shall become effective immediately upon its adoption by the Town Council.

SYNOPSIS

This ordinance eliminates specific references in the Town Code to holidays observed by the Town of Smyrna and specifies that the Town shall observe those holidays specified in the Personnel Policy Manual and collective bargaining agreements.

This will certify that this is a true and correct copy of the Ordinance duly adopted by the Town Council of the Town of Smyrna at its regular Council meeting on _____, 2021.

ATTEST:

Council Secretary

Mayor

This shall certify that the title and synopsis of this Ordinance was published in the "Smyrna/Clayton Sun Times" on _____, 2021 and posted at the Town Hall on _____, 2021.

So Certifies:

Town Clerk