

ORDINANCE NO. 2020-O-030

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ATHENS, TEXAS AMMENDING CHAPTER 15 - PERSONNEL, ARTICLE 1. - IN GENERAL, ESTABLISHING SECTION 15-5 SHIFT DIFFERENTIAL PAY FOR FIRE FIGHTERS AND POLICE OFFICERS WHO WORK A SHIFT IN WHICH MORE THAN 50 PERCENT OF THE TIME WORKED IS AFTER 6 P.M. AND BEFORE 6 A.M. PROVIDING A SEVERABILITY CLAUSE, REPEALER CLAUSE AND AN EFFECTIVE DATE

WHEREAS, The governing body of a municipality may authorize shift differential pay as outline in Chapter 143.047 of the Texas Local Government Code for Fire Fighters and Police Officers who work a shift in which more than fifty percent (50%) of the time worked is after 6 P.M. and before 6 A.M: and

WHEREAS, the shift differential pay is an amount and is payable under conditions set by ordinance and is in addition to the regular pay received by members of the Fire and Police Department; and

WHEREAS, on the 24th day of February 2020, the City Council of the City of Athens, Texas after due notice held a public meeting and the ordinance amendment was read aloud for the first time as required by Article III, Section 3.11 of the City of Athens Charter.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, TEXAS

Section 1. The following amendment shall be made to **Chapter 15-PERSONNEL, ARTICLE 1.-IN GENERAL** by adding Section 15-5.-Shift Differential Pay as follows:

Section 15-5.-Shift Differential Pay

Shift differential pay shall be provided for Fire Fighters and Police Officers who work a shift in which more than fifty percent (50%) of the time worked is after 6 P.M. and before 6 A.M. and shall be established at rate of \$0.50 per hour.

Section 2. Should any clause, phrase, sentence section of this Ordinance be deemed invalid or unconstitutional by a court of competent jurisdiction, said finding shall not affect the remaining clauses, phrases, sentences or sections of this Ordinance.

Section 3. Any ordinance, resolution or order previously passed and/or adopted by the City Council, or any part thereof, if found to be in conflict with the provisions of this Ordinance, shall be resolved in favor of the terms and conditions of this Ordinance, and any prior conflicting ordinance, resolution or order or any part thereof, is hereby repealed to the extent of said conflict.

Section 4. This ordinance shall be and become effective from and after its adoption and publication in accordance with the provisions of the Charter of the City of Athens, Texas.

PASSED, APPROVED and ADOPTED this the **9th day of March** at a regular meeting of the City Council of the City of Athens, Texas, with the following record vote:

Monte Montgomery, Mayor	Aye
Ed McCain, Mayor Pro Tem	Aye
Aaron Smith, Councilmember	Aye
Toni Clay, Councilmember	Aye
Robert Gross, Councilmember	Aye

Voted in favor of the motion	5
Voted against the motion	0
Motion carried	5-0

Monte Montgomery, Mayor

ATTEST:

Bonnie Hambrick, City Secretary