

ORDINANCE NO. 1300

AN ORDINANCE OF DRAPER CITY AMENDING SECTIONS 3-2-120(A) AND 3-2-130(A) OF THE DRAPER MUNICIPAL CODE TO SPECIFY THAT EMPLOYEES MAY APPEAL A SUSPENSION OF MORE THAN TWO WORK DAYS IN PLACE OF SIXTEEN HOURS.

WHEREAS, Utah State gives guidelines for municipalities regarding ethics and the acceptance of gifts; and

WHEREAS, it is necessary to update and revise the text in Draper Municipal Code to take into account that depending on an employee's position and department, the regular work schedule for one day could be eight, ten or twenty-four hours. Therefore, it is proposed that the phrase "two work days" be used in place of the phrase "sixteen hours"; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Revision. Sections 3-2-120(A) and 3-2-130(A) of the Draper City Municipal Code are hereby revised to read as set forth in Exhibit "A".

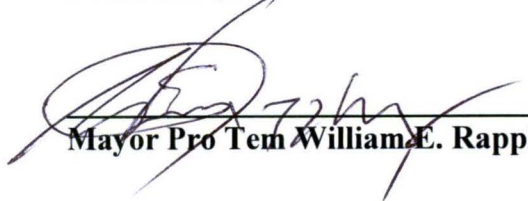
Section 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 3. Effective Date. This Ordinance shall become effective immediately upon its publication or posting, or 30 days after final passage, whichever is closer to the date of final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON THE 19TH DAY OF DECEMBER, 2017.



DRAPER CITY


Mayor Pro Tem William E. Rappleye

ATTEST:


Rachelle Conner, MMC, City Recorder

VOTE TAKEN:

YES

NO

Councilmember Rapple

✓

Councilmember Stenquist

✓

Councilmember Summerhays

Councilmember Vawdrey

✓

Councilmember Weeks

✓

Mayor Walker

Exhibit "A"

Draper Municipal Code

3-2-120: APPEALS FROM DISCIPLINARY ACTIONS:

- A. With the exception of those listed below, all employees of the City shall hold their employment without limitation of time, being subject to discharge or dismissal only as provided in Utah Code Annotated 10-3-1106, as amended. Any employee covered herein who is discharged, suspended without pay for more than **sixteen hours two work days (per department regular schedule)**, or involuntarily transferred to a position with less remuneration shall have the right to appeal disciplinary action to the Employee Appeal Hearing Officer ("Hearing Officer") in accordance with the provisions of Utah Code Annotated sections 10-3-1105 and 10-3-1106, as amended.

3-2-130: EMPLOYEE APPEAL HEARING OFFICER:

- A. Position Designated: Pursuant to Utah Code Annotated 10-3-1106, as amended, the Hearing Officer is designated to hear appeals of employees in accordance with section 3-2-120 of this chapter. The City designates the Employee Appeal Hearing Officer as the only internal post-disciplinary appeal procedure for discharges, suspensions without pay for more than **sixteen-hours two work days (per department regular schedule)**, or an involuntary transfer from one position to another with less remuneration for any disciplinary reason (the "discipline").

Affidavit of Posting

SALT LAKE/UTAH COUNTY, STATE OF UTAH

I, the City Recorder of Draper City, by my signature below, certify that copies of **Ordinance No. 1300** for the **City of Draper**, which **Passed and Adopted by the City Council of Draper City, State of Utah on the 19th day of December, 2017**, was posted at the following places: Draper City Electronic Bulletin Board, Draper Fire Station 12300 South, and the Draper Crescent Senior Citizens Center, within the municipality.

Posted: December 21, 2017 – January 9, 2018



Rachelle Conner, MMC
City Recorder
Draper City, State of Utah