

**General Code Committee
Regular Meeting Minutes
Tuesday, June 15, 2020 at 7:00 p.m. Online**

Meeting called to order by Chair Dr. R. Meister at 7:07p
Approval of the Minutes of the Special Meeting May 19, 2020

We discussed the Personnel Policy Manual and two ordinance changes put forth by the Town Marshall. The resultant and discussions and vote lead to the following proposed four amendment changes and forwarding a proposed policy manual. The manual was originally drafted by Town Council member Carolyn Saxton revised by Town Council member Doug Cannon and General Code member Ken Thompson.

As a result, the committee has 5 recommendations to forward to the Ogden Dune Town Council

1. Council member Carolyn Saxton had proposed Ordinance 858 that would replace the current Chapter 34 of the Town of Ogden Ordinances with a “Town of Ogden Dunes Personnel Policy Handbook.” The General Code Committee commends the work that Carolyn Saxton has done on the handbook, but recommends that the amended personnel policy handbook be used in its place **and** the edited handbook be a useful reference document that would elucidate Chapter 34 rather than replace Chapter 34 as the handbook has many items regarding ascribed values and desired attributes that do not warrant codification into ordinances. In addition, the handbook will be able to be changed more readily if it was not encumbered by the process of ordinance modification.

Legal opinion supports this recommendation as long as the specific town requirements and employee requirements are specified in Chapter 34 and Chapter 34 is the governing document to resolve employment issues as it is now. The revised personnel policy manual is attached.

2. In Carolyn Saxton’s handbook there were changes that the General Code Committee believed were improvements to Chapter 34.

| Item | Where in Chapter 34 the change would occur | Proposed Change | Rationale |
|-------------|---|--|------------------|
| 1 | 34.02 | Full time employees are not eligible to be employed by two different entities within the Town of Ogden Dunes | |
| 2 | 34.25D | The Town reserves the rights to make corrections for payroll errors, including the | |

| | | | |
|---|------|--|--|
| | | right to deduct from future paychecks for those overpayments which have been made to employees in error. | |
| 3 | none | Add a bulletin board in the town garage to make sure the town complies with OSHA, Affirmative action, Fed Labor Laws | |
| | | | |

3. Proposal for revision of 34.02 (attached) – This proposal addresses item one above and other items regarding hours of service and overtime calculations based on the cited legal references.
4. Proposal for adding section 34.25D to address item 2 above. (attached)

Two other proposals were passed at our June meeting and are included as well....

5. Revision to Ordinance 72.04
6. Revision to Ordinance 93.09

5 attachments

The proposed "Personnel Policy Manual" and four revised Ordinances. The 4 Ordinance proposals follow. The Personnel Policy Manual, because of its length, was not included but is available from the Secretary of the General Code Committee.

Meeting adjourned at 843p

Next meeting is July 20, 2020 not sure if it will be online or live.

Respectfully submitted: *Kenneth Thompson,* Sec.

**GENERAL CODE REVIEW COMMITTEE
RECOMMENDED CHANGES TO TOWN CODES FOR TOWN COUNCIL
APPROVAL**

TOWN CODE TITLE, CHAPTER, SECTION, STATUTORY REFERENCES:

34.25D. Other Leave

CURRENT CODE LANGUAGE:

none

PROPOSED CODE LANGUAGE:

The Town reserves the rights to make corrections for payroll errors, including the right to deduct from future paychecks for those overpayments which have been made to employees in error.

RATIONALE FOR PROPOSED CHANGE:

To state the right for the town to correct its errors.

THE FOLLOWING IS THE TOWN COUNCIL ACTION REGARDING THE ABOVE PROPOSED CODE CHANGES:

APPROVED THIS _____ DAY OF _____, 2013

DECLINED THIS _____ DAY OF _____, 2013

REFERRED TO (E.G., BUILDING CODE REVIEW FOR CHANGES, TOWN ATTORNEY, ETC.) FOR FURTHER CONSIDERATION:



CLERK-TREASURER SHALL MAINTAIN PAPER AND/OR ELECTRONIC RECORD OF ALL CHANGES APPROVED BY THE TOWN COUNCIL AND ARRANGE FOR PREPARATION OF AMENDED ORDINANCES, AS NEEDED, FOR INCLUSION IN A "RECODIFICATION OF THE PRESENT GENERAL AND PERMANENT ORDINANCES OF THE TOWN OF OGDEN DUNES" AS PROVIDED FOR IN ORDINANCE 648 OF THE TOWN OF OGDEN DUNES.

GRC No. _____

**GENERAL CODE REVIEW COMMITTEE
RECOMMENDED CHANGES TO TOWN CODES FOR TOWN COUNCIL
APPROVAL**

TOWN CODE TITLE, CHAPTER, SECTION, STATUTORY REFERENCES:

34.30 CLOTHING ALLOWANCE FOR POLICE DEPARTMENT

CURRENT CODE LANGUAGE:

(A) It is hereby declared necessary and essential that a clothing allowance be created for certain members of the police force of the town and that each police officer coming within this provision have certain allowances for clothing as follows:

- (1) The Marshal shall be entitled to a clothing allowance in the sum of \$1,200 per year.
- (2) All other full-time officers shall be entitled to a clothing allowance in the sum of \$1,200 per year.

PROPOSED CODE LANGUAGE:

CURRENT CODE LANGUAGE:

(A) It is hereby declared necessary and essential that a clothing allowance be created for certain members of the police force of the town and that each police officer coming within this provision have certain allowances for clothing as follows:

- (1) The Marshal shall be entitled to a clothing allowance in the sum **not to exceed** \$1,200 per year **with the submission of appropriate receipts.**
- (2) All other full-time officers shall be entitled to a clothing allowance in the sum **not to exceed** \$1,200 per year **with the submission of appropriate receipts**

RATIONALE FOR PROPOSED CHANGE:

to improve financial controls

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**GENERAL CODE REVIEW COMMITTEE
RECOMMENDED CHANGES TO TOWN CODES FOR TOWN COUNCIL
APPROVAL**

TOWN CODE TITLE, CHAPTER, SECTION, STATUTORY REFERENCES:

§ 72.04 PARKING RESTRICTIONS ON RECREATIONAL VEHICLES.

CURRENT CODE LANGUAGE:

§ 72.04 PARKING RESTRICTIONS ON RECREATIONAL VEHICLES.

(A) Parking of recreational vehicles, boats, RV's, mobile homes and trailers within the town shall be limited to temporary parking and not permanent or semi-permanent storage unless they are garaged or housed.

(B) As used in this section, TEMPORARY shall be defined as not more than a total of 30 days within a calendar year. Each day in excess of 30 days shall be considered a separate offense. ('99 Code, § 8-63) (Ord. 655, passed 12-6-99) Penalty, see § 70.99

PROPOSED CODE LANGUAGE:

B) As used in this section, TEMPORARY shall be defined as not more than a total of 30 days within a calendar year. Each day in excess of 30 days shall be considered a separate offense.

A permit is required from the Town Hall to park a recreational vehicle in the town.
(‘99 Code, § 8-63) (Ord. 655, passed 12-6-99) Penalty, see § 70.99

RATIONALE FOR PROPOSED CHANGE:

The current ordinance as written is nearly impossible to enforce because it requires no permit and thus must be policed daily by someone from the Marshal’s office. It is also being abused by one or more residents, resulting in complaints.

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**GENERAL CODE REVIEW COMMITTEE
RECOMMENDED CHANGES TO TOWN CODES FOR TOWN COUNCIL
APPROVAL**

TOWN CODE TITLE, CHAPTER, SECTION, STATUTORY REFERENCES:

§ 93.09 NOISE REGULATIONS.

CURRENT CODE LANGUAGE:

§ 93.09 NOISE REGULATIONS.

(B) The following are exempted from the provisions of this section:

(1) Sounds emitted from authorized emergency vehicles;

(2) Lawn mowers, weed blowers, garden tractors, construction and repair equipment, go carts and power tools, when property muffled, between the hours of 6:00 a.m. and 10:00 p.m. only;

(3) Burglar alarms and other warning devices when properly installed, providing the cause for such alarm or warning device sound is investigated and turned off within a reasonable period of time;

(4) Parades, festivals, carnivals, fairs, celebrations, concert performances, band and drum corps performances, and artistic performances, as well as any rehearsals for same, and all other events authorized by the Town Council or other appropriate governmental entity;

(5) Attendant noise connected with the actual performance of athletic or sporting events and practices related hereto;

(6) The emission of sound for the purposes of alerting persons to the existence of an emergency, or for the performance of emergency construction, repair or other work;

(7) Sounds associated with the use of legal fireworks;

(8) Sounds associated with the normal conduct of legally established, non-transient businesses, organizations and governmental entities, when such sounds are customary, incidental and within the normal range appropriate for such use;

2009 S-4

Nuisances 16C (9) Rubbish collection utilizing any mechanical equipment between the hours of 6:00 a.m. and

9:00 p.m. only;

(10) Subject to the other provisions of this section, and any other applicable law, rule or regulation, those sounds associated with motor vehicles lawfully operating on streets;

(11) Sounds associated with the equipment or animals lawfully utilized by handicapped persons to accommodate their handicap;

(12) Sounds associated with the operation of aircraft or snow removal equipment.

PROPOSED CODE LANGUAGE:

(B) The following are exempted from the provisions of this section:

(1) Sounds emitted from authorized emergency vehicles;

(2) Lawn mowers, weed blowers, garden tractors, construction and repair equipment, go carts and power tools, when property muffled, between the hours of **7:00** a.m. and 10:00 p.m. only;

(3) Burglar alarms and other warning devices when properly installed, providing the cause for such alarm or warning device sound is investigated and turned off within a reasonable period of time;

(4) Parades, festivals, carnivals, fairs, celebrations, concert performances, band and drum corps performances, and artistic performances, as well as any rehearsals for same, and all other events authorized by the Town Council or other appropriate governmental entity;

(5) Attendant noise connected with the actual performance of athletic or sporting events and practices related hereto;

(6) The emission of sound for the purposes of alerting persons to the existence of an emergency, or for the performance of emergency construction, repair or other work;

(7) Sounds associated with the use of legal fireworks;

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(11) Sounds associated with equipment or animals lawfully utilized by handicapped persons to accommodate their handicap;

(12) Sounds associated with the operation of aircraft or snow removal equipment.

RATIONALE FOR PROPOSED CHANGE:

Standardized the hours of exemption. Again, the Office (PD) has received complaints about neighbors mowing their lawns at 6:00 a.m.

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