

## AN ORDINANCE

**AMENDING** the Marietta City Charter of the City of Marietta to clarify the definition of membership in the City's civil service system.

**NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MARIETTA, GEORGIA:**

**Section 1:** That Section 4.13 of the City Charter be amended to read as follows:

Section 4.13      Established.

There is hereby established a Marietta Police and Fire Civil Service System. All certified peace officers as defined in Georgia state law who have satisfactorily completed an initial work test period and who are below the rank of Police Deputy Chief of the Marietta Police Department and all certified firefighters as defined in Georgia state law who have satisfactorily completed an initial work test period and who are below the rank of Deputy Chief of the Marietta Fire Department, shall be under the Marietta Police and Fire Civil Service System, hereinafter created, and all persons who may thereafter be as described above shall thereafter remain and continue their respective employment as municipal officers and employees during satisfactory performance and obedience to City laws and ordinances and such reasonable rules and regulations as may be adopted by the City Council as hereinafter provided; however, nothing herein contained shall be construed to prevent or preclude proper adverse action, up to and including termination, against any officer or member of said fire department or police department for cause.

The incumbents of the position of deputy chief as of 2/12/97 shall retain rights under the civil service system as provided herein for the duration of their occupancy of the position of deputy chief.

**Section 2:** That Section 4.14 of the City Charter be amended to read as follows:

Section 4.14      Definitions.

The following definitions, as used in this division, shall apply:

*Members of the fire department.* All certified firefighters, as defined in Georgia state law, of the department below the rank of deputy chief who have successfully completed an initial work test period.

*Members of the police department.* All certified peace officers as defined in Georgia state law of the department below the rank of deputy chief who have successfully completed an initial work test period.

**Section 3:** That Section 4.30 of the City Charter be amended to read as follows:

Section 4.30 Initial Work Test Period

All appointments and re-appointments shall be on an initial work test period for twelve (12) months from the date of appointment. At any time before the expiration of said initial work test period, the chiefs may discharge any individual serving an initial work test period within their respective departments and such individual shall not be entitled to a hearing upon such discharge. If an individual has not been discharged before the expiration of the work test period, his/her appointment shall be deemed complete.

**Section 4:** It is hereby declared to be the intention of this Ordinance that its sections, paragraphs, sentences, clauses, phrases and words are severable, and if any section, paragraph, clause, phrase or word of this Ordinance is declared to be unconstitutional or invalid, it shall not affect any of the remaining sections, paragraphs, clauses, phrases or words of this Ordinance.

**Section 5:** All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

**Section 6:** This Ordinance shall become effective upon the signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119.

**FIRST READING:**

DATE: November 10, 1999

APPROVED: \_\_\_\_\_

*Ansley L. Meaders*  
Ansley L. Meaders, Mayor

ATTEST: \_\_\_\_\_

*Shelja R. Hill*  
Shelja R. Hill, City Clerk

APPROVED AS TO FORM: \_\_\_\_\_

*Douglas R. Haynie*  
Douglas R. Haynie, City Attorney

**SECOND READING:**

**DATE:** December 8, 1999

**APPROVED:** *Ansley L. Meaders*  
Ansley L. Meaders, Mayor

**ATTEST:** *Shelia R. Hill*  
Shelia R. Hill, City Clerk

**APPROVED AS TO FORM:** *D. R. Haynie*  
Douglas R. Haynie, City Attorney