

Introduced by: Council Present

**An Ordinance Amending Title I Government Code; and the Repeal of Certain Sections in Part of or in its Entirety**

Now, Therefore, Be it ordained by the City Council of the City of Berkeley, Missouri, as follows:

**Section 1. Section 100.070 Penalties**

- A. *Standard Penalty.* Any person violating any provision of this Code, or any rule or regulation adopted or issued in pursuance thereof, or any provision of any Code adopted herein by reference is guilty of a misdemeanor or ordinance violation, and upon conviction, unless another penalty is specifically provided, shall be subject to a fine ~~of not less than one dollar (\$1.00) or more than one thousand dollars (\$1,000.00), or to imprisonment not more than ninety (90) days, or both, and may be adjudged to pay the costs of prosecution. Whenever the fine and costs imposed for a violation are not paid, the person convicted may be committed to jail until the fine and costs are paid, not exceeding ninety (90) days.~~ **as set by the Municipal Judge or court of competent jurisdiction.**
- F. All persons convicted and sentenced by the Municipal Judge for violation of any ordinance or part thereof, whether the punishment be by fine or imprisonment or both, may be put to work and perform labor on the said public streets, highways and alleys or other public works or buildings of the City. ~~The Chief of Police, Director of Public Works or other official of the City shall have the power and be authorized and required to have or cause all such prisoners to work out the full number of days for which such prisoner may have been sentenced. If the punishment be by fine and the fine be not paid, then for every fifteen dollars (\$15.00) of such fine the prisoner shall work one (1) day.~~

**Section 2. Section 100.090 Committees, Commissions and Boards**

- C. All appointments to boards and commissions shall be effective ~~on July first (1<sup>st</sup>) except these persons appointed to fill an unexpired term.~~ **after the date of appointment with necessary paperwork and Oath of Office completed.**

**Section 3. Section 115.040 Duties, Compensation and Term of Office**

- A. Compensation of the City Attorney
1. The annual amount is hereby set ~~at seventy thousand dollars (\$70,000.00).~~ **by the council and will reflect in the budget.**

**Section 4. Section 127.180 Public Hearing Notices**

Notice of public hearings may be made by posting notice on the City of Berkeley's

webpage at least ~~fifteen (15)~~ **ten (ten)** days prior to said hearing.

**Section 5. Section 130.020 Alcohol and Drug Policy – Procedure Guide**

The Procedure Guide, Alcohol and Drug Policy for Safety Sensitive Employees (the “Guide”) for City employees is set out in Ordinance Number ~~3545~~ **4664** and subsequent amendments. The Guide and subsequent amendments are on file with the City Clerk.

**Section 6. Section 130.080 Compensation Policy for Full-Time Employees Who Reside in City**

- A. To encourage the efficient operation of the City of Berkeley government, in addition to the base compensation a full-time employee receives, he or she shall be entitled to incentive pay of ~~two hundred dollars (\$200.00) per month for each full month of renting the home of residency or three hundred dollars (\$300.00) per month for owning the home of residency within the City of Berkeley, Missouri.~~ **\$1200 a year for rental and \$3000 a year for home owner. This will be paid every June and will be prorated for the actual months of residency.**
- B. To qualify for the residency incentive the employee must have established his or her permanent family living quarters within the corporate limits of the City of Berkeley, Missouri, and must be personally residing at the address on a day-to-day basis as certified by the ~~Human Resource Manager~~ **Inspections Department**

**Section 7.** That all Ordinances and parts of Ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section 8.** This Ordinance shall be in full force and effect from and after its passage.

1st Reading, this \_\_\_\_\_ day of \_\_\_\_\_ 2019

2nd Reading this \_\_\_\_\_ day of \_\_\_\_\_ 2019

3rd Reading, PASSED and APPROVED, this \_\_\_\_\_ **day of** \_\_\_\_\_ **2019**

ATTEST:

\_\_\_\_\_  
Theodore Hoskins, Mayor

\_\_\_\_\_  
Deanna L. Jones, City Clerk

\_\_\_\_\_  
Approved As To Form:  
Donnell Smith, City Attorney

Final Roll Call:

Mayor Hoskins	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Hoskins	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Mitchell	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Williams	Aye	___	Nay	___	Absent	___	Abstain	___
Councilman-at-Large Greene	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Hindeleh	Aye	___	Nay	___	Absent	___	Abstain	___
Vacant	Aye	___	Nay	___	Absent	___	Abstain	___