

ORDINANCE NO. 1437

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED "CITY OF APACHE JUNCTION PERSONNEL RULES 2016"; REPEALING ANY CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

WHEREAS, since the last revision to the Apache Junction Personnel Rules in 2014, some provisions have become outdated and need modification, with the more substantive being as follows: 1) employee ethics; 2) hiring of relatives; 3) transitional probation periods; 4) reclassifications; 5) vacation leave accrual limits; 6) compensatory time; 7) definition of "reasonable suspicion" in a drug-free workplace; and 8) fraternization reporting; and

WHEREAS, Resolution No. 16-28 declares as public record the document entitled "City of Apache Junction Personnel Rules 2016"; and

WHEREAS, A.R.S. § 9-802 permits municipalities to enact the provisions of a code or public record theretofore in existence without setting forth such provisions in full text as long as the adopting ordinance is published in full text and at least one paper copy of the code changes or public record are filed in the office of the clerk of the municipality and one electronic copy is accessible on the city's website and made available for public inspection; and

WHEREAS, pursuant to A.R.S. §§ 9-801(1) and 9-802, public records which may be adopted by reference include those relating to personnel rules.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, AS FOLLOWS:

SECTION I            IN GENERAL

That certain document known as "City of Apache Junction Personnel Rules 2016", one paper copy and one electronic copy which are accessible on the City's website and filed in the office of the city clerk, which document was made a public record by Resolution No. 16-28 of the City of Apache Junction, is hereby referred to, adopted and made a part hereof as if fully set out in this ordinance, pursuant to A.R.S. § 9-802.

SECTION II            REPEALING ANY CONFLICTING PROVISIONS

All ordinances and parts of ordinances in conflict with the provisions of this ordinance or any part of the codes adopted herein by reference are hereby repealed.

SECTION III          PROVIDING FOR SEVERABILITY

If any section, subsection, sentence, phrase, clause or portion of this ordinance or any part of the codes or regulations adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION IV          DECLARING AN EMERGENCY

The immediate operation of the provisions of this ordinance is necessary for the immediate preservation of the public peace, health or safety, and that an emergency shall be in full force and effect from and after its passage, adoption and approval by the Mayor and City Council of the City of Apache Junction.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

SIGNED AND ATTESTED TO THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
JOHN S. INSALACO  
Mayor

ATTEST:

\_\_\_\_\_  
KATHLEEN CONNELLY  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
RICHARD J. STERN  
City Attorney