

TITLE 1

ADMINISTRATION, OFFICERS AND PERSONNEL

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ADMINISTRATION, OFFICERS AND PERSONNEL

CHAPTER

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CHAPTER 1

ADMINISTRATION ORGANIZATION

SECTION

- 1-101. Generally.**
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1-101. Generally. Except as otherwise expressly provided in this code, the city shall generally be organized with such offices, departments and personnel as are provided for in the municipal charter (see particularly Chapter 21) with the city manager serving as the overall administrative head of the municipal government under the direction and supervision of the board of commissioners. (For other and more detailed provisions relating to administration, officers and personnel, see the municipal charter, particularly chapters 20, 21, and 22. See also the appropriate related titles in this code for provisions relating to the building and utility inspectors, fiscal affairs, fire department, utilities, etc. For provisions relating to the administration and operation of utilities, see Title 13 in this code).

1-102. Schools. Notwithstanding the provisions of the municipal charter set forth in Sections 6-21-801 through 6-21-806, Tennessee Code Annotated, the administration and operation of the public school system within the corporate limits shall be the exclusive responsibility of the Board of Trustees of the Paris Special School District as created and established by Chapter 150 of the Private Acts of Tennessee for 1919 and amendatory acts.

CHAPTER 2

BOARD OF COMMISSIONERS

SECTION

- 1-201. Time and place of regular board meetings.**
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- 1-203. General rules of order.**
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1-201. Time and Place of Regular Board Meetings. The Board of Commissioners shall hold regular monthly meetings on the first Thursday of each month at City Hall, beginning at 5:00 o'clock P.M. (Ord. #908, 12/16/96, Ord. #928, 04/07/98, Ord. #949, 06/01/99, Ord. #986, 10/04/01, Ord. #1227, 4/5/18).

1-202. Order of business. At each meeting of the board of commissioners the following regular order of business shall be observed unless dispensed with by a majority vote of the board:

- (1) The meeting will be called to order by the mayor.
- (2) The roll will be called by the recorder.
- (3) The minutes of the previous meeting will be read by the recorder and approved or corrected by the board.
- (4) The board will hear grievances from citizens.
- (5) The board will hear communications from the mayor.
- (6) The board will hear reports from the city manager, committees, and commissioners and other officers.
- (7) The board will dispose of old business.
- (8) The board will consider new business.
- (9) The meeting will be adjourned.

(For provisions in the charter with respect to board of commissioners, generally, see particularly Chapter 20. See Chapter 19 in the charter for the board's general powers).

1-203. General rules of order. The rules of order and parliamentary procedure contained in Robert's Rules of Order, Revised shall govern the transaction of business by and before the board of commissioners at its meetings in all cases to which they are applicable and in which they are not inconsistent with special rules in the municipal charter or adopted by the board and set out in this code.

1-204. Ordinance procedure. Pursuant to T. C. A. 6-20-215, same being the charter of the City of Paris, Tennessee, the caption of any ordinance may be read on both readings and shall not be required to be read in its entirety on any reading. Such procedure shall constitute a full and proper adoption of said ordinance (Ord. #718, 09/22/89, Ord#1227, 4/5/18).

1-205. Bid Procedures. (Deleted Ord. #994, 02/07/02).

1-206. City Manager Contract Authority. The city manager shall have the authority to enter into binding contracts on behalf of the city, without specific board approval, in routine matters and matters having insubstantial long term consequences. Those types of routine matters and matters having insubstantial long term consequences, by way of example, but not by way of limitation, shall include annual contracts and the funding for which has been approved during the annual budget process, applications and contracts for state and federal grants and loans authorized by the Board of Commissioners, purchase, repair and maintenance contracts for city equipment, contracts for the purchase of services and equipment for which expenditures during the fiscal year will be less than \$25,000.00, contracts or documents for services or equipment to be purchased from or provided by other governmental entities, and all other such routine contracts as provided in T. C. A. 6-19-104 (Ord. #958, 11/02/99. Ord. #1-206, 3/1/18)

CHAPTER 3

POLICE AND ARREST

SECTION

- 1-301. Organization of Police Department.**
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- 1-304. When Policemen to Make Arrests.**
- 1-305. Policemen May Require Assistance in Making Arrests.**
- 1-306. Disposition of Persons Arrested.**
- 1-307. Police Department Records.**
- 1-308. Driver Education Course.**

1-301. Organization of Police Department. The police department shall be composed of a chief and as necessary, captains, lieutenants, sergeants and patrolmen.

1-302. Administrative Rules and Regulations. Members of the police department shall be subject to all applicable provisions of the charter, this code, and such administrative rules and regulations as the city manager and police chief shall prescribe (for provisions in the charter with respect to police and arrest, see particularly Chapter 21).

1-303. Policemen to Wear Uniforms and be Armed. All policemen shall wear the uniform and badge prescribed by the city manager and shall carry a service pistol and billy club at all times while on duty unless otherwise expressly directed by the chief for a special assignment.

1-304. When Policemen to Make Arrests. Unless otherwise authorized or directed in this code or other applicable law, an arrest of the person shall be made by a policeman in the following cases:

- (1) Whenever he is in possession of a warrant for the arrest of the person.
- (2) Whenever an offense is committed or a breach of the peace is
threatened in the officer's presence by the person.
- (3) Whenever a felony has in fact been committed and the officer has

reasonable cause to believe the person has committed it.

(For provisions relating to traffic citations, etc., see Title 9, Chapter 6, in this code).

1-305. Policemen May Require Assistance in Making Arrest. It shall be unlawful for any male person to willfully refuse to aid a policeman in making a lawful arrest when such person's assistance is requested and is reasonably necessary to effect the arrest.

1-306. Disposition of Persons Arrested. Unless otherwise authorized by law, when any person is arrested for any offense other than one involving drunkenness he shall be brought before the city court for immediate trial or allowed to post bond. When the arrested person is drunk or when the city court is not immediately available and the alleged offender is not able to post the required bond, he shall be confined.

1-307. Police Department Records. The police department shall keep a comprehensive and detailed daily record in permanent form, showing:

- (1) All known reported offenses and /or crimes committed within the corporate limits.
- (2) All arrests made by policemen.
- (3) All police investigations made, funerals convoyed, fire calls answered, and other miscellaneous activities of the police department.

1-308. Driver Education Course. The Paris Police Department shall create and administer a Driver Education Course in compliance with the provisions of T.C.A. 55-10-301 as follows:

- A. Intent. T.C.A. 55-10-301 provides that the City of Paris may operate and conduct a driver education course for persons required by the court to attend such a course. The City of Paris desires to establish and conduct a driver education course in compliance with T.C.A. 55-10-301.
- B. Creation of Course. The Chief of Police, or his designee shall create a driver education course and shall secure approval of such course by the Tennessee Department of Safety in compliance with the provisions of T.C.A. 55-10-301(b)(1).
- C. Fees. A fee of \$50.00 shall be assessed by the Paris Police Department for attendance in the driver education course. Provided, however, that no person shall be refused admittance for inability to pay. Any fees collected shall be deposited in the general fund of the City of Paris.
- D. Course Records. The Paris Police Department shall keep such records of the driver education course as may be required by the Tennessee Department of Safety pursuant to the provisions of T.C.A. 55-10-301(b)(3) (Ord. #1085, 4/15/08).

CHAPTER 4

SOCIAL SECURITY AND OFFICERS AND EMPLOYEES

SECTION

- 1-401. Policy and Purpose as to Coverage**
- 1-402. Necessary Agreements to be Executed.**
- 1-403. Withholdings from Salaries or Wages.**
- 1-404. Appropriations for Employer's Contributions.**
- 1-405. Records and Reports to be Made.**
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- 1-407. Retroactive Effect.**

1-401. Policy and Purpose as to Coverage. It is hereby declared to be the policy and purpose of this municipality to provide for the employees and officials of the municipality, not excluded by law or this chapter, and whether employed in connection with a governmental or proprietary function, the benefits of the system of federal age and survivors insurance as authorized by the Federal Social Security Acts and amendments thereto, including Public Law 734, 81st Congress. In pursuance of said policy, and for that purpose, the municipality shall take such action as may be required by applicable state and federal laws or regulations (Ord. #255, sec. 1, Oct. 9, 1951).

1-402. Necessary Agreements to be Executed. The mayor is hereby authorized and directed to execute all the necessary agreements and amendments thereto with the state executive director of old age insurance, as agent or agency, to secure coverage of employees and officials as provided in the preceding section (Ord. #255, sec. 2, Oct. 9, 1951).

1-403. Withholdings from Salaries and Wages. Withholdings from the salaries or wages of employees and officials for the purpose provided in the first section of this chapter are hereby authorized to be made in the amounts and at such times as may be required by applicable state or federal laws or regulations, and shall be paid over to the state or federal agency designated by said laws or regulations (Ord. #255, sec. 3, Oct. 9, 1951).

1-404. Appropriations for Employer's Contributions. There shall be appropriated from available funds such amounts at such times as may be required by applicable state or federal laws or regulations for employer's contributions and the same shall be paid over to the state or federal agency designated by said laws or regulations (Ord. #255, sec. 5., Oct 9, 1951).

1-406. Personnel Excluded from Coverage. There is hereby excluded from this chapter any authority to make any agreement with respect to any position or any employee or officials now covered or authorized to be covered by any other ordinance creating any retirement system for any employee or official of the municipality. There is further excluded from this chapter any authority to make any agreement with respect to any position or any employee or officials, compensation for which is on a fee basis or any position, or any employee or official not authorized to be covered by applicable state or federal laws or regulations (Ord. #255, sec. 6 and 7, Oct. 9, 1951).

1-407. Retroactive Effect. The coverage provided by this chapter shall be retroactive to January 1, 1951, for those employees who are employed by the municipality on October 9, 1951.

CHAPTER 5

PERSONNEL REGULATIONS

SECTION

- 1-501. General Provisions.**
- 1-502. Coverage.**
- 1-503. Personnel Rules.**
- 1-504. Specific Procedures and Policies.**
- 1-505. E-Mail Communications.**

1-501. General Provisions. It is hereby declared personnel policy of the City of Paris that:

- A. Employment in the city government shall be based on merit and free of personal and political considerations.
- B. Just and equitable incentives and conditions of employment shall be established and maintained to promote efficiency and economy in the operation of the municipal government.
- C. Positions having similar duties and responsibilities shall be classified and compensated for on a uniform basis.
- D. Appointments, promotions and other personnel actions requiring the application of the merit principle shall be based on systematic tests and evaluation.
- E. Every effort shall be made to stimulate high morale by fair administration of this ordinance and by every consideration of the rights and interests of employees, consistent with the best interests of the public and the city.
- F. Tenure of employees covered by this ordinance shall be subject to good behavior, satisfactory performance of work, necessity for the performance of work, and availability of funds.

1-502. Coverage. All offices and positions of the city are divided into classified service and exempt service as provided thereinbelow:

- A. Exempt Service:
 - 1. All elected officials and persons appointed to fill vacancies in elective offices.
 - 2. The City Manager.
 - 3. Members of appointed boards, commissions, or committees.
 - 4. Persons engaged under contract to supply expert professional, technical or other services.
 - 5. Volunteer personnel appointed to serve without compensation.

6. City Attorney, City Judge.
 7. Emergency employees who are hired to meet immediate requirements of an emergency condition, such as extraordinary fire, flood or earthquake which threatens life or property.
 8. Seasonal employees who work less than six months in the year, or who are expected to and do work part-time for less than 1,000 hours in a year.
 9. Persons jointly employed by the municipality and some other governmental agency.
- B. The classified service shall include all other full-time positions in the City service which are not specifically placed in the exempt service by this ordinance.

1-503. Personnel Rules. The City Manager shall draft such personnel rules as shall be necessary to carry out the provisions of this ordinance, which rule shall be adopted by the City Commission by resolution and shall have the force and effect of law. Amendments to the personnel rules shall be made in accordance with the above procedure.

1-504. Specific Procedures and Policies. The personnel rules drafted by the City Manager shall cover specific procedures and policies to govern those phases of the City personnel program as deemed necessary by the City Manager (Ord. #654, 02/05/87).

1-505. E-Mail Communications. All electronic mail sent or received via internet communications on city owned equipment is subject to review by the city manager, his designee, or the appropriate department head. Employees wishing to receive private communications should refrain from utilizing city owned equipment and should advise the electronic mail correspondents sending potentially sensitive material that all e-mail is subject to inspection. All e-mail communications involving city employees utilizing city owned equipment shall be governed by the personnel rules of the City of Paris as provided in 1-503 for the purposes of supervision and enforcement of this chapter (Ord. #960, 11/02/99).

CHAPTER 6
PUBLIC RECORDS

SECTION

- 1-601. Intent.**
- 1-602. Definitions.**
- 1-603. Access.**
- 1-604. Responding to Public Records Requests.**
- 1-605. Inspection of Records.**
- 1-606. Copies of Records.**
- 1-607. Fees and Charges and Procedures for Billing and Payment.**
- 1-608. Severability.**

1-601. Intent. The Tennessee Public Records Act, "TPRA", as enacted in T.C.A. 10-7-501 *et seq.* requires the City of Paris to establish a written Public Records Policy to provide economical and efficient access by the public to public records of the City of Paris. The City of Paris desires to comply with the provisions of T.C.A. 10-7-501 *et seq.* as it pertains to records management throughout the various offices, departments, and Boards of the City of Paris, Tennessee.

It is the stated purpose of the City of Paris, Tennessee to timely and efficiently provide access and assistance to persons requesting to view or receive copies of public records of the City of Paris. No provisions of this policy shall be used to hinder access to public records. However, the integrity and organization of public records, as well as the efficient and safe operation of the City of Paris shall be protected as provided by State law. This policy is available for inspection and duplication in the office of the City Recorder. This policy shall be reviewed periodically as needed.

1-602. Definitions.

- A. **Records Custodian:** The office, official or employee lawfully responsible for the direct custody and care of a public record. See Tenn. Code Ann. § 10-7-503(a)(1)(C). The records custodian is not necessarily the original preparer or receiver of the record.
- B. **Public Records:** All documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by any governmental agency. See Tenn. Code Ann. § 10-7-503(a)(1)(A).
- C. **Public Records Request Coordinator:** The individual, or individuals, designated in 1-604, A.3 of this Policy who has, or have, the responsibility to ensure public record requests are routed to the appropriate records custodian and are fulfilled in accordance with the TPRA. See Tenn. Code Ann. § 10-7-503(a)(1)(B). The Public Records Request Coordinator, "PRRC", may also be a records custodian. "
- D. **Requestor:** A person seeking access to a public record, whether it is for inspection or duplication.

1-603. Requesting Access to Public Records.

- A. Public record requests shall be made to the PRRC or his/her designee or via online submission in order to ensure public record requests are routed to the appropriate records custodian and fulfilled in a timely manner.
- A. Requests for inspection only cannot be required to be made in writing. The PRRC will request a mailing or email address from the requestor for providing any written communication required under the TPRA.
- B. Requests for inspection may be made orally or in writing on Form A at The City of Paris, City Hall, 100 N. Caldwell Street, Paris, TN 38242 or by phone at 731/641-1402 or by email to tpillow@cityofparistn.gov.
- C. Requests for copies, or requests for inspection and copies, shall be made in writing on Form A in person or by mail at the City of Paris City Hall, 100 N. Caldwell Street, Paris, TN 38242. or by email to tpillow@cityofparistn.gov.
- D. Proof of Tennessee citizenship by presentation of a valid Tennessee driver's license or alternative acceptable form of ID is required as a condition to inspect or receive copies of public records.

1-604. Responding to Public Records Requests.

A. Public Record Request Coordinator

1. The PRRC shall review public record requests and make an initial determination of the following:
 - a. If the requestor provided evidence of Tennessee citizenship;
 - b. If the records requested are described with sufficient specificity to identify them; and
 - c. If the City of Paris is the custodian of the records.
2. The PRRC shall acknowledge receipt of the request and take any of the following appropriate action(s):
 - a. Advise the requestor of this Policy and the elections made regarding:
 - i. Proof of Tennessee citizenship;
 - ii. Form(s) required for copies;
 - iii. Fees (and labor threshold and waivers, if applicable); and
 - iv. Aggregation of multiple or frequent requests.
 - b. If appropriate, deny the request in writing, providing the appropriate ground such as one of the following:
 - i. The requestor is not, or has not presented evidence of being, a Tennessee citizen;
 - ii. The request lacks specificity;

- iii. An exemption makes the record not subject to disclosure under the TPRA;
 - iv. The City of Paris is not the custodian of the requested records; or
 - v. The records do not exist.
- c. If appropriate, contact the requestor to see if the request can be narrowed.
 - d. Forward the records request to the appropriate records custodian in the City of Paris.

3. The designated PRRC is:

- a. Name or title: The City Recorder for the City of Paris, Tennessee. ____
- b. Contact information: The City of Paris, City Hall, 100 N. Caldwell Street, Paris, TN 38242 or by phone at 731/642-1402 or by email to tpillow@cityofparistn.gov.

B. Records Custodian

- 1. Upon receiving a public records request, a records custodian shall promptly make requested public records available in accordance with Tenn. Code Ann. § 10-7-503. If the records custodian is uncertain that an applicable exemption applies, the custodian may consult with the PRRC, counsel, or the State of Tennessee Office of Open Records Counsel, "OORC".
- 2. If not practicable to promptly provide requested records because additional time is necessary to determine whether the requested records exist; to search for, retrieve, or otherwise gain access to records; to determine whether the records are open; to redact records; or for other similar reasons, then a records custodian shall, within seven (7) business days from the records custodian's receipt of the request, send the requestor a completed Public Records Request Response Form which is attached as Form B, based on the form developed by the OORC.
- 3. If a records custodian denies a public record request, he or she shall deny the request in writing as provided in 1-604, A.2.b using the Public Records Request Response Form B.
- 4. If a records custodian reasonably determines production of records should be segmented because the records request is for a large volume of records, or additional time is necessary to prepare the records for access, the records custodian shall use the Public Records Request Response Form B to notify the requestor that production of the records will be in segments and that a records production schedule will be provided as expeditiously as practicable. If appropriate, the records custodian should contact the requestor to see if the request can be narrowed.
- 5. If a records custodian discovers records responsive to a records request were omitted, the records custodian should contact the requestor concerning the omission and produce the records as quickly as practicable.

C. Redaction

- 1. If a record contains confidential information or information that is not open for public inspection, the records custodian shall prepare a redacted copy prior to providing access. If questions arise concerning redaction, the records custodian should coordinate with counsel other appropriate parties regarding review and redaction of records. The records custodian and the PRRC may also consult with the OORC.

Whenever a redacted record is provided, a records custodian should provide the requestor with the basis for redaction. The basis given for redaction shall be general in nature and not disclose confidential information.

1-605. Inspection of Records.

- A. There shall be no charge for inspection of open public records.
- B. The location for inspection of records within the offices of the City of Paris shall be determined by either the PRRC or the records custodian.
- C. When a reasonable basis exists, the PRRC or a records custodian may require an appointment for inspection.

1-606. Copies of Records.

- A. A records custodian shall promptly respond to a public record request for copies in the most economic and efficient manner practicable.
- B. Copies will be available for pickup at the City of Paris City Hall.
- C. Upon payment for postage, copies will be delivered to the requestor's home address by the United States Postal Service.
- D. A requestor will not be allowed to make copies of records with personal equipment. Requestors may purchase storage devices from the City of Paris upon which the records will be downloaded

1-607. Fees and Charges and Procedures for Billing and Payment.

Fees and charges for copies of public records should not be used to hinder access to public records.

- A. Records custodians shall provide requestors with an itemized estimate of the charges prior to producing copies of records and may require pre-payment of such charges before producing requested records.
- B. When fees for copies and labor do not exceed \$1.00, the fees may be waived. Requests for waivers for fees above \$1.00 must be presented to the City Recorder for the City of Paris, Tennessee, who is authorized to determine if such waiver is in the best interest of the City of Paris and for the public good. Fees associated with aggregated records requests will not be waived.
- C. Fees and charges for copies are as follows
 - 1. \$0.15 per page for letter- and legal-size black and white copies.
 - 2. \$0.50 per page for letter- and legal-size color copies.
 - 3. The actual cost of any other medium upon which a record/information is being produced.
 - 4. Labor when time exceeds one hour.
 - 5. If an outside vendor is used, the actual costs assessed by the vendor.

- D. Payment is to be made in cash or by personal check payable to the City of Paris presented to the City Recorder.
- E. Payment in advance will be required when costs are estimated to exceed \$1.00.
- F. Aggregation of Frequent and Multiple Requests

1. The City of Paris will aggregate record requests in accordance with the Frequent and Multiple Request Policy promulgated by the OORC when more than (4) requests are received within a calendar month (either from a single individual or a group of individuals deemed working in concert).
2. If more than four (4) requests are received within a calendar month:
 - a. Records requests will be aggregated at the department level.
 - b. The PRRC is responsible for making the determination that a group of individuals are working in concert. The PRRC or the records custodian must inform the individuals that they have been deemed to be working in concert and that they have the right to appeal the decision to the OORC.
 - c. Requests for items that are routinely released and readily accessible are exempt from this policy. These records include but are not limited to agendas of Boards and Commissions and Approved Minutes of Boards and Commissions.

1-608. Severability.

If a part of this resolution is invalid, all valid parts that re severable from the invalid part remain in effect. If a part of this resolution is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications. (Ord. #789, 03/05/92) (Ord. #1205, 6/1/2017).

CHAPTER 7

PARKS AND RECREATION COMMISSION

SECTION

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| 1-705. | Duties of Officers. |
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| 1-709. | Park Rules and Regulations. |
| 1-710. | Restrictions on Powers. |

1-701. Intent. The Parks and Recreation Board shall have control and jurisdiction over all playgrounds, recreation centers, parks, and any lands and lots, heretofore or hereafter devised and bequeathed to the city for park purposes, and shall direct and supervise the operation of such facilities, determine the expenditure of funds for said facilities, promulgate rules and regulations regarding the use of such facilities and programs under the terms and conditions set out more fully hereinbelow.

1-702. Membership, Tenure, Compensation, and Vacancies. Pursuant to the provisions of Tennessee Code Annotated there is hereby created a Parks and Recreation Board which shall consist of seven (7) persons, to be appointed by the Mayor to serve for terms of five (5) years or until their successors are appointed, except that three (3) members shall be appointed to a term which shall expire in each of the first three (3) years next succeeding the passage of this ordinance and four (4) members shall be appointed two (2) of whose terms shall expire in the fourth (4th) and fifth (5th) year next succeeding the initial passage of this ordinance so that one (1) or two (2) members terms expire annually thereafter. The members of such board shall serve without pay. Vacancies on such board occurring otherwise than by expiration of the stated term shall be filled only for the unexpired term, in the same manner in which other appointments are made.

1-703. Organization. The Parks and Recreation Board, from its members, shall elect a chairman, vice-chairman, and secretary to serve for a two (2) year term, with the election of officers to be held at the first regular meeting subsequent to the passage of this ordinance and biannually thereafter. Members of the Parks and Recreation Board, and their immediate family members are prohibited from being employed by the City to perform services or to provide products for use at the properties over which the Parks and Recreation Board has jurisdiction. The chairman of the Parks and Recreation Board shall act as spokesperson for the Parks and Recreation Board, unless otherwise directed by the Parks and Recreation Board.

1-704. Meetings. The Parks and Recreation Board shall meet monthly on the first (1st) Monday at the time and place specified in the previous meeting. The Parks and Recreation Board shall be subject to special or called meetings by the chairman, vice-chairman, request of two (2) members, the city manager, or the Board of Commissioners of the City of Paris. The number of members present to constitute a quorum shall be four (4), provided that a lesser number may convene to set a new date for a meeting.

1-705. Duties of Officers. The chairman shall preside at all meetings, sign all official documents approved by the Parks and Recreation Board. The vice-chairman shall perform the duties of the chairman in the absence of the chairman. The secretary shall keep a record of all meetings and shall provide each member a copy of the minutes prior to the next regular meeting of the Parks and Recreation Board. The Parks and Recreation Board shall have the power to create committees to assist the Parks and Recreation Board in its duties and members on any committee so created shall serve for a period of two (2) years, or for such lesser period of time as directed by the chairman, and shall report monthly activity to the Parks and Recreation Board at regular meetings.

1-706. Committees. The chairman shall appoint all committees, unless otherwise provided for by special resolution. The chairman shall serve as ex-officio member of all committees and shall be notified of all committee meetings. Special committees shall be appointed for such purposes as the Parks and Recreation Board determines and may be appointed from within or without the membership of the Parks and Recreation Board.

1-707. Power and Duties. The Parks and Recreation Board shall formulate plans and goals for the current and future use of parks and recreation facilities in the City of Paris; operate and maintain parks and recreation facilities; provide, establish, maintain, and conduct a supervised recreation system; conduct, apply for, and/or implement fund raising, capital improvement grant and donation programs from the public or private sector; establish liaison with

individuals and organizations utilizing park and recreation facilities to coordinate improvements, scheduling, use, maintenance, and expansion of programs and facilities; learn the opinion of the public on the needs of recreation by public hearings, written surveys, or any other method which will obtain opinions from the public regarding preferences for recreational services, programs, and facilities; establish priorities and determine the areas for the expenditure of funds budgeted by the board of capital improvements, maintenance expenses, and recreation programs; and undertake other programs and duties as the City Manager and the Board of Commissioners of the City may require.

1-708. Creation of Budget and Expenditure of Funds. The Parks and Recreation Board shall prepare and submit a budget to the Board of Commissioners as requested by the City Manager for consideration by the Board of Commissioners showing estimates of revenues and expenditures for each fiscal year of the City of Paris in the manner and form required of all other city budgets. The Parks and Recreation Board may request such funding from the Board of Commissioners for the Parks and Recreation Board annual budget as the Parks and Recreation Board members may deem necessary. In addition, Parks and Recreation Board may accept funds from rentals, donations, charges for use of facilities, or any gift or bequest of money or other real or personal property to be applied, either principal or income, for either temporary or permanent use for recreation purposes, provided, however, if the acceptance for such purpose will subject the municipality to additional expense for improvement, maintenance, or renewal, the acceptance shall be subject to the approval of the Board of Commissioners of the City of Paris. All funds obtained from any source shall be exclusively expended and applied under the direction and control of the Parks and Recreation Board for the purposes of this chapter. All funds received from whatever source shall be deposited with the Finance Director of the City of Paris to the account of the Parks and Recreation Board, and be reflected in the budget of the Parks and Recreation Board, and may be withdrawn and paid out in the same manner as other funds of the City of Paris.

1-709. Parks Rules and Regulations. The Parks and Recreation Board is empowered to make, alter, amend, or repeal rules and regulations for the protection, regulation, and control of parks, playgrounds, recreation centers, and other property under their control. No rules or regulations adopted shall be contrary to or inconsistent with the laws of the State of Tennessee or the ordinances of the City of Paris. Such rules and regulations shall be enforced by local law enforcement officials. Any rules and regulations adopted by the Board shall not take effect until ten (10) days after their adoption, after their publication once a week for two (2) weeks

in a newspaper of general circulation in the City of Paris and the County of Henry, and after a copy thereof has been posted near each gate or principal entrance to the facility to which they apply. All rules, after being so adopted and after notice is given, shall be subject to enforcement by a fine of not more than \$50.00 for each violation to be levied against any person found guilty of violating such rules and regulations. Copies of rules and regulations subject to enforcement must be available for public inspection or review at the principal office of the facility to which they apply and at the business office of the City of Paris.

1-710. Restrictions on Powers. The Parks and Recreation Board shall coordinate with the Park Maintenance Superintendent, Recreation Director, and the City Manager of the City of Paris with regard to all work to be performed by City employees. The Parks and Recreation Board shall not be responsible for the immediate supervision of City employees, the hiring or dismissal of City employees, or the timing and manner of work performed by City employees. The City Manager and/or the City Commission shall have the authority to abrogate, modify, or amend any decision of the Parks and Recreation Board (Ord. #792, 04/02/92).

CHAPTER 8

HARRASSMENT OF CITY EMPLOYEES

SECTION

- 1-801. Harassment of City Employees Unlawful.
- 1-802. Harassment at any Time Prohibited.
- 1-803. Complaint Policy.
- 1-804. Cumulative Effect.
- 1-805. Violations.

1-801. Harassment of City Employees Unlawful. It shall be unlawful for any person or persons to harass, abuse, threaten, impede, intimidate, or in any way interfere with any officer or employee of the City of Paris, when such officer or employee is engaged in the performance of the duties required of the said officer or employee by the City of Paris (Ord. #660, 03/24/87).

1-802. Harassment at any Time Prohibited. It shall be unlawful for any person or persons at any time, to harass, abuse, threaten, impede, intimate, or in any way interfere with any officer or employee as a result of, or in regard to, the employee's performance of their duties as an officer or employee of the City of Paris (Ord. #660, 03/24/87).

1-803. Complaint Policy. It is the stated policy of the City of Paris that any complaint by any person or persons with regard to any action or conduct by or on the part of any officer or employee of the City of Paris shall be directed to the City Manager or such supervisory personnel as the City Manager may direct. Said action or conduct complained of shall be promptly investigated by the City Manager or such person as he may direct in accordance with the personnel regulations of the City of Paris (Ord. #660, 03/24/87).

1-804. Cumulative Effect. Provisions of this chapter shall be cumulative and shall in no way be deemed to be in lieu of other violations of the provisions of this or any other chapter of the Paris Municipal Code or the laws of the State of Tennessee (Ord. #660, 03/24/87).

1-805. Violations. Any violation of this chapter shall be a misdemeanor and shall be punished as other misdemeanors (Ord. #660, 03/24/87).

CHAPTER 9

OCCUPATIONAL SAFETY AND HEALTH PROGRAM

SECTION

- 1-901. Establishment.
- 1-902. Title.
- 1-903. Purpose.
- 1-904. Coverage.
- 1-905. Standards Authorized.
- 1-906. Variances from Standards Authorized.
- 1-907. Administration.

- 1-908. Funding the Program.
1-909. Severability.

1-901. Establishment. In compliance with Public Chapter 561 of the General Assembly of the State of Tennessee for the year 1972, the Board of Commissioners of the City of Paris hereby establishes the Occupational Safety and Health Program for the employees of the City of Paris.

1-902. Title. This section shall provide authority for establishing and administering the Occupational Safety and Health Program Plan for the employees of the City of Paris. (Revised 09/05/13, Ord. # 1161, 10/03/13)

1-903. Purpose. The City of Paris, in electing to update their established program plan, will maintain an effective occupational safety and health program for its employees and shall:

- (1) Provide a safe and healthful place and condition of employment that includes:
 - a) Top Management Commitment and Employee Involvement;
 - b) Continually analyze the worksite to identify all hazards and potential hazards;
 - c) Develop and maintain methods for preventing or controlling existing or potential hazards; and
 - d) Train managers, supervisors, and employees to understand and deal with worksite hazards.
- (2) Acquire, maintain, and require the use of safety equipment, personal protective equipment, and devices reasonably necessary to protect employees.
- (3) Make, keep, preserve, and make available to the Commissioner of Labor and Workforce Development of the State of Tennessee, his designated representatives, or persons within the Tennessee Department of Labor and Workforce Development to whom such responsibilities have been delegated, adequate records of all occupational accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.

Consult with the State Commissioner of Labor and Workforce Development with regard to the adequacy of the form and content of records.

- (4) Consult with the State Commissioner of Labor and Workforce Development, as appropriate, regarding safety and health problems, which are considered to be unusual or peculiar and are such that they cannot be achieved under a standard promulgated by the State.
- (5) Provide reasonable opportunity for the participation of employees in the effectuation of the conditions or practices injurious to employee safety and health.
- (6) Provide for education and training of personnel for the fair and efficient administration of occupational safety and health standards and provide for educational and notification of all employees of the existence of this program.

1-904. Coverage. The provisions of the Occupational Safety and Health Program Plan for the employees of the City of Paris shall apply to all employees of each administrative department, commission, board, division, or other agency of the City of Paris, whether part-time or full-time, seasonal or permanent.

1-905. Standards Authorized. The occupational safety and health standards adopted by the City of Paris are the same as, but not limited to, the State of Tennessee Occupational Safety and Health Standards promulgated, or which may be promulgated, in accordance with Section 6 of the Tennessee Occupational Safety and Health Act of 1972 (T.C.A. Title 50, Chapter 3).

1-906. Variances from Standards Authorized. The City of Paris may, upon written application to the Commissioner of Labor and Workforce Development of the State of Tennessee, request an order granting a temporary variance from any approved standards. Applications for variances shall be in accordance with Rules of Tennessee Department of Labor and Workforce Development, Occupational Safety, Chapter 0800-1-2, as authorized by T.C.A., Title 50. Prior to requesting such temporary variance, the City of Paris shall notify or serve notice to employees, their designated representatives, or interested parties, and present them with an opportunity for a hearing. The posting of notice on the main bulletin board, as designated by the City of Paris, shall be deemed sufficient notice to employees.

1-907. Administration. For the purposes of this Ordinance, Carl Holder, City Manager, is designated as the Director of Occupational Safety and Health to perform duties and to exercise powers assigned so as to plan, develop, and administer the Occupational Safety and Health Program for the employees of the City of Paris. The Director shall develop a plan of operation for the program and said plan shall become a part of this Ordinance when it satisfies all applicable sections of the Tennessee Occupational Safety and Health Act of 1972 and Part IV of the Tennessee Occupational Safety and Health Plan.

1-908. Funding the Program. Sufficient funds for administering and staffing the program, pursuant to this Ordinance, shall be made available as authorized by the Board of Commissioners of the City of Paris.

1-909. Severability. If any section, sub-section, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereto. (Ord. #1018, 07/03/03.)

CHAPTER 10

CITY COURT

SECTION

- 1-1001. **City Judge.**
- 1-1002. **Compensation.**
- 1-1003. **Term of Office.**
- 1-1004. **City Clerk Warrant Authority.**

1-1001. City Judge. Any City Judge appointed by the Board of Commissioners shall be at least thirty (30) years of age, a resident citizen of Henry County, Tennessee, and a person learned in the law and license to practice law under the statutes of the State of Tennessee (Ord. #603, 01/05/84).

1-1002. Order of business. The compensation of the City Judge shall be as set by the City Commission in its annual budget but shall not be decreased during the term of a judge (Ord. #603, 01/05/84).

1-1003. Term of Office. Pursuant to the provisions of 6-21-501 of the Charter of the City of Paris, the Commissioners shall appoint a City Judge whose term shall begin on July 1 next succeeding the bi-annual election of the Board of Commissioners and said term of office shall continue for a period of one (1) year (Ord. #664, 06/04/87, #752, 05/02/91).

1-1004. City Clerk Warrant Authority. The city clerk shall have the authority under the supervision and control of the city judge to issue any warrant required by the city court for the efficient administration of the city court without the requirement of the original signature of the city judge (Ord. #715, 08/03/89).

CHAPTER 11

TRAVEL AND EXPENSE REGULATIONS

SECTION

- 1-1101. **Intent.**
- 1-1102. **Enforcement.**
- 1-1103. **Policies and Procedures.**
- 1-1104. **Travel Reimbursement Rate Schedules.**
- 1-1105. **Administrative Procedures.**

1-1101. Intent. The purpose of this ordinance and referenced regulations is to bring the City of Paris into compliance with Public Acts 1993, Chapter 433. This Act requires the City of Paris to adopt travel and expense regulations covering expenses incurred by "any mayor and any member of the local governing body and any board of committee member elected or appointed by the mayor or local governing body, and any official or employee of the municipality whose salary is set by charter or general law." It is further the intent of this policy to provide

consistent travel regulations and reimbursement for all regular traveling on city business at city expense (Ord. #838, 08/05/93).

1-1102. Enforcement. The City Manager of the City of Paris or the City Manager's designee shall be responsible for the enforcement of these travel regulations (Ord. #838, 08/05/93).

1-1103. Policies and Procedures. The travel regulations and reimbursement procedure shall be as follows:

A. In the interpretation and application of this ordinance the term "traveler" or "authorized traveler" means any elected or appointed municipal officer or employee, including members of municipal boards and committees appointed by the Mayor or the municipal governing body, and the employees of such boards and committees who are traveling on official municipal business and whose travel was authorized in accordance with this ordinance. "Authorized traveler" shall not include the spouse, children, other relatives, friends, or companions accompanying the authorized traveler on city business, unless the person(s) otherwise qualifies as an authorized traveler under this ordinance.

B. Authorized travelers are entitled to reimbursement of certain expenditures incurred while traveling on official business for the City. Reimbursable expenses shall include expenses for transportation; lodging, meals, registration fees for conferences, conventions, and seminars; and other actual and necessary expenses related to official business as determined by the City Manager. Under certain conditions, entertainment expenses may be eligible for reimbursement.

C. Authorized travelers can request either a travel advance for the projected cost of authorized travel, or advance billing directly to the City for registration fees, air fares, meals, lodging, conferences and similar expenses. Travel advance requests aren't considered documentation of travel expenses. If travel advances exceed documented expenses, the traveler must immediately reimburse the City. It will be the responsibility of the City Manager to initiate action to recover any undocumented travel advances.

D. Travel advances are available only for special travel and only after completion and approval of the travel authorization form.

E. The travel expense reimbursement form will be used to document all expense claims.

F. To qualify for reimbursement, travel expenses must be:

1. Directed related to the conduct of the city business for which travel was authorized, and

2. Actual, reasonable, and necessary under the circumstances. The City Manager may make exceptions for unusual circumstances. Expenses considered excessive won't be allowed.

G. Claims of \$5.00 or more for travel expense reimbursement must be supported by the original paid receipt for lodging, vehicle rental, phone call, public carrier, travel, conference fee, and other reimbursable costs.

H. Any person attempting to defraud the city or misuse the city travel funds is subject to legal action for recovery of fraudulent travel claims and/or advances. In addition to any legal action by the City of Paris, disciplinary procedures under the Personnel Rules and Regulations of the City of Paris, where applicable, may be used by the City Manager as a cumulative remedy.

I. Mileage and motel expenses incurred within the City aren't ordinarily considered eligible expenses for reimbursement (Ord. #838, 08/05/93).

1-1104. Travel Reimbursement Rate Schedules. Authorized travelers shall be reimbursed according to the United States Government travel regulations rates. The city's travel reimbursement rates will automatically change when the United States Government rates are adjusted. The municipality may pay directly to the provider for expenses such as meals, lodging, and registration fees for conferences, conventions, seminars, and other education programs (Ord. #838, 08/05/93).

1-1105. Administrative Procedures. The City of Paris adopts and incorporates by reference, as if fully set out herein, the administrative procedures submitted by MTAS to, and approved by letter by, the Comptroller of the Treasury, State of Tennessee, in June, 1993. A copy of the administrative procedures is on file in the office of the Finance Director (Ord. #838, 08/05/93).

CHAPTER 12

ATTENDANCE POLICY

SECTION

- 1-1201. Intent.**
- 1-1202. Attendance Policy.**
- 1-1203. Violation of Attendance Policy.**
- 1-1204. Replacement of Member.**

1-1201. Intent. The efficient operation of the City of Paris, Tennessee, depends to a large extent on the diligent and unselfish efforts of dedicated citizens of the City of Paris, Tennessee who donate their time to serve as members of the various boards, commissions, and committees. However, these appointed boards, commissions, and committees cannot operate effectively without a quorum for their meetings. Failure by such appointed board, commission, or committee members to attend meetings on a regular basis causes inconvenience, delays, and additional expense for those appearing before such boards, commissions, committees, the members of such boards, commissions, or committees in attendance, and the staff of the City of Paris, Tennessee.

1-1202. Attendance Policy. Any appointed board, commission, or committee member or any Board of Commissioner member sitting on such board, commission, or committee shall be allowed three absences in each calendar year from the regularly scheduled

meetings of such board, commission, or committee. This policy shall not apply to any called meeting or any such board, commission or committee.

1-1203. Violation of Attendance Policy. If any member of any board, commission, or committee, either elected or appointed shall exceed the absences allowed in 1-1202 the City Manager shall report to the Board of Commissioners of the City of Paris, Tennessee this fact.

1-1204. Replacement of Member. The Board of Commissioners may replace the absentee board member in the manner prescribed by state law and/or the ordinances of the City of Paris, Tennessee. The newly appointed member shall fill out the unexpired term of the replaced member (Ord. #923, 01/06/98).

CHAPTER 13

AMERICANS WITH DISABILITIES ACT

SECTION

1-1301.	Intent.
1-1302.	Compliance.
1-1303.	Plan Implementation.
1-1304.	ADA Coordinator.
1-1305.	Advisory Committee.
1-1306.	Administrative Procedures.

1-1301. Intent. The Americans With Disabilities Act of 1990, "ADA," requires the City of Paris to provide employment opportunities, services, programs, and public facilities, which are accessible to persons with disabilities, and the Board of Commissioners of the City of Paris believes it is in the best interest of all citizens of the City of Paris to provide services, programs, and public facilities, which are accessible to all persons, and to provide employment opportunities without discrimination against persons who can perform the essential functions of a position.

1-1302. Compliance. The City Manager shall prepare, update as necessary, and keep current the City of Paris' ADA Compliance Plan. The ADA Compliance Plan shall be placed on file with the Finance Director of the City Of Paris in the City Business Office after such plan is approved and adopted. A copy of the ADA Compliance Plan shall be made available to the public as requested.

1-1303. Plan Implementation. The City Manager shall implement the ADA Compliance Plan and take such other steps as are necessary to comply with the ADA, subject to the budget limitations established by the Board of Commissioners of the City of Paris in the City of Paris' annual budget.

1-1304. ADA Coordinator. The City Manager shall appoint an ADA Compliance Coordinator from among existing city employees. The coordinator shall direct the implementation of the ADA Compliance Plan and receive and consider input on compliance efforts and alleged noncompliance with the Act from citizens, disabled persons, and other interested individuals and organizations.

1-1305. Advisory Committee. There is created the Advisory Committee on Americans With Disabilities, an Advisory Committee for the City of Paris. This committee shall consist of seven (7) members, at least two (2) of whom shall be persons with disabilities covered by the ADA. Members shall be appointed by the Mayor with the approval of the Board of Commissioners. The Mayor shall designate one (1) member as the chair. Three (3) members shall be appointed initially for a three (3) year term, two (2) members for a two (2) year term, and two (2) members for a one (1) year term and may be reappointed to subsequent terms of three (3) years. Any member failing to fill out a term shall be appointed in the same manner for the balance of that member's unexpired term.

The chair, or any two (2) members of the committee, may call special meetings on seven (7) days notice. The committee shall adopt rules designating regular meeting times and places. The committee shall make any studies and recommendations as the committee deems necessary or appropriate to carry out the policy set out in this ordinance.

The committee members shall serve without pay, but may be reimbursed for expenses authorized, before they are incurred, by the Finance Director.

1-13-1

1-1306. Administrative Procedures. The City Manager, with the assistance of the Advisory Committee on Americans with Disabilities, shall take those steps necessary to assure that the City of Paris is in compliance with the ADA. The City Manager and the Advisory Committee on Americans with Disabilities shall develop the necessary policy and procedures to assure that the City of Paris is in compliance with Title II of the Act. Compliance efforts shall include, but not be limited to, creating policies, practices, and procedures to: provide notice of requirements to the public, establish a grievance procedure, conduct a self-evaluation, develop a transition plan, encourage community involvement, and establish an orderly procedure to assure that the City of Paris is in compliance with the Act. The City Manager shall make such recommendations to the Board of Commissioners, as the City Manager may deem necessary to accomplish the purposes of this ordinance. (Ord. #1012, 05/08/03).

CHAPTER 14

CODE OF ETHICS FOR HENRY COUNTY AND CITY OF PARIS, TENNESSEE

Sections.

- Preamble.
- 1-1401. Definitions.
- 1-1402. Disclosure of Personal Interest in Voting Matters.
- 1-1403. Disclosure of Personal Interest in Non-Voting Matters
- 1-1404. Acceptance of Gifts and Other Things of Value.
- 1-1405. Use of Information.
- 1-1406. Use of County or Municipal Time, Facilities, Etc.
- 1-1407. Use of Position or Authority.
- 1-1408. Ethics Complaints.
- 1-1409. Violations.
- 1-1410. Applicable State Laws.

Preamble: This ordinance is adopted jointly by the City of Paris and Henry County Government (by resolution) in order to be consistent in the adoption of a Code of Ethics for all

jointly appointed boards as required by Public Chapter 1 of the Extraordinary Session of the 2006 General Assembly.

1-1401. Definitions.

(1) "County" means Henry County, which includes all boards, committees, commissions, authorities, corporations or other instrumentalities appointed or created by the county or an official of the county, and specifically including the county school board, the county election commission, the county health department, and utility districts in the county.

(2) "Municipality or city" means City of Paris, which includes all boards, committees, commissions, authorities, corporations or other instrumentalities appointed or created by the City or an official of the City, and specifically including the city school board, and utility districts in the city.

(3) "Entity" means City or County according to context.

(4) "Officials and employees" means and includes any official, whether elected or appointed, officer, employee or servant, or any member of any board, agency, commission, authority or corporation (whether compensated or not), or any officer, employee, or servant thereof, of the County or City.

(5) "Personal interest" means, for the purpose of disclosure of personal interest in accordance with this Code of Ethics, a financial interest of the official or employee, or a financial interest of the official's or employee's spouse or child living in the same household, in the matter to be voted upon, regulated, supervised, or otherwise acted upon in an official capacity.

1-1402. Disclosure of personal interest in voting matters. An official or employee with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and to be included in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official's or employee's vote on the measure. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from voting on the measure.

1-1403. Disclosure of personal interest in non-voting matters. An official or employee who must exercise discretion relative to any matter other than casting a vote and who has a personal interest in the matter that affects or would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion when possible, the interest on the attached disclosure form and file the disclosure form with the county clerk or city recorder. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from the exercise of discretion in the matter.

1-1404. Acceptance of gifts and other things of value. An official or employee, or an official's or employee's spouse or child living in the same household, may not accept, directly or indirectly, any gift, money, gratuity, or other consideration or favor of any kind from anyone other than the county or city:

(1) For the performance of an act, or refraining from performance of an act, that he would be expected to perform, or refrain from performing, in the regular course of his duties; or

(2) That a reasonable person would understand was intended to influence the vote, official action, or judgment of the official or employee in executing city or county business.

It shall not be considered a violation of this policy for an official or employee to receive entertainment, food, refreshments, meals, health screenings, amenities, foodstuffs, or beverages that are provided in connection with a conference sponsored by an established or recognized statewide association of county government officials or by an umbrella or affiliate organization of such statewide association of city or county government officials.

1-1405. Use of information. (1) An official or employee may not disclose any information obtained in his official capacity or position of employment that is made confidential under state or federal law, except as authorized by law.

(2) An official or employee may not use or disclose information obtained in his official capacity or position of employment with the intent to result in financial gain for himself or any other person or entity.

1-1406. Use of county or municipal time, facilities, etc. (1) An official or employee may not use or authorize the use of county or municipal time, facilities, equipment or supplies for private gain or advantage to himself.

(2) An official or employee may not use or authorize the use of county or municipal time, facilities, equipment, or supplies for private gain or advantage to any private person or entity, except as authorized by legitimate contract or lease that is determined by the governing body to be in the best interests of the county or municipality.

1-1407. Use of position or authority. (1) An official or employee may not make or attempt to make private purchases, for cash or otherwise, in the name of the municipality.

(2) An official or employee may not use or attempt to use his position to secure any privilege or exemption for himself or others that is not authorized by charter, general law, or ordinance or policy of the municipality or county.

1-1408. Ethics complaints. (1) The Henry County Mayor and the Mayor of Paris shall jointly appoint an Ethics Officer to serve a term of five years commencing July 1, 2007 and said officer shall continue to service until the expiration of his term when a new appointment has been made by the Mayors, or in the event the Mayors have not agreed on an appointment, said officer shall continue to serve until replaced by a duly appointed successor.

(2) The Ethics Officer may request the assistance of the City Attorney and /or County Attorney as appropriate in order to properly apply the provisions contained herein.

(3) Questions and complaints regarding violations of this Code of Ethics or of any violation of state law governing ethical conduct should be directed to the Ethics Officers. Complaints shall be in writing and signed by the person making the complaint, and shall set forth in reasonable detail the facts upon which the complaint is based.

The Ethics Officer shall investigate any credible complaint against an official or employee charged with any violation of this Code of Ethics, or may undertake an investigation on its own initiative when it acquires information indicating a possible violation, and make recommendations for action to end or seek retribution for any activity that, in the Officer's judgment, constitutes a violation of this Code of Ethics.

The Officer may:

- (1) refer the matter to the City and /or County Attorney for a legal opinion and/or recommendations for action;
- (2) in the case of an official, refer the matter to the appropriate city or county legislative body for possible public censure if the legislative body finds such action warranted;
- (3) in the case of an employee, refer the matter to the official responsible for the supervision of the employee for possible disciplinary action if the official finds the discipline warranted;
- (4) in a case involving possible violation of state statutes, refer the matter to the district attorney for possible ouster or criminal prosecution;

The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and enforcing this Code of Ethics. When a violation of this Code of Ethics also constitutes a violation of a personnel policy or a civil service policy, the violation shall be dealt with as a violation of the personnel or civil service provisions rather than as a violation of this Code of Ethics.

1-1409. Violations. An elected official or appointed member of a separate municipal or county board, commission, committee, authority, corporation or other instrumentality who violates any provision of this chapter is subject to punishment as provided by the municipality and the county's charter or other applicable law and in addition is subject to censure by the governing body. An appointed official or an employee who violates any provision of this chapter is subject to disciplinary action.

1-1410. Applicable State Laws. In addition to the ethical principles set out in this Code of Ethics, state laws also provide a framework for the ethical behavior of county and city officials and employees in the performance of their duties. Officials and employees should familiarize themselves with the state laws applicable to their office or position and the performance of their duties. To the extent that an issue is addressed by state law (law of general application, public law of local application, local option law, or private act), the provisions of that state law, to the extent they are more restrictive, shall control. (Ord. #1066, 2/01/07)

