

Mobile Register 7-17-57

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ORDINANCE NO. 705

AN ORDINANCE ADOPTED PURSUANT TO ACT NO. 370 OF THE ALABAMA LEGISLATURE OF 1953, APPROVED BY THE GOVERNOR ON AUGUST 21, 1953 (S.439-Johnston) AND REMOVING THE CHIEF OF POLICE OF THE CITY OF PRICHARD, ALABAMA, FROM THE PROVISIONS OF THE MERIT SYSTEM OF MOBILE COUNTY, ALABAMA, AND AUTHORIZING HIM TO CARRY OUT THE POWERS CONFERRED UPON HIM BY SUCH ACT AFTER REMOVAL FROM SUCH SYSTEM.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRICHARD, ALABAMA, AS FOLLOWS:

SECTION ONE: On and after the adoption and publication of this ordinance the City Council of the City of Prichard, Alabama, shall have the exclusive power and authority to hire, demote, suspend or discharge the Chief of Police of the City of Prichard and to fix his compensation not to exceed ~~SEVEN THOUSAND FIVE HUNDRED~~ (\$7,200.00) DOLLARS per annum, and his working conditions.

SECTION TWO: On and after the adoption and publication of this ordinance the Chief of Police of the City of Prichard shall have authority to suspend preemptorily any of the personnel or employees of the police department of the City of Prichard, without pay or other compensation and without the right of any hearing or appeal, provided however that no such employee may be suspended by him for a period or periods in the aggregate of more than thirty days in any one calendar year, and such suspension may be effected for insubordination or for any other conduct considered by such Chief of Police to be contrary to the best interests of such police department. Such suspension shall be effected by delivering to such employee a statement of such suspension and the cause thereof, and a copy of such statement shall be delivered to the personnel director or personnel board of Mobile County, Alabama, but the suspended employee shall have no right to contest such suspension.

SECTION THREE: The Chief of Police of the City of Prichard is hereby further authorized, pursuant to such Act No. 370 referred to in the caption hereof to demote, suspend (for a period or periods beyond the period or periods referred to in Section Two of this ordinance) or to discharge any one or more of the employees of such department for any one or more of the following causes:

1. Unexcused absence without leave.
2. Commitment of any criminal act.
3. Conduct unbecoming an employee in the public service.
4. Disorderly or immoral conduct.
5. Incompetence, incapacity or inefficiency.
6. Insubordination.
7. Intoxication while on duty or public intoxication while off duty.
8. Neglect of duty.
9. Willful failure to observe any lawful order or rule or regulation made by or given by superior officer.
10. The willful violation of any law.

In issuing any order under the provisions of this Section the Chief of Police shall state his reasons therefor in writing, shall serve a copy of the same on the affected employee and shall furnish a copy thereof to the personnel director of Mobile County, Alabama, which action shall become a public record. The affected employee may within ten days after the service of such notice appeal to the Personnel Board and shall have all such rights in connection with the appeal as are given by Section Three of such Act No. 370.

SECTION FOUR: This ordinance may be repealed by the City Council of the City of Prichard and after such repeal may be reinstated by the City Council of the City of Prichard, in its discretion--all as provided for by Act No. 370 of the Alabama Legislature of 1953 approved on August 21, 1953.

SECTION FIVE: The provisions of this ordinance shall become effective immediately upon its adoption and publication in the manner required by law.

SECTION SIX: All ordinances and resolutions, or parts thereof, in conflict with the provisions of this ordinance are hereby expressly repealed."

Adopted this the 2nd day of July, 1957.

Robert H. Cantelero
City Clerk

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