

ORDINANCE NO. 3986-A

AN ORDINANCE AMENDING THE CITY OF MUSKOGEE CODE OF ORDINANCES BY AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE V, BOARDS AND COMMISSIONS, DIVISION 4, SECTION 2-218, ESTABLISHED AND CREATED; COMPOSITION; MEETINGS; PROMULGATION OF RULES, MODIFYING BOARD COMPOSITION; AMENDING SECTION 2-221, RECOMMENDATIONS AND FINDINGS TO BE IN WRITING, REQUIRING ADDITIONAL REPORTING TO CITY MANAGER; PROVIDING FOR REPEALER, SEVERABILITY AND SETTING AN EFFECTIVE DATE.

AN AMENDED ORDINANCE

WHEREAS, the City finds it necessary and for efficient operation of the Accident Review Board to increase its membership to five (5), with representatives from the Public Works and Vehicle and Equipment Maintenance (Fleet) Departments; and,

WHEREAS, the City finds it necessary to require a Department Head to implement the recommendations by the Accident Review Board. Further, in cases of deviation from the recommendation, the Department Head shall secure permission from the City Manager.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, OKLAHOMA, AS FOLLOWS:

Section 1. Sec. 2-218. - Established and created; composition; meetings; promulgation of rules, in the City of Muskogee Code of Ordinances is hereby amended as follows:

Sec. 2-218. - Established and created; composition; meetings; promulgation of rules.

A board is hereby established and created to investigate the facts concerning any vehicle accident and to provide a uniform city vehicle accident review process. The board shall be known as the municipal employees accident review board, hereinafter referred to as the review board. The board shall consist of ~~three~~ five members, one of whom will be the ranking officer of the traffic division of the city, one of whom shall be the personnel/safety director of the city, one of whom shall be the director of equipment management (fleet), one of whom shall be a supervisor in the Public Works Department, and one of whom shall be the city attorney. The personnel/safety director shall be designated the chairman of the board. The board shall hold one regular meeting a month and such special meetings as shall be necessary upon call of the chairman. The board shall promulgate such rules as it deems necessary for the administration of this division which shall not be in conflict with this division or any other ordinance of the city.

Section 2. Sec. 2-221 – Recommendations and findings to be in writing, in the City of Muskogee Code of Ordinances is hereby amended as follows:

Sec. 2-221 – Recommendations and findings to be in writing.

All recommendations and findings of the review board shall be made in writing to the department head with a copy to the employee. The department head shall then cause the recommendations of the review board to be implemented and shall report the same to the Safety Manager. Any deviation from a recommendation of the review board shall require approval from the City Manager.

Section 3. REPEALER. All other ordinances or parts of ordinances in direct conflict herewith are repealed to the extent of the conflict only.

Section 4. SEVERABILITY. Should any part section, subsection, sentence, provision, clause or phrase hereof be held invalid, void, or unconstitutional for any reason, such holding shall not render invalid, void, or unconstitutional any other section, subsection, sentence, provision, clause, or phrase of this ordinance, and the same are deemed severable for this purpose.

Section 5. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days from the date of publication.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, OKLAHOMA, THIS _____ DAY OF _____, 2015.

JOHN R. COBURN, MAYOR

ATTEST:

PAMELA S. BATES, CITY CLERK

(seal)

Approved as to form and legality this _____ day of _____, 2015.

ROY D. TUCKER, CITY ATTORNEY