

County of Hidalgo     §     §     §  
City Of Penitas       §     §     §

**ORDINANCE 2001-05**

**AN ORDINANCE REGULATING THE USE OF CITY PERSONAL PROPERTY; PROVIDING EMPLOYEE RESPONSIBILITIES AND PENALTIES FOR VIOLATING SAID ORDINANCE AND ORDAINING OTHER PROVISIONS RELATING TO THE SUBJECT MATTER THEREOF.**

WHEREAS, the City of Penitas operates under the General Laws of the State of Texas; and,

WHEREAS, the City of Penitas has continued to grow in both population and ownership of personal and real assets; and

WHEREAS, in order to insure that the personal assets of the City of Penitas are properly maintained and utilized for official city business.

NOW, IT IS, THEREFORE, ORDAINED by the Board of Aldermen of the City of Penitas as follows:

1. The Board of Aldermen finds that all requirements of law have been met in the passing of this Ordinance;
  2. EMPLOYER'S RESPONSIBILITIES; USE OF VEHICLES AND EQUIPMENT
    - a. An employee whose job involves the operation of a vehicle is required to possess applicable, valid Texas Driver's License which shall be obtained at the employee's expense, and maintain a satisfactory driving record.
    - b. All employees are obligated to use city vehicles and equipment in a careful manner. Failure to do so maybe cause for termination and the employee maybe held liable for damages.
    - c. Accidents, other than of very minor nature, shall be reviewed by the City Administrator and ultimately by the Board of Aldermen.
    - d. Employees are prohibited from using city vehicles or city equipment for personal business or any city vehicle or equipment outside working hours except with specific and prior approval of their immediate supervisors.
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e. An employee maybe given a monthly allowance for consistently using such employee's own vehicle for city business, if the use is deemed necessary by the City Administrator. The amount of the allowance shall be determined by the Board of Aldermen.

f. All employees shall use safety equipment provided by the city.

g. All employees shall be solely responsible for their personal property at all times.


3. EMPLOYEE RESPONSIBILITIES; WEARING OF UNIFORMS

a. If a city employee is provided with a uniform, such employee is required to wear the uniform when on duty and keep it in good, clean and serviceable condition.

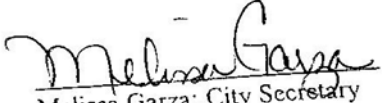
- b. No part of the uniform shall be worn by itself. An employee is required to wear the entire uniform when on duty. No part of the uniform shall be worn when off duty, except to and from work.
  - c. When an employee's employment terminates, voluntary or otherwise, uniforms and any other city equipment which the employee may possess or has been issued to such employee, must be returned in good condition before final pay will be authorized. The cost of lost or damaged city property will be deducted from the employee's final paycheck.
4. EMPLOYEE RESPONSIBILITY; PRIVATE TELEPHONE
- a. All supervisory personnel and service personnel must have a telephone number at which they can be reached during off hours.
  - b. No reimbursement shall be made for employees for use of such employee's telephone.
5. EMPLOYEE RESPONSIBILITY OUTSIDE EMPLOYMENT
- a. Employees may accept outside employment with the approval of their immediate supervisor and ultimately the Board of Aldermen. Such employment shall not conflict with effective performance of the employee while on active duty with the city nor shall it conflict in any way with the best interest of the city.
  - b. On approval of outside employment, the employee shall execute a written agreement that such employee waives all rights to sick leave, or any other time off, in the event such employee is unable to perform duties as an employee of the city because of accident, injury, or illness resulting from travel to and from, or performance on another job.
6. TERMINATION OF EMPLOYMENT
- a. Disciplinary action, including suspension and/or termination of an employee may result as a violation of any of the above provisions.

CONSIDERED AND APPROVED ON THIS THE 25<sup>th</sup> day of September 2001 at a REGULAR MEETING OF THE BOARD OF ALDERMEN OF THE CITY OF PENITAS, TEXAS, at which a quorum was present and which was held in accordance with Chapter 551, of the Texas Local Government Code.  
EXECUTED THIS 25<sup>th</sup> DAY OF September 2001.

CITY OF PENITAS

  
\_\_\_\_\_  
Mayor Servando Ramirez

ATTEST:

  
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Melissa Garza, City Secretary

APPROVED AS TO FORM:

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Ricardo Gonzalez, City Attorney