

ORDINANCE NO. 2013-4

**AN ORDINANCE
AMENDING SECTION 139.04 OF THE CODIFIED
ORDINANCES OF THE VILLAGE OF WAITE HILL, OHIO, TO
CHANGE THE OVERTIME POLICY FOR THE VILLAGE
POLICE DEPARTMENT, AND DECLARING AN EMERGENCY.**

WHEREAS, the Police Department desires to have flexibility in scheduling shifts and needs to amend the overtime provisions of the Codified Ordinances in order to avoid inadvertently paying overtime for regularly scheduled work when an officer works a scheduled shift that is greater than eight (8) hours; and

WHEREAS, the Codified Ordinances also need to be amended to properly reflect the regulations of the Fair Labors Standards Act which are applicable to police officers.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF WAITE HILL, LAKE COUNTY, STATE OF OHIO:

SECTION 1. That existing Section 139.04, 28-Day Work Period; Overtime, of the Codified Ordinances of Waite Hill, Ohio, be and the same hereby is amended to read as follows:

“139.04 28-DAY WORK PERIOD OVERTIME.

(a) Council hereby formalizes the policy that its law enforcement personnel shall work a 28-day work period, and nonexempt law enforcement personnel shall be entitled to compensatory time off or overtime pay for all hours worked in excess of 171 hours during the 28-day work period. In accordance with this election, nonexempt employees of the Police Department shall be entitled to compensatory time off or overtime pay for all hours worked in excess of 171 hours per 28-day pay period.

(b) Notwithstanding subsection (a) hereof an officer who works in any 24 hour period more hours than those included in the officer’s scheduled shift shall be entitled to overtime pay for each hour worked in excess of the hours of the scheduled shift.”

SECTION 2. That existing Section 139.04 of the Codified Ordinances of Waite Hill, Ohio, and any ordinances in conflict herewith, be and are hereby repealed.

SECTION 3. That actions of this Council concerning and relating to the passage of this legislation were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were held in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the Village of Waite Hill.

SECTION 4. That this Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village of Waite Hill and, further, provides for an amendment to the Village’s overtime provisions that

are applicable to police officers, in order to permit immediately greater flexibility in scheduling officer shifts and permit the Village to save money; wherefore, this ordinance shall be in full force and effect immediately upon its passage by Council and its approval by the Mayor, or as otherwise provided by law.

PASSED: January 14, 2013



Council President

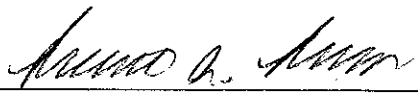
Submitted to the Mayor
for his approval on this
14 day of January, 2013

Approved by the Mayor

ATTEST:

January 14, 2013


Clerk-Treasurer


Mayor