

**BILL NO. 2009-01**

**ORDINANCE NO. 98**

**TITLE**

**AN ORDINANCE ESTABLISHING A CIVIL SERVICE COMMISSION TO REGULATE THE HIRING, DISCIPLINING AND TERMINATION OF EMPLOYEES AND SETTING FORTH PENALTIES FOR VIOLATION OF PROVISIONS OF SAID ORDINANCE**

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**ORDINANCE**

**BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE  
NORTHEAST AMBULANCE AND FIRE PROTECTION DISTRICT,  
COUNTY OF SAINT LOUIS, STATE OF MISSOURI, AS FOLLOWS:**

**Article I. Application of Ordinance.**

The provisions of this Ordinance shall apply to all persons employed full time with the Northeast Ambulance and Fire Protection District except as otherwise provided herein.

**Article II. Excluded employees - Repeal of Ordinance - Effect.**

**Section 1.01 Excluded employees**

The provisions of this Ordinance shall have no application to the Members of the Board of Directors, the Fire Chief, part-time and temporary employees, interns, and persons employed as independent contractors of the district.

**Section 1.02 Repeal of Ordinance**

If any Board of Directors of the District shall at any time repeal the provisions of this Ordinance or substantially modify the terms providing for civil

service for employees of the district in that event the repeal of this Ordinance shall not apply to any employees currently employed at the time of the repeal of the Ordinance but shall only apply prospectively

**Article III. Civil service commission created - Appointment - Terms - Removal - Quorum.**

**Section 1.01 Number of Commissioners**

There is hereby created in the Northeast Ambulance and Fire Protection District a civil service commission which shall be composed of six persons.

**Section 1.02 Appointment, Qualifications and Compensation**

The members of such commission shall be appointed by the Board of Directors of the District. The members of such commission shall serve without compensation but may be allowed an attendance fee by Resolution of the Board and shall be reimbursed for their reasonable and necessary expenses incurred in the course and scope of their duties as approved by the Board of Directors. No person shall be appointed a member of such commission who is not a citizen of the United States, a resident of the State of Missouri for two years and a resident and registered voter of the District for at least one year immediately preceding such appointment.

**Section 1.03 Term**

The term of office of such commissioners shall be for three years, except that the first six members of such commission shall be appointed for different terms, as follows: Two to serve for a period of three years, two to serve for a period of two years, and two to serve for a period of one year. Any vacancy on the commission shall be filled by nomination and appointment as provided herein and such person filling said vacancy shall serve out the balance of the term of the vacating commissioner. Each commissioner shall serve until his or her successor is appointed and qualify. Each member of the Board shall nominate two persons to serve as members of the commission. For the first six members of such commission, the Director whose term ends in 2011 shall nominate one person to serve for a period of one year and one person to serve for a period of two years, and shall nominate their successors for a three year term upon the end of their term. The Director whose term ends in 2013 shall nominate one person to serve for a period of three years and one person to serve for a period of two years, and shall nominate their successors for a three year term upon the end of their term. The Director whose term ends in 2015 shall nominate one person to serve for a period

of three years and one person to serve for a period of one year, and shall nominate their successors for a three year term upon the end of their term.

#### **Section 1.04 Removal of commissioners**

Any member of such commission may be removed from office for incompetency, removal from the district, dereliction of duty, malfeasance in office, or other gross misconduct: PROVIDED, HOWEVER, That no member of the commission shall be removed until charges have been preferred, in writing, due notice and a full hearing had. The members of such commission shall devote due time and attention to the performance of the duties hereinafter specified and imposed upon them by this Ordinance.

#### **Section 1.05 Quorum and Procedures**

Four members of such commission shall constitute a quorum and the votes of any four members of such commissioners concurring shall be sufficient for the decision of all matters and the transaction of all business to be decided or transacted by the commission under or by virtue of the provisions of this Ordinance. The Commission may adopt rules and regulations for its procedures and in the absence thereof, the Commission shall abide by Roberts Rules of Order for parliamentary procedure.

### **Article IV. Organization of commission - Secretary - Powers and duties of commission.**

#### **Section 1.01 Officers and meetings**

Immediately after appointment, the commission shall organize by electing one of its members chair and hold regular meetings at least once a month, and such additional meetings as may be required for the proper discharge of their duties.

#### **Section 1.02 Executive Secretary**

The Board shall assign an employee of the District to serve as Executive Secretary to the Commission, who shall keep the records of the commission, preserve all reports made to it, superintend and keep a record of all examinations held under its direction, and perform such other duties as the commission may prescribe. The Executive Secretary may be a full time employee with extra or additional duties being performed for the district, in addition to his or her duties as Executive Secretary. In the performance of duties as Executive Secretary, the Executive Secretary shall be under the direct supervision of the Chairperson of the

Commission; provided however, that in performance of other duties for the District, the Executive Secretary shall remain under the overall supervision of the Fire Chief in all other respects.

### **Section 1.03 Duties of Commission**

It shall be the duty of the civil service commission, subject to the approval of the Board of Directors:

(1) To make suitable rules and regulations not inconsistent with the provisions of this Ordinance. Such rules and regulations shall provide in detail the manner in which examinations may be held, and appointments, promotions, transfers, reinstatements, demotions, suspensions and discharges shall be made, and may also provide for any other matters connected with the general subject of personnel administration, and which may be considered desirable to further carry out the general purposes of this Ordinance, or which may be found to be in the interest of good personnel administration. Such rules and regulations may be changed from time to time. The rules and regulations and any amendments thereof shall be printed, mimeographed or multigraphed for free public distribution. Such rules and regulations may be changed from time to time.

(2) All tests shall be practical, and shall consist only of subjects which will fairly determine the capacity of persons examined to perform duties of the position to which appointment is to be made, and may include tests of physical fitness and/or of manual skill, and may or may not be written and may consist solely of an oral examination and/or review of the applicant's application for employment.

(3) The rules and regulations adopted by the commission shall provide for a credit in favor of all applicants for appointment under civil service, who have served in and been honorably discharged from the armed forces of the United States, including the army, navy, marine corps and the air force. These credits apply to entrance examinations only.

(4) The commission shall make investigations concerning and report upon all matters touching the enforcement and effect of the provisions of this Ordinance, and the rules and regulations prescribed hereunder; inspect all institutions, districts, offices, places, positions and employments affected by this Ordinance, and ascertain whether this Ordinance and all such rules and regulations are being obeyed. Such investigations may be made by the commission or by any commissioner designated by the commission for that purpose. Not only must these investigations be made by the commission as aforesaid, but the commission must

make like investigation on petition of an employee, duly verified, stating that irregularities or abuses exist, or setting forth in concise language, in writing, the necessity for such investigation. In the course of such investigation the commission or designated commissioner, or chief examiner, shall have the power to administer oaths, subpoena and require the attendance of employees who are witnesses and the production by them of books, papers, documents and accounts appertaining to the investigation and also to cause the deposition of witnesses residing within or without the state to be taken in the manner prescribed by law for like depositions in civil actions in the civil courts; and the oaths administered hereunder and the subpoenas issued hereunder shall have the same force and effect as the oaths administered by a notary public in his or her official capacity; and the failure upon the part of any employees so subpoenaed to comply with the provisions of this section shall be deemed a violation of this Ordinance, and punishable as such.

(5) All hearings and investigations before the commission, or designated commissioner, or Executive Secretary, shall be governed by this Ordinance and by rules of practice and procedure to be adopted by the commission, and in the conduct thereof neither the commission, nor designated commissioner shall be bound by the technical rules of evidence. No informality in any proceedings or hearing, or in the manner of taking testimony before the commission or designated commissioner, shall invalidate any order, decision, rule or regulation made, approved or confirmed by the commission: **PROVIDED, HOWEVER,** That no order, decision, rule or regulation made by any designated commissioner conducting any hearing or investigation alone shall be of any force or effect whatsoever unless and until concurred in by at least three of the other members.

(6) To hear and determine appeals or complaints respecting the administrative work of the personnel of the district; appeals upon the allocation of positions; the rejection of an examination, and such other matters as may be referred to the commission.

(7) Establish and maintain in card or other suitable form a roster of officers and employees.

(8) Provide for, formulate and hold competitive tests to determine the relative qualifications of persons who seek employment in any class or position and as a result thereof establish eligible lists for the various classes of positions, and to provide that persons laid off because of curtailment of expenditures, reduction in force, and for like causes, head the list in the order of their seniority, to the end that they shall be the first to be reemployed.

(9) When a vacant position is to be filled, to certify to the board of directors, on written request, the name of all persons on the eligible list for the class. If there are no such lists, to recommend provisional or temporary appointment list of such class. Such temporary or provisional appointment shall not continue for a period longer than four months; nor shall any person receive more than one provisional appointment or serve more than four months as a provisional appointee in any one fiscal year.

(10) Keep such records as may be necessary for the proper administration of this Ordinance.

**Article V. Persons included - Competitive examinations - Transfers, discharges, and reinstatements.**

**Section 1.01 Persons included**

The classified civil service and provisions of this Ordinance shall include all full time paid employees of the fire district, except that individuals appointed as fire chief, shall be excluded from coverage hereunder who shall serve at the pleasure of the board which may be modified by written contract for a fixed term requiring cause for termination of said contract.

**Section 1.02 Appointment and promotion of employees**

All appointments to and promotions in said district shall be made solely on merit, efficiency and fitness, which shall be ascertained by open competitive examination and impartial investigation. No person shall be reinstated in, or transferred, suspended or discharged from any such place, position or employment contrary to the provisions of this Ordinance.

**Article VI. Existing employees blanketed under civil service.**

For the benefit of the public service and to prevent delay, injury, or interruption therein by reason of the enactment of this Ordinance, all persons holding a position in the district, excluding the chief thereof, when this Ordinance takes effect, who shall have served in such position for a period of at least six months last past continuously, are hereby declared automatically and permanently appointed under civil service to the offices, places, positions or employments which they shall then hold, respectively, without examination or other act on their part, and not on probation; and every such person is hereby automatically adopted and inducted permanently into civil service, into such office, place, position or employment which such person then holds as completely and effectually to all

intents and purposes as if such person had been permanently appointed thereto under civil service after examination and investigation.

**Article VII. Qualifications of applicants.**

An applicant for a position of any kind, under civil service, must meet such citizenship and residency requirements as may be required by federal, state, county and district law and ordinances, and able to read and write the English language. An applicant for a position of any kind under civil service must be of an age suitable for the position applied for, in ordinary good health, of good moral character and of temperate and industrious habits, and must possess such certifications, licenses, permits, education, training, experience and qualifications as may be provided by law and required for the position to which the applicant may be appointed; provided however, that no applicant shall be required to possess qualifications that may lawfully be obtained during their tenure after appointment. These facts to be ascertained in such manner as the commission may deem advisable.

**Article VIII. Residency as condition of employment - Prohibited.**

The Commission shall not require any person applying for or holding an office, place, position, or employment under the provisions of this Ordinance to reside within the limits of the district except upon specific authorization by resolution or ordinance of the board of directors of the district.

**Article IX. Tenure of employment - Grounds for discharge, reduction, or deprivation of privileges.**

The tenure of every one holding an office, place, position or employment under the provisions of this Ordinance shall be only during good behavior, and any such person may be removed or discharged, suspended without pay, demoted, or reduced in rank, or deprived of vacation privileges or other special privileges, only with the approval of the Board of Directors, for any of the following reasons:

(1) Incompetency, inefficiency or inattention to or dereliction of duty;

(2) Dishonesty, intemperance, immoral conduct, insubordination, discourteous treatment of the public, or a fellow employee, or any other act of omission or commission tending to injure the public service; or any other willful failure on the part of the employee to properly conduct himself or herself; or any willful violation of the provisions of this Ordinance or the rules and regulations to be adopted hereunder;

(3) Mental or physical unfitness for the position which the employee holds;

(4) Dishonest, disgraceful, immoral or prejudicial conduct;

(5) Drunkenness or use of intoxicating liquors, narcotics, or any other habit forming drug, liquid or preparation to such extent that the use thereof interferes with the efficiency or mental or physical fitness of the employee, or which precludes the employee from properly performing the functions and duties of any position under civil service;

(6) Conviction of a felony, or a misdemeanor, involving moral turpitude;

(7) Any other act or failure to act which in the judgment of the Fire Chief, with concurrence of the Board, is sufficient to show the offender to be an unsuitable and unfit person to be employed in the public service.

**Article X. Procedure for removal, suspension, demotion or discharge - Investigation - Hearing - Appeal.**

**Section 1.01 Disciplinary notice**

No person in the classified civil service who shall have been permanently appointed or inducted into civil service under provisions of this Ordinance, or by Resolution of the Board, shall be removed, suspended, demoted or discharged by the Board of Directors except for cause, and only upon the written accusation of the Fire Chief, or any citizen or taxpayer, a written statement of which accusation, in general terms, shall be served upon the accused, and a duplicate filed with the commission.

**Section 1.02 Administrative review**

Any person so removed, suspended, demoted or discharged may within ten days from the time of his or her removal, suspension, demotion or discharge, file with the commission a written demand for an investigation, whereupon the commission shall conduct such investigation. The investigation shall be confined to the determination of the question of whether such removal, suspension, demotion or discharge was or was not made for political or unlawful reasons and was or was not made in good faith for such causes as are enumerated in this Ordinance. After such investigation the commission may affirm the removal, or if it shall find that the removal, suspension, or demotion was made for political or unlawful reasons, or was not made in good faith for such causes as are enumerated in this Ordinance, shall recommend the immediate reinstatement or reemployment

of such person in the office, place, position or employment from which such person was removed, suspended, demoted or discharged, which reinstatement shall, if the Board so provides in its discretion, be retroactive, and entitle such person to pay or compensation from the time of such removal, suspension, demotion or discharge. The commission upon such investigation, in lieu of affirming the removal, suspension, demotion or discharge may recommend a modification of the order of removal, suspension, demotion or discharge by recommending a suspension, without pay, for a given period, and subsequent restoration to duty, or demotion in classification, grade, or pay; the findings of the commission shall be certified, in writing to the Board of Directors, and shall be forthwith enforced by the Fire Chief if approved, adopted or confirmed by the Board.

### **Section 1.03 Confidentiality of hearing**

All investigations made by the commission pursuant to the provisions of this section shall be by private hearing, as provided by Chapter 610, RSMo, after reasonable notice to the accused of the time and place of such hearing, at which hearing the accused shall be afforded an opportunity of appearing in person and by counsel, and presenting his or her defense.

### **Section 1.04 Judicial Review**

If such judgment or order be concurred in by the Board or a majority thereof, the accused may appeal therefrom to the circuit court of the county of St. Louis as provided under Section 536.100, RSMo. Such appeal shall be taken by filing a Petition for Review in the circuit court of the county of St. Louis and serving the Board, within thirty days after the entry of such judgment or order, a written notice of appeal, stating the grounds thereof, and demanding that a certified transcript of the record and of all papers on file in the office of the commission or Board affecting or relating to such judgment or order, be filed by the Board with such court. The Board shall, expeditiously and within a reasonable time after the filing of such notice, make, certify and file such transcript with such court. The court shall thereupon proceed to hear and determine such appeal as provided by Chapter 536, RSMo.

## **Article XI. Filling of vacancies - Probationary period.**

### **Section 1.01 Filing vacancies**

Whenever a position in the classified service becomes vacant, the Board of Directors, if it desires to fill the vacancy, shall make requisition upon the

commission for the name and address of all persons qualified and eligible for appointment thereto. The commission shall certify the names of all persons on the eligible list for the class to which the vacant position has been allocated, who are willing to accept employment. If there is no appropriate eligible list for the class, the commission shall as provided herein seek applicants for the position and thereafter certify the name of all persons qualified and eligible for employment on said list held appropriate for such class. The Board of Directors may forthwith appoint one of such persons to such vacant position.

### **Section 1.02 Temporary and part-time appointees**

The Board may appoint temporary and part-time employees without competitive examination. At the Board's election, whenever requisition is to be made, or whenever a position is held by a temporary or part-time appointee and an eligible list for the class of such position exists, the commission shall forthwith certify the names of all persons eligible for appointment by the Board, and said Board may forthwith appoint one of the persons so certified to said position. Persons so appointed may be terminated, laid off, suspended, or given leave of absence from duty, transferred or reduced in pay or grade, without cause, with the consent and approval of the Board of Directors of the District.

### **Section 1.03 Probationary period**

To enable the Board to exercise a choice in the filling of positions, no appointment, employment or promotion in any position in the classified service shall be deemed complete until after the expiration of a period of eighteen months' probationary service, as may be provided in the rules of the civil service commission during which the Board may terminate the employment of the person appointed to such position, without cause, or if during the performance test thus afforded, upon observation or consideration of the performance of duty, the Board deems him or her unfit or unsatisfactory for service in the district; whereupon the Board may appoint a successor as provided herein.

### **Article XII. Power to create offices, make appointments and fix salaries not infringed.**

All offices, places, positions and employments coming within the purview of this Ordinance, shall be created by the Board of Directors of the District as otherwise, is or are vested by law with power and authority to select, appoint, or employ any person coming within the purview of this Ordinance, and nothing

herein contained shall infringe upon the power and authority of the Board, to fix the salaries and compensation of all employees employed hereunder.

**Article XIII. Supervision and direction of employees**

Except for the purpose of inquiry, or as otherwise provided in this Ordinance, in the By-laws or by specific authorization of the Board of Directors, individual members of the Board of Directors shall deal with the employees, independent contractors, and other persons providing services to the district solely through the President of the District or the Fire Chief, and, except as provided in this Ordinance, in the By-laws of the District or by specific authorization of a majority of the Board of Directors, no individual member of the Board shall give direct orders to the Fire Chief or the subordinates of the Fire Chief, either publicly or privately. Any Board member violating the provisions of this Section shall be subject to such penalties as are provided by law including removal from office for cause as provided by Section 321.190, RSMo. Whether such violation has occurred shall be determined by the members of the Board and their decision shall be final.

**Article XIV. Approval of payrolls.**

No Fire Chief or his designee shall approve the payment of or be in any manner concerned in paying, auditing or approving any salary, wage or other compensation for services, to any person subject to the jurisdiction and scope of this Ordinance, unless a payroll, estimate or account for such salary, wage or other compensation, containing the names of the persons to be paid, the amount to be paid to each such person, the services on account of which same is paid, and any other information which, in the judgment of the Chief, should be furnished on said payroll, bears the certificate of the Chief or other duly authorized agent, that the persons named in such payroll, estimate or account have been appointed or employed in compliance with the terms of this Ordinance and with the rules of the commission, and that the said payroll, estimate or account is, so far as known to the said Chief, a true and accurate statement. The Chief shall refuse to certify the pay of any public officer or employee whom it finds to be illegally or improperly appointed, and may further refuse to certify the pay of any public officer or employee who shall willfully or through culpable negligence violate or fail to comply with this Ordinance or with the rules of the commission or Board.

**Article XV. Leaves of absence - Notice - Filling vacancy.**

Leave of absence, without pay, may be granted by the Fire Chief to any person under civil service: PROVIDED, That such Fire Chief shall give notice of

such leave to the Board of Directors. All temporary employment caused by leaves of absence shall be made from the eligible list of the classified civil service.

**Article XVI. Enforcement by civil action - Legal counsel.**

It shall be the duty of the Board or, upon written approval of the Board, the commission to begin and conduct all civil suits which may be necessary for the proper enforcement of this Ordinance and of the rules of the commission. The Board or commission shall be represented in such suits by the chief legal officer of the district, but said Board or commission may in any case be represented by special counsel appointed by the Board of Directors. The Legal Officer shall be granted extra compensation for services rendered to the commission at such hourly rates and reimbursed for his reasonable and necessary expenses as set forth in his contract to provide legal services to the district.

**Article XVII. Deceptive practices, false marks, etc., prohibited - penalty.**

No commissioner or any other person shall, by himself or herself, or in cooperation with one or more persons, defeat, deceive, or obstruct any person in respect of his or her right of examination or registration according to the rules and regulations of this Ordinance, or falsely mark, grade, estimate or report upon the examination or proper standing of any person examined, registered or certified pursuant to the provisions of this Ordinance, or aid in so doing, or make any false representation concerning the same, or concerning the person examined, or furnish any person any special or secret information for the purpose of improving or injuring the prospects or chances of any person so examined, registered or certified, or to be examined, registered or certified or persuade any other person, or permit or aid in any manner any other person to personate him or her, in connection with any examination or registration or application or request to be examined or registered. Any commissioner or other person holding office or employment with the district violating any of the provisions of this section, in addition to any other penalties provided by law, shall forfeit any position, office or employment that they have with the District. Any person violating the provisions of this Article may be punished as provided by Article XXIV or as otherwise provided by law.

**Article XVIII. Political contributions and services - Not required - Solicitation and coercion prohibited.**

No person holding any office, place, position or employment subject to civil service, is under any obligation to contribute to any political fund or to render any political service to any person or party whatsoever, and no person shall be removed, reduced in grade or salary, or otherwise prejudiced for refusing so to do. No public officer, whether elected or appointed, shall discharge, promote, demote or in any manner change the official rank, employment or compensation of any person under civil service, or promise or threaten so to do, for giving or withholding, or neglecting to make any contribution of money, or services, or any other valuable thing, for any political purpose. Any person found to have been penalized for failure or refusal to make a political contribution or render political service shall be deemed to have been penalized without just cause. Nothing herein shall be construed to prohibit employees from making voluntary monetary or in-kind political contributions or providing voluntary political service.

**Article XIX. Rules and Regulations required - Penalty.**

The Commission shall, immediately upon taking office after the effective date of this Ordinance, enact appropriate rules and regulations for carrying this Ordinance into effect, subject to approval by the Board of Directors, and the failure upon the part of the duly constituted civil service commissioners of the district so to do shall be considered a violation of this Ordinance and may be punishable by removal from office.

**Article XX. Office and supplies to be furnished - Penalty for not providing.**

The Fire Chief shall provide the commission with suitable and convenient rooms and accommodations and cause the same to be furnished, heated and lighted and supplied with all office supplies and equipment necessary to carry on the business of the commission and with such clerical assistance as may be necessary, all of which is to be commensurate with the number of persons in each such district coming within the purview of this Ordinance; and the failure upon the part of the Chief to do so, shall be considered a violation of this Ordinance and shall subject the Chief to such discipline as may be determined by the Board.

**Article XXI. Time limit for creation of commission.**

Not later than thirty days after the taking effect of this Ordinance, it shall be the duty of the Board of Directors of the District to appoint and create a civil

service commission as provided for in this Ordinance whose terms shall commence effective January 1, 2010.

**Article XXII. Duty of commission to organize and function -  
Penalty for violation.**

It shall be the duty of each commission appointed subject to the provisions of this Ordinance, to immediately organize and see to it that the provisions thereof are carried into effect, and to this end to make suitable rules and regulations not inconsistent with the purpose of this Ordinance, for the purpose of carrying the provisions thereof into effect; and the failure upon the part of said commission, or any individual member thereof to do so, shall be deemed a violation of this Ordinance, and shall be good cause for removal of a commissioner from the commission.

**Article XXIII. Cooperation of district officers and employees enjoined.**

It shall be the duty of all officers and employees of the district to aid in all proper ways of carrying out the provisions of this Ordinance, and such rules and regulations as may, from time to time, be prescribed by the commission thereunder and to afford the commission, its members and employees, all reasonable facilities and assistance to inspect all books, papers, documents and accounts applying or in any way appertaining to any and all offices, places, positions and employments, subject to civil service, and also to produce said books, papers, documents and accounts, and attend and testify, whenever required so to do by the commission or any commissioner.

**Article XXIV. Appropriation for expenses.**

For the purpose of carrying out the provisions of this Ordinance, the Board of Directors of the district shall appropriate from the general fund such sums as in the judgment of the Board shall be sufficient for the operation of the commission.

**Article XXV. Penalty - Jurisdiction.**

Any person who shall willfully violate Article XVI of this Ordinance shall be deemed guilty of a Class B misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than five hundred dollars or by imprisonment in the county jail for not longer than six months, or by both such fine and imprisonment, as provided by Section 321.600(12), RSMo.

## **Article XXVI. Definitions.**

As used in this Ordinance, the following mentioned terms shall have the following described meanings:

The term "commission" means the civil service commission herein created, and the term "commissioner" means any one of the six commissioners of that commission.

The term "appointing power" or "board" includes every person or group of persons who, acting in conjunction, as the Board of Directors of the District, or otherwise, is or are, vested by law with power and authority to select, appoint, or employ any person to hold any office, place, position or employment with the District and subject to civil service under this Ordinance.

The term "appointment" includes all means of selection, appointing or employing any person to hold any office, place, position or employment subject to civil service.

The term "district" includes all personnel, real and personal property of the Northeast Ambulance and Fire Protection District.

The term "full time paid fire district personnel" means the administrative and clerical staff, chief officers other than the fire chief, supervisory personnel, emergency medical technicians, paramedics and firefighters employed by the district such as are paid regularly by the district and devote their full time to employment with the district and are designated as such upon employment with the district.

## **Article XXVII. Severability**

If any article, section, subsection, subdivision, sentence, clause or phrase of this Ordinance, shall for any reason be held to be unconstitutional or unlawful such decision shall not affect the validity of the remaining portions of this Ordinance.

## **Article XXVIII. Repeal.**

All acts and parts of Ordinances or Resolutions heretofore adopted by the Board in conflict with the provisions of this Ordinance are hereby repealed insofar as they conflict with the provisions of this Ordinance.

**Article XXIX. Effective Date.**

This Ordinance shall take effect immediately upon its passage.

**Introduced and Adopted this** \_\_\_\_\_

\_\_\_\_\_  
Robert Edwards, Chairperson of the Board

Attest:

\_\_\_\_\_  
Rhea M. Willis, Secretary of the Board