

ORDINANCE NUMBER: _____

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF MCINTYRE, GEORGIA, ADOPTING NEW RULES AND REGULATIONS ESTABLISHING A DRUG FREE POLICY FOR ALL CITY EMPLOYEES IN ACCORDANCE WITH THE DRUG FREE WORKPLACE ACT OF 1988.

PURSUANT TO THE AUTHORITY CONTAINED IN CHAPTER THREE, SECTION 208 OF THE CHARTER OF THE CITY OF MCINTYRE, GEORGIA, THE MAYOR AND COUNCIL HAVE DETERMINED THAT IT IS IN THE PUBLIC INTEREST TO PROVIDE A NEW ORDINANCE ESTABLISHING A DRUG FREE POLICY FOR ALL CITY EMPLOYEES IN ACCORDANCE WITH THE DRUG FREE WORKPLACE ACT OF 1988.

BE IT ORDAINED, BY THE MAYOR AND COUNCIL OF THE CITY OF MCINTYRE, GEORGIA, AND THE COUNCIL OF THE CITY OF MCINTYRE HEREBY ORDAINS BY AUTHORITY OF SAME, THAT THE CODE OF ORDINANCES OF THE CITY OF MCINTYRE, GEORGIA, 1979, IS HEREBY AMENDED BY ADDING A SECTION TO BE NUMBERED _____, WHICH SECTION SHALL BE KNOWN AS THE CITY OF MCINTYRE DRUG FREE POLICY ORDINANCE AND WHICH SHALL READ AS FOLLOWS:

CITY OF MCINTYRE--DRUG FREE POLICY

The United State Congress has enacted the Drug Free Workplace Act of 1988. The purpose of this law is to ensure that work done under federal contracts or federal grants is performed in a drug free work environment.

In addition to prohibiting employees from engaging in the unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs in the workplace, this department prohibits its employees from engaging in such illegal activity at all times and at all places. Such activity, even during nonworking hours, clearly affects an employee's ability to perform his public duties. Therefore, this City adopts the following as its drug free policy.

Section 1. UNLAWFUL ACTIVITY. No employee of this City may illegally engage in the manufacture, distribution, dispensation, possession, or use of a controlled substance at any time or place, including while at his workplace. Such unlawful activity will be considered a sufficient ground for a serious adverse personnel action, including dismissal from employment.

Section 2. NOTICE OF ARREST OR CONVICTION. If an employee is arrested for or convicted (including a plea of nolo contendere) of violating any criminal drug statute of any jurisdiction, regardless of whether the alleged violation occurred at the workplace or elsewhere, the employee must notify the City Personnel Clerk of this City in writing of each arrest or conviction as soon as possible but in no event more than five (5) calendar days after the arrest or conviction.

Section 3. FAILURE TO COMPLY. Failure to comply with any part of this policy will result in serious adverse personnel action, including possible dismissal from employment.

Section 4. QUESTIONS. Any questions concerning this policy should be directed to City Personnel Clerk.

Section 5. INVALIDITY OR UNCONSTITUTIONALITY. If any portion of this ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

Section 6. REPEALER CLAUSE. All ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

Section 7. RENUMBERING OR RELETTERING OF CODE OF ORDINANCES. It is the intention of the Mayor and Council and it is enacted that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of McIntyre, Georgia, and that sections of this ordinance be renumbered or relettered to accomplish such intention.

Section 8. EFFECTIVE DATE. This ordinance shall become effective upon its reading and passage as provided in the City Charter.

READ FIRST TIME: _____ AYES: _____ NAYS: _____

READ SECOND TIME: _____ AYES: _____ NAYS: _____

READ THIRD TIME: _____ AYES: _____ NAYS: _____

PASSED: THE _____ DAY OF _____, 19____.

CITY OF MCINTYRE, GEORGIA

BY: John Ira Cutchfield
(MAYOR)

G. J. R. Albert
COUNCIL MEMBER

M. R. Davy
COUNCIL MEMBER

Wanda S. Dean
COUNCIL MEMBER

C. L. Mapp
COUNCIL MEMBER

COUNCIL MEMBER

ATTEST: _____
(CITY CLERK)

(SEAL)

<DOC:MCINDRUG.DOC>
(8-30-89)