

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING CHAPTER 115 EMPLOYEES AND OFFICERS IN SECTIONS 115.020, 115.170, 115.310, 115.360, 115.400; CHAPTER 125 HUMAN RESOURCES SYSTEM (PERSONNEL) RULES AND REGULATIONS IN SECTION 125.020; CHAPTER 135 FINANCE AND PURCHASING IN SECTION 135.030; CHAPTER 200 POLICE DEPARTMENT IN SECTION 200.050; CHAPTER 205 ANIMAL REGULATIONS IN SECTIONS 205.100, 205.140, 205.160, 205.190; CHAPTER 305 TRAFFIC ADMINISTRATION IN SECTION 305.060, OF THE CITY CODE FOR VARIOUS PURPOSES AS SET FORTH.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, MISSOURI AS FOLLOWS:

Section 1. Within the City Code there are hereby enacted new Sections with material repealed and replacing set forth below with new material set out in **RED** and deleted material struck as follows:

Section 115.020 General Qualifications.

- A. No person shall be elected or appointed to any office who shall at the time be in arrears for any unpaid City taxes, or forfeiture or defalcation in office.
- B. All elected officers ~~and the City Administrator~~ shall be residents of the City.

Section 115.170 General Duties.

F. *Personnel System.* The City Administrator shall act as Personnel Officer of the City and shall recommend an appropriate position classification system and pay plan to the Mayor and Board of Aldermen. The City Administrator, after consultation with department manager, shall approve advancements and appropriate pay increases within the approved pay plans and position classification system. The City Administrator shall have the power to appoint and remove subordinate employees in accordance with personnel system regulations ~~approved by the Board of Aldermen. The City Administrator may make recommendations for appointment or removal of department heads~~ **appointed officials. The City Administrator shall appoint or remove any department manager who is not otherwise an appointed official.**

Section 115.310 Qualifications.

No person shall be appointed to the office of City Attorney unless he/she be a licensed and practicing attorney at law in this State. ~~and no firm shall be~~

~~appointed to the office of City Attorney unless all members of that firm are licensed and practicing attorneys at law in this State.~~

Section 115.360 Qualifications.

No person shall be appointed to the office of City Prosecutor unless he/she be a licensed and practicing attorney at law in this State. ~~and no firm shall be appointed to the office of City Prosecutor unless all members of that firm are licensed and practicing attorneys at law in this State.~~

Section 115.400 Duties.

The Public Works Director shall perform such duties as are required of him/her by ordinance or by the Mayor, Board of Aldermen or the City Administrator. **In the absence of an appointed Public Works Director the City Administrator shall be responsible for assigning to other staff the duties of the Public Works director set out in this code.**

Section 125.020 Definitions

MANAGEMENT TEAM

The following positions shall be deemed the Management Team: the appointed officials, as defined within Chapter 125, Assistant City Administrator, Human Resources Generalist, Airport Manager, ~~IS Operations Manager~~ **IT Manager, Public Works Operations Manager** and the Parks and Recreation Manager.

Section 135.030 General Powers and Provisions.

D. Payment Procedures

2. Credit cards. Upon authorization of the City Administrator, the Mayor, or the City Treasurer, employees ~~Department managers~~ may be issued ~~upon Board of Aldermen authorization~~ a City credit card **or purchasing card** with a credit limit not to exceed five thousand dollars (\$5,000.00) for the purpose of travel, training, and other authorized purchases related to City operations. The following regulations shall apply:

Section 200.050 Major Case Squad **or Law Enforcement Task Force.**

The Mayor of the City of Osage Beach **or the Police Chief** acting for and on behalf of the City of Osage Beach is authorized and empowered hereby to enter into and sign a mutual-aid agreement **or a Memorandum of Understanding** for the formation **or continual operation** of the Lake of the Ozarks Major Case Squad **other Law Enforcement Task Force.**

Section 205.100 Rabies Immunization Required.

B. Such certificates shall be numbered and in a form to be prescribed by the City ~~Clerk Collector~~, and shall be executed by the veterinarian in duplicate on each occasion that a dog is vaccinated or immunized by him/her, and the dog is to be kept within the City. The original of said certificate is to be delivered to the owner or possessor of the dog and a copy is to be retained among the records of the veterinarian.

Section 205.140 Licensing of Kennels

Any person who shall own and keep or harbor upon his/her premises more than three (3) dogs over the age of six (6) months must obtain a kennel license. Written application for a kennel license shall be made to the City ~~Clerk Collector~~ which shall include the name and address of the kennel owner, the maximum number of dogs that will be kept and a description of the kennel. The fee to be paid to the City for a kennel license shall be fifteen dollars (\$15.00).

Section 205.160 Application For License.

Any application for a dog license shall be made in writing to the City ~~Clerk Collector~~. The application shall include the name and address of the applicant, a description of the dog, the required fee and proof of the required rabies vaccination. Application for a license must be made within sixty (60) days after obtaining a dog that is at least six (6) months of age. If the dog was obtained before it was six (6) months of age, the application shall be made within sixty (60) days after it becomes six (6) months of age. If the applicant has withheld or falsified any information on the application, the City ~~Clerk Collector~~ shall refuse to issue, or if issued shall revoke, the license.

Section 205.190 Issuance of License.

Upon acceptance of the dog license application and fee, the City ~~Clerk Collector~~ shall issue a durable tag stamped with an identifying number and the year of issuance. The City ~~Clerk Collector~~ shall maintain a record of the identifying numbers of all tags issued. The City ~~Clerk Collector~~ shall further cause a notice to be published in the local newspaper thirty (30) days prior to the date licenses become due and payable.

Section 305.060 City Traffic Engineer.

A. ~~The office of City Traffic Engineer is established.~~ The Public Works Director, ~~or designated City Official,~~ **or City Contractor, as designated by the City Administrator** shall serve as City Traffic Engineer in addition to his/her other functions and shall exercise the powers and duties with respect to traffic as provided in this Title.

Section 2. Severability

The chapters, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or degree of any Court of any competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the same would have been enacted by the Board of Aldermen without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 3. Repeal of Ordinances not to affect liabilities, etc.

Whenever any part of this ordinance shall be repealed or modified, either expressly or by implication, by a subsequent ordinance, that part of the ordinance thus repealed or modified shall continue in force until the subsequent ordinance repealing or modifying the ordinance shall go into effect unless therein otherwise expressly provided; but no suit, prosecution, proceeding, right, fine or penalty instituted, created, given, secured or accrued under this ordinance previous to its repeal shall not be affected, released or discharged but may be prosecuted, enjoined and recovered as fully as if this ordinance or provisions had continued in force, unless it shall be therein otherwise expressly provided.

Section 4. That this Ordinance shall be in full force and effect from and after the date of passage and approval of the Mayor.

READ FIRST TIME: February 16, 2023 READ SECOND TIME: March 2, 2023

I hereby certify that Ordinance No.23.01 was duly passed on March 2, 2023 by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes: 6

Nays: 0

Abstentions: 0

Absent: 0

This Ordinance is hereby transmitted to the Mayor for his signature.

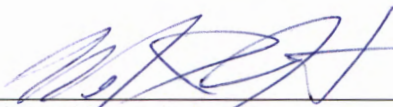
March 2, 2023
Date

Tara Berreth
Tara Berreth, City Clerk

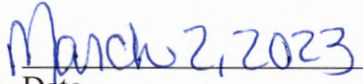
Approved as to form:

Cole Bradbury
Cole Bradbury, City Attorney

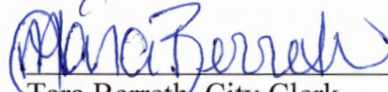
I hereby approve Ordinance No.23.01.



Michael Harmison, Mayor



Date



Tara Berreth, City Clerk