

CITY OF MARGATE, FLORIDA
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA,
AMENDING CHAPTER 30 PERSONNEL, SECTION 30-23
"COVERED PERSONNEL"; TO PROVIDE FOR THE
INCLUSION OF THE APPOINTED POLICE MAJOR POSITION
AS A COVERED PERSONNEL POSITION FOR PURPOSES OF
CIVIL SERVICE CODE PROTECTION; PROVIDING FOR
SEVERABILITY; PROVIDING FOR CODIFICATION; AND
PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on April 6, 2022, the City Commission approved Ordinance 2022-5, updating Chapter 30 - Personnel, of the Code of the City of Margate; and

WHEREAS, Ordinance 2022-5 excluded all ranks above the position of Police Captain as covered personnel under the civil service system of the City of Margate; and

WHEREAS, the City Commission desires to include the appointed position of Major as part of the civil service system, and to be covered by Article II - Civil Service of the City of Margate Code of Ordinances.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA:

SECTION 1: The Code of Ordinances of the City of Margate, Florida, Chapter 30 Personnel, Article II. Civil Service, Division 1. Generally. Section 30-23 - Covered personnel, is

CODING: Words in ~~struck through~~ text are deletions from existing text, words in underscoring text are additions to existing text, and **shaded** text are changes between First and Second Readings.

hereby amended to read as follows:

Sec. 30-23. Covered personnel.

(a) All persons regularly employed by the City, except as hereinafter provided, are governed by this Article .

(b) The following positions are not governed by the rules and ordinances of the civil service code: elected officials or persons appointed to fill vacancies in elected offices; the City Manager; the City Attorney; the City Clerk; any employee directly responsible to the City Manager, City Attorney, or City Clerk; directors of departments; assistant chiefs of the police department, all ranks in the police department above the classified position of police captain, excluding individuals appointed to the position of Major; any employee of the city whose salary and benefits are completely funded by the community redevelopment agency; temporary employees; part-time employees; independent contractors and all their employees or subcontractors or any employees paid from separately funded programs of the city other than the general fund and enterprise fund. Excluded employees shall include employees of the Northwest Focal Point Senior Center District.

1 (c) Notwithstanding any other provision contained in this
2 directive regarding appointments and employment, all
3 other permanent employees of the City will be included
4 hereunder.

5 (d) All employees will be employed, retained in employment
6 and advanced to higher grades on merit and fitness only,
7 except as hereinafter provided. Competitive examinations
8 may be used where practicable to determine merit and
9 fitness for initial employment and promotion. The City
10 Manager may designate particular positions or particular
11 kinds of positions that will not be subject to
12 competitive examination.

13
14 **SECTION 2:** All ordinances or parts of ordinances in
15 conflict herewith are and the same is hereby repealed to the
16 extent of such conflict.

17
18 **SECTION 3:** If any section, sentence, clause, or phrase of
19 this ordinance is held to be invalid or unconstitutional by a
20 court of competent jurisdiction, then said holding shall in no
21 way affect the validity of the remaining portions of this
22 ordinance.

23
24 **SECTION 4:** It is the intention of the City Commission

1 that the provisions of this ordinance shall become and be made
2 a part of the City of Margate Code, and that the sections of
3 this ordinance may be renumbered or relettered and the word
4 "ordinance" may be changed to "section", "article" or such
5 other appropriate word or phrase in order to accomplish such
6 intentions.

7
8 **SECTION 5:** This ordinance shall become effective
9 immediately upon adoption at its second reading.

10 PASSED ON FIRST READING THIS 18th day of May, 2022.

11 PASSED ON SECOND READING THIS _____ day of June, 2022.

12 ATTEST:

13 _____
14 JENNIFER M. JOHNSON
15 CITY CLERK
16

MAYOR ANTONIO V. ARSERIO

17 RECORD OF VOTE - 1ST READING RECORD OF VOTE - 2ND READING

18
19 Simone YES
20 Schwartz YES
21 Ruzzano YES
22 Caggiano YES
23 Arserio YES
24

Simone _____
Schwartz _____
Ruzzano _____
Caggiano _____
Arserio _____