

ORDINANCE NO. 08-02

AN ORDINANCE TO ESTABLISH A POLICY FOR THE USE OF VEHICLES OF THE CITY OF LAVACA, ARKANSAS FOR ITS EMPLOYEES BOTH ON DUTY AND OFF DUTY DURING THE COURSE OF THEIR EMPLOYMENT, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF LAVACA, ARKANSAS: It has been determined by the City Council of the City of Lavaca, Arkansas that there is a necessity for City vehicles to be used by City employees while both on duty and off duty for the City and that a policy for same should be instituted for the safety and protection of both the City and such employees concerning such matters, and the following ordinance is hereby enacted for that purpose in the City of Lavaca, Arkansas.

1. That upon and after the enactment of this ordinance, each employee of the City of Lavaca whose duties require him or her to drive or operate a City motor vehicle in furtherance of his or her duties shall check in and out with his or her immediate supervisor or the Mayor, said supervisor or the Mayor to establish the day to day limits of use of the City motor vehicle.

2. Each employee driving any City motor vehicle shall obtain and maintain a valid Arkansas driver's license. A permit issued by any agency of the State of Arkansas or any other state shall be immediately presented to his or her immediate supervisor or the Mayor for their review and approval and further action if necessary.

3. City vehicles are for City business use only. Any other use of a City motor vehicle, for any other purpose whatsoever is strictly prohibited. This may include, but is not limited to such items as personal errands, other employment, performing tasks for personal reasons while driving to and fro on City business or picking up and transporting hitchhikers or persons not otherwise employed by the City. This prohibition will include those City employees driving City motor vehicles while on call for the City and travel is limited to travel to and from City business sites and homes of such employees.

4. With prior permission of the Mayor, a City employee is allowed to transport their spouses in City vehicles to and from conferences or educational seminars or other business meetings in connection with City business.

5. All City employees shall be individually responsible for all fines or penalties or costs whatsoever assessed against him or her as the result of the issuance of any citations for traffic violations while operating any City motor vehicle. If any City employee is cited, or if theft of any City vehicle occurs, or City property is lost or stolen, or if there is a collision, fire or other loss, or threatened loss while such employee is driving or in charge of a City vehicle, such incident, or incidents, shall as soon as practicable be reported to his or her immediate supervisor or the Mayor and the proper police agency.

6. Any City employee who, after investigation, is found to have improperly cared for City motor vehicles or equipment entrusted to their care and control or violated this ordinance, or any

other ordinance or policy of the City of Lavaca or law of the State of Arkansas, may be subject to disciplinary action, up to and including termination.

7. If, for any reason any portion of this ordinance be held to be invalid, such invalidity shall in no wise affect the remaining portions thereof which are valid, but such valid portions shall be and remain in full force and effect.

8. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

9. And this ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is hereby declared to exist and the same shall be in full force and effect immediately after its passage.

Passed and approved this 14<sup>th</sup> day of July, 2008.

Mayor

Attest:

Recorder