

Appendix A

NO. 01-24

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the City Employees Bylaw by incorporating the following amendments and their consequential changes into a new consolidation of the Bylaw:

- (a) creating separate positions for corporate and financial administration;
- (b) replacing the term "Department Head" with "Officer";
- (c) delegating to the City Manager the power to appoint, suspend, and terminate *employees* but not the *statutory officers* and *officers*.

Under its statutory powers, including sections 176, 191, and 196 to 203 of the *Local Government Act*, the Municipal Council of the Corporation of the City of Victoria enacts the following provisions:

1 This Bylaw may be cited as the "CITY EMPLOYEES BYLAW".

2 In this Bylaw

"*employee*"

means a person referred to in section 4(1) who is employed by the City in a position that is not that of a *statutory officer* or an *officer*;

"*frozen sick leave*"

means a *statutory officer's*, *officer's*, or *employee's* accumulated unused sick leave entitlement at the end of 1984, excluding any of that entitlement that exceeds 26 calendar weeks;

"*officer*"

means a person who is designated as an *officer* under section 3(2);

"*statutory holiday*"

- (a) subject to paragraphs (b) and (c) has the same meaning as "*holiday*" in the *Interpretation Act*,
- (b) includes a Saturday, and

- (c) includes a day that is declared by the Council to be a day on which the City Hall is closed to the public, except when the closure is due to a strike by or a lockout of any City *statutory officers, officers, or employees*;

"*statutory officer*"

means a person who is designated as a *statutory officer* under section 3(1);

"*working day*"

means a day that is not a *statutory holiday*.

- 3 (1) The people holding the following positions are *statutory officers* of the City:
 - (a) City Manager;
 - (b) Corporate Administrator;
 - (c) Director of Finance.
- (2) The people holding the following positions are *officers* of the City:
 - (a) Director of Planning and Development/City Solicitor;
 - (b) Director of Human Resources;
 - (c) Director of Engineering;
 - (d) Director of Parks & Community Services;
 - (e) Fire Chief;
 - (f) General Manager of the Victoria Conference Centre.
- (3) The person holding the office of City Manager is assigned the responsibility of chief administration, including the powers, duties, and functions set out in
 - (a) section 197 of the *Local Government Act*; and
 - (b) Bylaw No. 3470, the Municipal Manager Bylaw, 1949.
- (4) The person holding the office of Corporate Administrator is assigned the responsibility of corporate administration, including the powers, duties, and functions set out in section 198 of the *Local Government Act*.

- (5) The person holding the office of Director of Finance
 - (a) is appointed as the City's collector of taxes; and
 - (b) is assigned the responsibilities of financial administration, including the powers, duties, and functions set out in section 199 of the *Local Government Act*.
- (6) A position that is referred to in another bylaw as "Municipal Manager" is for the purposes of that bylaw to be treated as a reference to the "City Manager".
- (7) A position that is referred to in another bylaw as "City Clerk", "Director of Administration/City Clerk", or "Director of Administration", is for the purposes of that bylaw to be treated as a reference to the "Corporate Administrator".
- (8) A position that is referred to in another bylaw as "Comptroller-Treasurer" or "Manager of Corporate Services" is for the purposes of that bylaw to be treated as a reference to the "Director of Finance".
- (9) A position that is referred to in another bylaw as "City Solicitor" or "City Solicitor and Director of Planning" is for the purposes of that bylaw to be treated as a reference to the "Director of Planning and Development/City Solicitor".
- (10) A position that is referred to in another bylaw as "Director of Planning", "Director of the Planning Department", or "the Planning Director" is for the purposes of that bylaw to be treated as a reference to the "Director of Planning and Development/City Solicitor".
- (11) The person holding the office of Director of Engineering has the rights and duties of the City Engineer for the purposes of all enactments and agreements.
- (12) A position that is referred to in another bylaw as "City Engineer" or "Director of Engineering and Parks" is for the purposes of that bylaw to be treated as a reference to the "Director of Engineering".
- (13) A position that is referred to in another bylaw as "Director of Community Services" is for the purposes of that bylaw to be treated as a reference to the "Director of Parks and Community Services".
- (14) A position that is referred to as "Director of Corporate Services"
 - (a) is to be treated as a reference to the "Director of Finance" for the purposes of the Civic Expenditures Bylaw and any other bylaw that

assigns to the Director of Corporate Services a responsibility referred to in subsection (5); and

- (b) is to be treated as a reference to the "Corporate Administrator" for the purposes of a bylaw not referred to in paragraph (a).

- 4
 - (1) Subject to subsection (2), this Bylaw applies to all persons employed by the City who are not members of a bargaining unit for which a bargaining agent has been certified under the *Labour Relations Code* of British Columbia.
 - (2) This Bylaw does not apply to employees of the City of Victoria Police Board.
- 5
 - (1) If a City *employee* ceases to be a member of a bargaining unit
 - (a) this Bylaw applies to that *employee*; and
 - (b) all matters related to the seniority of that *employee* must be calculated as if that person's employment was always governed by this Bylaw.
 - (2) The matters referred to in paragraph (1)(b) include entitlement to annual holidays, sick leave, pension rights and similar matters.
- 6
 - (1) This Bylaw does not prevent the Council from authorizing the execution of a contract between the City and a *statutory officer*, an *officer* or an *employee*.
 - (2) If a provision of this Bylaw is inconsistent with a provision of a contract described in subsection (1), the contract provision prevails.
- 7 Council must appoint *statutory officers* and *officers* in consultation with the City Manager.
- 8 The City Manager is hereby delegated the authority to appoint, suspend, and terminate *employees* of the City.
- 9 The City Manager must consult with a *statutory officer* or an *officer* before appointing *employees* for whom that person is responsible.
- 10
 - (1) The Council may
 - (a) appoint a person to act during the absence, vacation, disability, or incapacity of a *statutory officer* or *officer*, and
 - (b) at any time may revoke the appointment made in paragraph (a).

- (2) During the period of an appointment made under this section, the person appointed
 - (a) has all the powers and duties of the *statutory officer* or *officer* whom the person replaces; but
 - (b) does not have the rights or privileges given to the *statutory officer* or *officer* under this Bylaw.
- 11 Each *statutory officer*, *officer* and *employee* must serve a probationary period of 3 months before being eligible for appointment to the permanent staff.
- 12 During the probationary period
 - (a) the Council may dismiss *statutory officer* or *officer*, in accordance with section 17, on its own initiative or upon recommendation of the City Manager; and
 - (b) the City Manager may dismiss an *employee*.
- 13
 - (1) The Council may extend the probationary period of a *statutory officer* or *officer* by not more than an additional period of 3 months.
 - (2) The City Manager may extend the probationary period of an *employee* by not more than an additional period of 3 months.
- 14 A *statutory officer*, *officer*, or an *employee* must be appointed to the permanent staff where that person
 - (a) concludes the probationary period without being dismissed or suspended; and
 - (b) if the *statutory officer* or *officer* makes the oath of office required under section 201 of the *Local Government Act*.
- 15 The City Manager may dismiss an *employee* without notice for cause, or on reasonable notice without cause.
- 16 The Council may dismiss a *statutory officer* or *officer*
 - (a) without notice, for cause, by a majority of the votes cast; or
 - (b) on reasonable notice, without cause, by an affirmative vote of at least 2/3 of the votes cast.
- 17
 - (1) Subject to subsection (2), a dismissal

- (a) by the City Manager is effective as soon as a written dismissal notice has been delivered to the *employee* being dismissed; and
 - (b) by the Council is effective as soon as the resolution for the dismissal is adopted at a Council meeting.
 - (2) The effective time of a dismissal may be set in a notice or resolution to be a later time than the time set out in paragraph (1)(a) or (b).
- 18 A *statutory officer, officer, or employee* who is dismissed may be given compensation in place of reasonable notice.
- 19 Before the Council dismisses a *statutory officer or officer*, that person must be given
- (a) written notice of the intention to dismiss and of the reasons for the dismissal; and
 - (b) an opportunity to make oral or written submissions to the Council herself or himself or through counsel or a representative.
- 20 A notice given under section 19 is considered to be received
- (a) when it is delivered to the *statutory officer or officer* personally; or
 - (b) when it is mailed to the last known address of the *statutory officer or officer* if that person is absent from work other than because of a lawful vacation or sick leave.
- 21 (1) The employment of a *statutory officer or officer* may be suspended
- (a) by the Mayor in accordance with section 218 of the *Local Government Act*; or
 - (b) by the Council on the recommendation of the City Manager.
- (2) The employment of an *employee* may be suspended
- (a) by the Mayor in accordance with section 218 of the *Local Government Act*;
 - (b) by the Council on the recommendation of the City Manager; or
 - (c) by the City Manager.

- 22 (1) A suspension of a *statutory officer* or *officer* by the Mayor must be reported to the Council at its next meeting.
- (2) Council may exercise its powers under section 218 of the *Local Government Act* if a suspension is made by the Mayor.
- 23 (1) A suspension must not be for longer than 60 days, including statutory holidays.
- (2) Despite subsection (1), where a *statutory officer*, *officer* or *employee* has been formally charged in court with the commission of a criminal offence, that person's suspension may continue until 15 days after the final determination of the criminal proceedings.
- 24 If a *statutory officer*, *officer* or an *employee* is reinstated after a period of suspension without pay, that period must be excluded from a computation for any purpose of that person's length of service and benefits.
- 25 (1) A *statutory officer* or *officer* may resign by giving at least 60 days' written notice to the City Manager.
- (2) Despite subsection (1), the City Manager or the Council may accept a notice of less than 60 days or a verbal notice.
- (3) The City Manager must notify the Mayor and Council on receipt of a *statutory officer's* or *officer's* resignation.
- 26 (1) An *employee* may resign by giving at least 30 days' written notice to the head of that *employee's* department.
- (2) Despite subsection (1), the head of the department or the City Manager may accept a notice of less than 30 days or verbal notice.
- (3) The head of that *employee's* department must notify the City Manager on receipt of an *employee's* resignation.
- 27 (1) A *statutory officer* must perform the duties
- (a) prescribed by statute;
 - (b) prescribed by this Bylaw or any other bylaw of the City; and
 - (c) assigned by the Council, the Mayor and the City Manager.
- (2) If there is a conflict in the duties assigned under paragraph (1)(c)
- a) the instructions of the Mayor prevail over those of the City Manager;

and

- (b) the instructions of the Council prevail over those of the Mayor and the City Manager.

28 (1) An *officer* must perform the duties

- (a) prescribed by this Bylaw or any other bylaw of the City; and
- (b) assigned by the Council, the Mayor and the City Manager.

(2) If there is a conflict in the duties assigned under subsection (1)(b)

- (a) the instructions of the Mayor prevail over those of the City Manager; and
- (b) the instructions of the Council prevail over those of the Mayor and the City Manager.

29 An *employee* must perform the duties assigned by the Council, the Mayor, the City Manager and the head of the *employee's* department subject to any duties imposed on the *employee* by an enactment.

30 Subject to section 31, *statutory officers, officers and employees* must be paid salaries in accordance with the pay plan in force at the date of adoption of this Bylaw and with all modifications made to that plan by a resolution of the Council.

31 *Statutory officers, officers and employees* are not entitled to an increment within the pay plan unless that is approved in writing by the City Manager.

32 (1) A *statutory officer, officer or employee* must be paid the additional amount of pay set out in subsection (2) if the *statutory officer, officer or employee*, for longer than one month, is temporarily assigned the duties of a person who

- (a) is in a position which has a higher minimum rate of pay than the position of the *statutory officer, officer or employee*; and
- (b) is not absent because of a vacation;

(2) The additional amount of pay referred to in subsection (1) must

- (a) equal the difference between the normal pay of the *statutory officer, officer or employee* and the next higher pay level for the position for which the duties are assigned; and

- (b) must not be included in a calculation of the annual vacation or other benefit of the *statutory officer, officer or employee* temporarily receiving the additional pay.
- 33
 - (1) A *statutory officer, officer or employee* must continue to receive full normal pay if that person
 - (a) while performing that person's duties, suffers an injury of a kind for which compensation is provided under the *Workers Compensation Act* of British Columbia; and
 - (b) does not receive compensation under the *Workers Compensation Act*.
 - (2) A *statutory officer, officer or employee* must reimburse the City an amount equal to the compensation that the *statutory officer, officer or employee* receives under the *Workers Compensation Act* for a period for which that person also received normal pay from the City.
- 34 A *statutory holiday* must not be included in the *computation* of the length of a *statutory officer's, officer's or employee's* absence from work because of an annual vacation or sick leave.
- 35 Until December 31 of the year in which a person becomes a *statutory officer, officer or employee*, that person is entitled to be paid annual vacation leave equal to 1/12 of 20 *working days* for each calendar month or portion of a calendar month that exceeds 1/2 month.
- 36 A person whose employment as a *statutory officer, officer or employee* ends within the 12 months after the start of the employment is entitled to receive, instead of an annual vacation, a payment of money in an amount determined by
 - (a) calculating 8% of the amount of that person's basic pay for the period of employment; and
 - (b) subtracting from the amount in paragraph (a) the amount of the person's pay that proportionally represents the annual vacation time used by the person.
- 37 After December 31 of the year in which a person starts employment as a *statutory officer, officer or employee*, that person is entitled to be paid annual vacation leave equal to the following number of *working days* in each calendar year of service:
 - (a) 20 *working days* in each of the first 7 years of employment following the year in which employment started;

- (b) 25 *working days* in each of the next 8 years of employment following the period of employment described in paragraph (a);
 - (c) 30 *working days* in each year after the periods of employment described in paragraphs (a) and (b).
- 38 (1) *Statutory officers, officers and employees* are entitled in each year to receive one of the following benefits:
- (a) an amount of money equal to 2% of that year's annual salary, as determined on January 1 of that year, excluding promotional increments in salary during that year; or
 - (b) an additional 5 days of paid vacation during that year.
- (2) *Statutory officers, officers and employees* must elect in writing to receive one of the benefits in paragraph (1)(a).
- (3) A payment of the amount described in paragraph (1)(a) is subject to income tax and other salary deductions.
- 39 (1) The annual vacation entitlement for the final year of employment of a *statutory officer, officer or employee* must be abated in proportion to the length of that person's employment in that year.
- (2) If a *statutory officer, officer or employee* has not used the annual vacation entitlement for the final year, that person must be paid the amount of the person's salary that proportionally represents the unused vacation time.
- (3) If a *statutory officer, officer or employee* has used more than the annual vacation entitlement for the final year, that person must refund to the City an amount of the person's salary that proportionally represents the excess time.
- (4) If the vacation credit for the first year of a *statutory officer's, officer's or employee's* employment are inconsistent with those set out in this Bylaw, in the final year of that person's employment
- (a) the person or the person's estate must receive the amount of the person's salary in that year that proportionally represents additional vacation credit; or
 - (b) the person must receive a paid vacation for the period of additional vacation credit.

- 40 (1) A *statutory officer* or *officer* may take annual vacation leave only at times approved by the City Manager.
- (2) A *statutory officer* or *officer* must not accumulate annual vacation leave beyond the calendar year when the leave is due except with the City Manager's written approval.
- 41 (1) An *employee* may take annual vacation leave only at times approved by the *head of the employee's department*.
- (2) An *employee* must not accumulate annual vacation leave beyond the calendar year when the leave is due except with the City Manager's approval.
- 42 (1) In this section, "continuous service" means that a person is
- (a) a *statutory officer*, *officer* or *employee* for the whole of the time that a person is in the City's service;
- (b) a *statutory officer* or an *officer* for part of that time, and an *employee* for the rest of that time; or
- (c) a *statutory officer* for part of the time and an *officer* for the rest of the time.
- (2) A *statutory officer*, *officer* or *employee* who has completed 30 years of continuous service is entitled to one calendar month of paid leave in addition to that person's normal annual vacation leave.
- (3) Section 34 does not apply to the length of the calendar month referred to in subsection (2).
- (4) A *statutory officer*, *officer* or *employee* may take the paid leave referred to in this section later than one year before that person's retirement only with the City Manager's approval.
- 43 In special circumstances the City Manager may grant to a *statutory officer*, *officer* or *employee* unpaid leave of absence in addition to or in place of that person's annual vacation entitlement.
- 44 (1) Subject to subsection (2), a *statutory officer*, an *officer*, or an *employee* who is summoned to perform jury duty must be excused from work with full pay while performing that duty.

- (2) *Statutory officers, officers, and employees* are not entitled to receive full pay for jury duty if they do not pay to the City all jury fees that they receive, excluding fees for transportation, accommodation and meals.

45 *Statutory officers, officers, and employees* are entitled to receive pay for an absence from work for the purpose of testifying in a civil or criminal action only if

- (a) the action involves
- (i) a prosecution for the benefit of the City,
 - (ii) a civil action in which the City is involved, or
 - (iii) a civil action in which that person is called to testify in the capacity of a City *statutory officer, officer or employee*; and
- (b) they pay to the City all witness fees that they receive, excluding fees for transportation, accommodation and meals.

46 A *statutory officer, officer or employee* who is too ill to attend work is entitled to be absent from work with full pay in accordance with the following schedule:

| <u>Period of Employment</u> | <u>Time Absent With Full Pay</u> |
|-----------------------------|---|
| 1st year | 1 <i>working day</i> per calendar month after successful completion of three months of continuous service |
| 2nd through 5th year | 12 <i>working days</i> per year |
| 6th through 15th year | 18 <i>working days</i> per year |
| after 15th year | 24 <i>working days</i> per year. |

47 (1) A *statutory officer, officer or employee* who has not used that person's full sick leave entitlement set out in section 46, may accumulate

- (a) 100% of the unused sick leave in the first 5 years of employment; and
- (b) 50% of the unused sick leave in the 6th and subsequent years of employment.

(2) Despite section 46, if a *statutory officer, officer or employee* has accumulated unused sick leave entitlement,

- (a) that entitlement must be applied first in the year following the year in which it was accumulated and, if unused, applied next in subsequent years; and
 - (b) that person, if absent from work because of illness, must receive full pay in accordance
 - (i) first with the entitlement set out in section 46 for the year when ill, and
 - (ii) next with the accumulated unused sick leave entitlement set out in subsection (1).
- 48 A *statutory officer, officer or employee* who has applied all or part of that person's *frozen sick leave* in order to receive pay while absent from work because of illness may apply subsequent unused accumulated sick leave to re-establish the amount of the *frozen sick leave*.
- 49 A *statutory officer, officer or employee* who has *frozen sick leave* and retires, must be paid a sum that is calculated by applying 75% of that person's rate of pay at the date of the retirement to the period of the *frozen sick leave*.
- 50 A *statutory officer, officer or employee* who has *frozen sick leave* and resigns or is dismissed after 10 years of continuous service, must be paid a sum calculated by applying 75% of that person's rate of pay, at the date of the resignation or dismissal, to the period of the *frozen sick leave*.
- 51 A *statutory officer, officer or employee* who has *frozen sick leave* and at least 10 years of continuous service may elect to be paid a sum calculated by applying 75% of that person's rate of pay, at the date of the election, to the period of the *frozen sick leave*.
- 52
 - (1) The City must maintain a group long term disability plan in which participation is mandatory for all *statutory officers, officers, and employees* of the City.
 - (2) The disability plan must provide
 - (a) for a maximum period of 17 weeks before benefits are paid; and
 - (b) benefits of at least 50% of the *statutory officer's, officer's or employee's* pay.
- 53 If a *statutory officer, officer or employee* dies while in the City's service, the City must pay the following amounts to the *statutory officer's, officer's or employee's*

estate or to a person nominated in writing by the *statutory officer, officer or employee*:

- (a) if the *statutory officer's, officer's or employee's* continuous service is less than 10 years, a sum calculated by applying the officer's, *director's*, or *employee's* rate of pay, at the date of the death, to a period of 6 weeks; and
- (b) if the *statutory officer's, officer's or employee's* continuous service is at least 10 years, the greater of the following amounts:
 - (i) the sum calculated by applying 75% of that person's rate of pay, at the date of the death, to the period of that person's *frozen sick leave*, and
 - (ii) the sum calculated under paragraph (a).

54 The City must make available, and a *statutory officer, officer or employee* may participate in,

- (a) a group health insurance scheme;
- (b) an extended health insurance scheme; and
- (c) a dental care plan.

55 The City must maintain a group life insurance plan in which participation is mandatory for all *statutory officers, officers or employees* of the City.

56 The City must pay to a *statutory officer, officer or employee* who retires after having reached the minimum retirement age set out in the *Public Sector Pension Plans Act* a sum of money equal to one calendar month's basic salary at the rate applicable to the *statutory officer, officer or employee* at the time of retirement.

- 57**
- (1) A *statutory officer, officer or employee* must not retire later than the last day of the month in which that person reaches the maximum retirement age set out in the *Public Sector Pension Plans Act*.
 - (2) Despite subsection (1), the Council by resolution may extend the term of employment of a *statutory officer, officer or employee* for not more than 6 months at any one time.
 - (3) This section does not deprive a *statutory officer, officer or employee* of the right to retire at any time after that person's minimum retirement age set out in the *Public Sector Pension Plans Act*.

- 58 This Bylaw does not preclude the Council from providing benefits to *statutory officers, officers, and employees* in addition to the benefits provided for in this Bylaw.
- 59 The premiums for a plan or scheme for disability, health insurance, dental care, life insurance and similar plans and schemes may be paid in any of the following ways, as directed by a resolution of the Council,
- (a) by the City;
 - (b) by *statutory officers, officers, and employees*; or
 - (c) jointly by the City and *statutory officers, officers, and employees*.
- 60 (1) A *statutory officer or officer*, who disagrees with the City's terms and conditions for that person's employment or with the City's interpretation of this Bylaw, may submit the disagreement to the Council for a decision resolving the disagreement, which decision is final.
- (2) An *employee* who disagrees with the City's terms and conditions for the *employee's* employment or with the City's interpretation of this Bylaw, may submit the disagreement to the City Manager for a decision resolving the disagreement, whose decision is final.
- 61 Bylaw No. 00-104, the City Employees' Bylaw, is repealed.

READ A FIRST TIME the 12TH day of **APRIL** 2001.

READ A SECOND TIME the 12TH day of **APRIL** 2001.

READ A THIRD TIME the 10TH day of **MAY** 2001.

ADOPTED by an affirmative vote of at least 2/3 of the votes cast on the 24TH day of **MAY** 2001.

"ROBERT G. WOODLAND"
CORPORATE ADMINISTRATOR

"ALAN LOWE"
MAYOR

NO. 01-143

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the City Employees Bylaw to create the officer position of Comptroller to have responsibility for financial administration in the absence of the Director of Finance.

Under its statutory powers, including section 176, 196, 199, and 200 of the *Local Government Act*, the Municipal Council of The Corporation of the City of Victoria enacts the following provisions:

This Bylaw may be cited as the "CITY EMPLOYEES BYLAW, AMENDMENT BYLAW (NO. 1)".

Bylaw No. 01-24, the City Employees Bylaw, is amended

(d) in section 3(2) by adding the following paragraph:

"(g) Comptroller.", and

(e) in section 3 by adding the following subsection:

"(15) When the Director of Finance is absent the person holding the office of Comptroller, in addition to the Comptroller's other responsibilities, must carry out the powers, duties, and functions of financial administration set out in section 199 of the *Local Government Act*."

READ A FIRST TIME the 22ND day of NOVEMBER 2001.

READ A SECOND TIME the 22ND day of NOVEMBER 2001.

READ A THIRD TIME the 22ND day of NOVEMBER 2001.

ADOPTED on the 13TH day of DECEMBER 2001.

"ROBERT G. WOODLAND"
CORPORATE ADMINISTRATOR

"ALAN LOWE"
MAYOR

NO. 03-44

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the City Employees Bylaw to create the officer position of Manager, Administration, Legislative Services to have responsibility for corporate administration in the absence of the Corporate Administrator.

Under its statutory powers, including sections 176, 196, 198, and 200 of the *Local Government Act*, the Council of The Corporation of the City of Victoria enacts the following provisions:

This Bylaw may be cited as the "CITY EMPLOYEES BYLAW, AMENDMENT BYLAW (NO. 2)".

Bylaw No. 01-24, the City Employees Bylaw, is amended

62. in section 3(2) by adding the following paragraph:

"(h) Manager, Administration, Legislative Services."; and

63. in section 3 by adding the following subsection:

"(16) When the Corporate Administrator is absent, the person holding the office of Manager, Administration, Legislative Services, in addition to that Manager's other responsibilities must carry out the powers, duties, and functions of corporate administration set out in section 198 of the *Local Government Act*."

READ A FIRST TIME the **22ND** day of **MAY** 2003.

READ A SECOND TIME the **22ND** day of **MAY** 2003.

READ A THIRD TIME the **22ND** day of **MAY** 2003.

ADOPTED on the **12TH** day of **JUNE** 2003.

"ROBERT G. WOODLAND"
CORPORATE ADMINISTRATOR

"ALAN LOWE"
MAYOR