

City of Avery
Policies & Procedures

1. General provisions

- 1.1. Purpose: These policies have been developed to enable all departments of the City of Avery to operate within a uniform set of personnel policies and procedures. This manual shall serve as each employee's primary instrument of guidance concerning any and all personnel policies and procedural questions. Any exceptions to this manual must be approved in writing by the mayor and city council.
- 1.2. Authority: Subject to the general approval of the mayor and city council. The city council has overall responsibility for the execution of personnel policies and procedures. The city council may, however, designate the mayor to act in their behalf in the administration of these policies.
 - 1.2.1. The city council delegated this authority to the mayor on 12 July 2018.
 - 1.2.2. The mayor pro tem will fulfill these duties if the mayor is unavailable.
- 1.3. No employee may enter into a verbal agreement with another employee that is in addition to or contrary to the stated policies and procedures herein. The city will not be bound by such an agreement. Any agreement between employees which involves city policy must be stated in a written and signed format and approved by the mayor and city council.
- 1.4. Legal Matters: In the event the city is involved in a dispute to be handled by the courts, the mayor will represent the city (in conjunction with the city attorney). This was delegated to the mayor 12 Apr 2021.
- 1.5. Revisions and Additions: The City of Avery may find it necessary to revise or elaborate on these policies. Such changes (as developed and approved by the mayor and city council) shall become a part of this manual and shall supersede any preceding provisions.
- 1.6. Employment Disclaimer: Employment with the City of Avery, Texas is on an "at-will" employment basis. The employee or employer may terminate the work relationship at any time and for any or no reason at all. The policies and procedures stated herein do not constitute an agreement of contract to work by either party.

2. Personnel

- 2.1. Responsible Agent for Appointment: The mayor/council shall be responsible for the selection and length of tenure of all employees of the City of Avery and for the necessary verification of employees of the City of Avery and for the necessary verification of employee qualifications and employment eligibility. Mayor/council will review all applications for department heads. Except as otherwise specified, department heads will be responsible for interview of all prospective employees of their separate departments prior to hiring.

- 2.2. Affirmative Action/Non-Discrimination: The City of Avery shall ensure a level playing field for the participation of faith-based organizations and other community organizations by:
- 2.2.1. Prohibiting discrimination for or against an organization on the basis of religion, religious belief, or religious character in the administration or distribution of funds.
 - 2.2.2. Allowing a religious organization that participates in funded programs to retain its independence and continue to carry out its mission, provided that direct grant funds do not support any inherently religious activities. While inherently religious activities are permissible, they must be separate in time or place from the funded program, and participation in such activities by individuals receiving services must be voluntary.
 - 2.2.3. Clarifying that faith-based organizations can use space in city facilities to provide department-funded services without removing religious art, icons, scriptures, or other religious symbols; and ensuring that no organization that receives direct financial assistance can discriminate against a program beneficiary, or prospective beneficiary, on the basis of religion or religious belief.
 - 2.2.4. Vacancies, contract labor and sub-contracted labor positions shall be filled on the basis of merit, whether by promotion or by initial appointment. Selections shall be made based only on experience, skills, training, education and aptitude. As an integral part of these precepts, the city has adopted a policy of fostering equality of opportunity in employment for all persons. Discrimination based on ethnicity, color, religion, sex, national origin, political affiliation, handicaps of any type, age or marital status is strictly prohibited in all aspects of personnel policies and procedures administration.
 - 2.2.5. It is the intent of the city to promote the full realization of equal employment opportunity through continuing policies of affirmative action.
- 2.3. Employment Application Process: every applicant for employment with the city shall be required to complete the employment application form prescribed by the city and to provide such other information/documentation as required of position applied for. Once submitted, the application and all documentation shall become the property of the city. Refusal to satisfy either of these prerequisites constitutes grounds for non-consideration of said applicant for employment. As appropriate, the city shall make verifications necessary to determine that the applicant is of good moral character, a citizen of the United States of America. Employees/applicants must be willing to undergo a physical examination and background check if required/requested.
- 2.4. Employee Responsibilities
- 2.4.1. General: Certain employee responsibilities are necessary for the maintenance of an efficient, harmonious working environment. Employees are expected to give a full day's work, conduct their selves with proper decorum, and make every effort to maintain good relationships with the citizens of the city, federal/state/local agencies/officials, and with fellow employees.

2.4.2. City Secretary

2.4.2.1. In addition to the responsibilities laid out in the TX Local Gov't Code (sec 22.073)

- 2.4.2.1.1. Plan, direct, manage, and oversee activities and operations.
- 2.4.2.1.2. Serve as liaison between the city council and the public.
- 2.4.2.1.3. Coordinate with outside agencies.
- 2.4.2.1.4. Assist mayor and city council in making operational decisions.
- 2.4.2.1.5. City budget preparation, coordination with mayor, compilation, and update.
- 2.4.2.1.6. Interpretation of policy, law, ordinances, council guidelines, and official procedures.
- 2.4.2.1.7. Open records and records management (required, personnel, property, insurance).
- 2.4.2.1.8. Municipal elections
- 2.4.2.1.9. Process payments, input meter reads, prepare daily deposits, and monthly reports.
- 2.4.2.1.10. Assist customers in opening new accounts and disconnects of accounts.
- 2.4.2.1.11. Assist in delinquent accounts and collections.
- 2.4.2.1.12. Reconcile bank statements against expenditures.
- 2.4.2.1.13. Request quotes (RFQ) where required/requested
- 2.4.2.1.14. Assist with and apply for grants.
- 2.4.2.1.15. Report to the State of Texas and ensure current SAM's, TINS, and DUNS numbers.
- 2.4.2.1.16. Forecast funding needs for staffing, equipment, materials, and supplies.
- 2.4.2.1.17. Coordinate, direct, organize, and post all legal notices, agendas, publications, and job announcements on the city's website/FB page as necessary.
- 2.4.2.1.18. Apply for and become a notary;
- 2.4.2.1.19. Perform other job-related duties and responsibilities as assigned.

2.4.3. Water/Wastewater Operator

2.4.3.1. In addition to the duties and responsibilities laid out in the TX Water Code

- 2.4.3.1.1. Procure/maintain water and wastewater licenses.
- 2.4.3.1.2. Plan, direct, manage, and oversee activities and operations.
- 2.4.3.1.3. Serve as liaison between the city council and the public.
- 2.4.3.1.4. Coordinate with outside agencies.
- 2.4.3.1.5. Assist mayor and city council in making operational decisions.
- 2.4.3.1.6. Supervise any contract or part time labor hired by the Mayor/Council.
- 2.4.3.1.7. Ensure timely commercial/residential meter reads to assist with billing.
- 2.4.3.1.8. Recommend system improvements.
- 2.4.3.1.9. Ensure compliance with TCEQ and complete any reports necessary.
- 2.4.3.1.10. Immediately inform mayor/council of violations and take steps to correct them.
- 2.4.3.1.11. Provide budgetary input to secretary/mayor.
- 2.4.3.1.12. Maintain city streets to include street signage.
- 2.4.3.1.13. Maintain/mow city property including NETT.
- 2.4.3.1.14. Request quotes (RFQ) where required/requested
- 2.4.3.1.15. Perform other job-related duties and responsibilities as assigned.

2.4.4. Employee Suggestions: An employee is generally the one who is most familiar with the job on a day-to-day basis. For this reason, the employee is often in a better position than anyone else to

offer constructive suggestions for the improvement of their job. Therefore, employees are strongly encouraged to present such suggestions to the mayor for consideration.

- 2.4.5. Good Housekeeping: Good housekeeping and neat habits are important as they aid morale and efficiency and are compliments to every person in our organization. Before leaving their job each day, the employee should ascertain that all equipment is properly put away, cabinets are locked and the premises are clear to present a neat appearance.
- 2.4.6. Care of Equipment: The utmost care must always be exercised in using city property to minimize damage to equipment and the wasting of supplies. Needs for equipment, machines and supplies must be discussed with the mayor/council in advance of the time needed so they will be available at said time. Employees are required to complete a maintenance log and daily check sheet for any motorized equipment. Inventories will be completed and checked to insure tool accountability. Misuse of city equipment is grounds for dismissal. If an employee feels that any piece of equipment is not functioning properly, they must immediately notify the mayor/council of needed repairs.
- 2.4.7. Safety: Employees will be advised of OSHA regulations and safety guidelines. Compliance with such will be expected. The use of safety goggles, belts, and other safety devices (as supplied by the city) is mandatory.
- 2.4.8. Telephone Etiquette: Always be friendly, helpful and courteous on the telephone. All calls incoming or outgoing, should be related to business, except for emergencies, and should be limited to as short of a duration as possible.
- 2.4.9. Personal Business: An employee should recognize that personal business should be conducted on personal time, rather than during regular work hours. If personal business must be conducted during work time, prior approval by mayor must be obtained by the employee.
- 2.4.10. Performance Evaluation: Within 120 days of initial employment (where possible/practical and again on the anniversary hire date), the mayor will prepare a written performance evaluation of each employee under their supervision. The city council will review each evaluation. Pay raises may be awarded as determined by council.

2.5. Pay Raises

- 2.5.1. All pay raises are subject to approval by city council.
- 2.5.2. The pay scale of all city employees will be reviewed annually during budget meetings of the city council. The council will use any completed performance evaluations as well as length of service and cola index as guide to determine pay raises on an individual basis. Exception: all employees will be eligible for a merit raise consideration or bonus at any time with regard to a significant idea or accomplishment that is job related and of a nature that benefits the City of Avery. Pay raises,

when approved by council, will become effective on October 1st or if city finances allow, a date approved by council.

2.6. Classification/Definition of Employees/Terms

- 2.6.1. Part-Time: An employee hired to work less than 40 hours per work week for an unspecified length of time.
- 2.6.2. Temporary: An employee hired to work, full time or part time, for a specified length of time. Job closure date must be specified and recorded at date of hire.
- 2.6.3. Full-Time: An employee hired to work a 40 hour work week or office hours set by city council.
- 2.6.4. Probationary, Full-Time: At a minimum, the first six (6) months of service for a full-time employee will be considered probationary employment. Only emergency leave time may be used during the probationary period and must have department head approval. Probationary employees are paid holiday pay for official city holidays. All other leave times accrued and benefits accorded regular, full-time, employees, may not be used until a probationary employee is awarded regular, full-time status. The successful completion of this period should not be construed as creating a contract or as guaranteeing employment for any specific duration or as establishing a "just cause" termination standard.
- 2.6.5. Regular, Full-Time: At the end of an employee's probationary period, the employee is eligible to become a regular, full-time employee if approved by both the employee and the employer.
- 2.6.6. Work Week: Set by mayor as needed.
- 2.6.7. Pay Period: Bi-weekly, payroll is outsourced to ATCOG and delivered on the Monday immediately following end of pay period.
- 2.6.8. Anniversary Date: Actual date of hire.
- 2.6.9. Overtime Pay: 1.5x regular hourly wage for hours worked in excess of 40 hours per week for hourly employees. In excess of 16 consecutive hours (and upon mayor approval) pay will be 2x hourly wage.
 - 2.6.9.1. Any potential overtime hours MUST be approved on a case by case basis by mayor.
 - 2.6.9.2. Any hours worked without approval will not be paid, since employees do not have the right to obligate public funds.
 - 2.6.9.2.1. The only overtime approval exception is the "built in" 2 hours/week for the water/wastewater operator.
- 2.6.10. Holiday Pay: If required to work on a holiday, pay will be 1.5x hourly wage, regardless of hours worked.

2.6.11. Flex Time: Will be on an hour for hour basis.

2.6.12. Comp Time: Not Allowed

2.7. Compensation of Employees

2.7.1. Salary: Salaried personnel have their earnings computed each pay period based on a monthly/weekly/yearly salary, regardless of number of hours worked. Salaried personnel do not accrue overtime/comp hours.

2.7.2. Hourly: Hourly personnel have their earnings computed each pay period based on the number of hours worked and will be paid overtime pay for hours worked in excess of 40 per week. Hourly personnel may opt for comp time in lieu of overtime wages (not to exceed 40 hours comp time accrued).

2.7.3. Time Cards: All employees are required to keep a time card/sheet unless otherwise stated/indicated. Each employee will be responsible for the maintenance of his/her individual time card. Each employee is to clock in no earlier than 5 minutes before the beginning and end of his/her shift. All hours worked and leave time taken will be so noted. An accurate record of all comp time will also be maintained. Employees must clock in/out for their selves. Anyone clocking in/out for another employee is guilty of falsification of payroll records. Manual entries on the time card must be initialed by both the employee and the mayor. Any manipulation or falsification of time and attendance records is just cause for dismissal.

2.7.4. Deductions: The City of Avery shall deduct from each employee's wages and remit to the appropriate authorities, proper sums relating to all federal, state and local payroll taxes. Sums may also be deducted for items such as court ordered garnishments and other approved payroll deduction plans as appropriate. Should there be a change in an employee's family status, home address, or other payroll information, the employee is responsible for executing the proper forms with the city secretary. A wage deduction agreement must be signed by all employees on date of employment and at time of any change.

2.7.5. Accrued Benefit Compensation at Termination: If termination of the employment relationship between the employee and the City of Avery should occur, all accrued compensable benefits earned to date by the employee will be calculated and totaled. The monetary total of all accrued benefits may be paid in one payment, that payment to be made within 6 days of termination if such termination is involuntary on the part of the employee. If such termination is voluntary on the part of the employee, the payment may be made at the time of the next regularly scheduled payday.

2.8. Working Conditions

- 2.8.1. Department Work Schedules: Employees of the city are employed to perform city service on a schedule in keeping with the requirements of their division of service. These are regulated as follows:
- 2.8.2. City Secretary: 0800 until 1630 with 30 minutes for lunch, Monday through Fridays or as otherwise determined by mayor. May also choose to skip lunch and leave 30 min early.
- 2.8.3. Public Works Personnel: 0730 until 1600 with 30 minutes for lunch, Monday through Friday or as otherwise determined by mayor. May also choose to skip lunch and leave 30 min early. Employees of this department must realize that due to the nature of their work they will be called out for work during times other than those regularly scheduled. Weekend/on-call hours will be rotated among designated employees and assigned by the mayor.
- 2.8.4. Tardiness: Employees are expected to report punctually for duty at the beginning of the work day and to conscientiously observe the established working hours. Frequent tardiness, regardless of amount of time, is not permissible and is grounds for disciplinary action including, but not limited to, termination. At the discretion of the mayor, tardiness may be "made-up" by having the employee work past their scheduled quitting time, preferably on the same day as the tardiness occurred. It is the department head's responsibility to take any disciplinary action necessary with regard to tardiness of an employee and especially in those instances of employee falsification of time and attendance records. Tardiness may be charged against vacation time. If an employee is ill and fails to report same to the mayor, the time absent may be charged against vacation leave time.
- 2.8.5. Notification of Absence: If an employee is not able to report for work, for any reason, they must notify the mayor or pro tem either before or not more than 30 minutes after the scheduled beginning time of work. This should be done by the employee personally, if at all possible, by telephone. A "no call/no show" is considered just cause for termination.
- 2.8.6. Emergency Time Off: If at any time during regular work hours an employee finds it necessary to leave the work location, proper notice of expected time of return and the reason for departure must be given to the mayor or pro tem. This time will be charged to the proper leave time category.
- 2.8.7. Holidays: The following days shall be designated as official holidays from work with pay for all employees: New Year's Day, MLK Day, President's Day, Memorial Day, 4th of July, Labor Day, Veterans Day, Thanksgiving Day, Christmas day. Thanksgiving Friday or Christmas Eve as approved by the mayor.
- 2.8.7.1. Any other day may be declared a special holiday by the mayor and/or city council. Whenever a holiday falls on Saturday, the preceding Friday will be observed and when a holiday falls on a Sunday, the succeeding Monday will be observed. At the discretion of the mayor and/or city council, single days intervening between a holiday and a weekend may be declared as holidays also.

2.8.8. Resignation: Any employee desiring to resign shall notify the mayor at least two weeks prior to their departure. All city property will be returned prior to their final day of work and the supervisor will sign a receipt verifying return of such property.

2.8.8.1. Resignations must be submitted in writing (paper, email, text, and messenger) and are considered "signed" if sent electronically from a known account or phone number.

2.8.9. Lay-off: In the event of a lay-off of employee(s), each employee will be given, as much prior notice as possible.

2.8.10. Vacation Leave

2.8.10.1. Employee shall earn 80 hours of vacation leave per year at the rate of 3.0769. Employee must be designated as a regular, full-time employee and must have completed at least 6 consecutive months of employment before any vacation time may be used.

2.8.10.2. Up to 80 hours can carry over to the next year. Any accrual in excess of 80 hours will be forfeited if not taken before the end of the calendar year.

2.8.10.3. Scheduling of vacation leave time is the joint responsibility of the employee and mayor. No more than 2 consecutive weeks of vacation leave time may be taken without the mayor and/or city council approval.

2.8.10.4. Tardiness may be charged against vacation time.

2.8.10.5. Vacation time accumulated is compensable at 100% upon termination only after an employee has completed twelve (12) consecutive months of employment up to a max of 80 hours.

2.8.11. Sick leave

2.8.11.1. Each employee shall earn 40 hours of sick leave per year, to be earned at the rate of 1.5384 per pay period.

2.8.11.2. Up to 40 hours may carry over to the next year. Any accrual in excess of 40 hours will be forfeited if not taken before the end of the calendar year.

2.8.11.3. Accrued sick leave time may be used by any employee upon completion of their first six (6) consecutive months of employment.

2.8.11.4. Sick leave is authorized when:

2.8.11.4.1. An employee is incapacitated to perform his duties due to illness;

2.8.11.4.2.A medical, dental or optical examination is necessary;

2.8.11.4.3.An emergency exists which is not otherwise covered in this manual and mayor approval.

2.8.11.5. Notice of absence due to illness or accident must be given to the mayor as early as possible during the first day of absence. A doctor's verification of illness is required if more than three (3) days in succession are missed. Violations or misuse of the sick leave policy are subject to employee termination.

2.8.12. Emergency leave

2.8.12.1. Emergency leave to a maximum of 3 days per calendar year will be granted to each employee, subject to approval by the mayor or 3 of 5 council members, for the following reasons:

2.8.12.1.1.Death within the employee's immediate family.

2.8.12.1.2.Illness within the employee's immediate family.

2.8.12.1.3.Immediate family is intended to include an employee's husband, wife, son, daughter, mother or father.

2.8.12.1.4.Exceptions to these reasons must be approved by the mayor.

2.8.12.2. Emergency leave is not compensable upon termination.

2.8.13. Leave of Absence

2.8.13.1. LOA with Pay: Approved time off, in reasonable amounts, as circumstances warrant, may be granted by the mayor for events such as voting, jury duty, civic involvement or other to be determined by the mayor and/or city council.

2.8.13.2. LOA without Pay: In special circumstances, a position may be held open for an employee during an extended absence by applying to the mayor and/or city council for leave without pay. Authorized leave without pay is a matter of administrative discretion and no employee may demand that such leave be granted.

2.8.13.3. Absence without Leave: No employee may be absent from duty for a single day or any part of a day without permission of the mayor. Any such absence will be considered just cause for termination of employee.

2.9. Disciplinary Actions

2.9.1. General: Employees of The City of Avery serve at-will and, within provisions of state and federal law regarding public employment, can be terminated at any time, with or without notice, for any lawful reason or for no reason. Examples of employee actions that may result in disciplinary action include, but are not limited to, the following:

2.9.1.1. Insubordination; failure to follow or respond to a direct legal order.

2.9.1.2. Absence without leave including absence without permission, failure to notify a supervisor of sick leave, and repeated tardiness or early departure.

2.9.1.3. Endangering the safety of the employee and/or other persons through negligent or willful conduct.

2.9.1.4. Use of alcohol or drugs while on duty or city property.

2.9.1.5. Unauthorized use of public funds or property.

2.9.1.6. Illegal or unauthorized email, internet, or social media use.

2.9.1.7. Conviction of a felony.

2.9.1.8. Conviction of official misconduct, oppression, or perjury.

2.9.1.9. Falsification of documents or records.

2.9.1.10. Unauthorized use of official information or unauthorized disclosure of confidential information.

2.9.1.11. Unauthorized or abusive use of official authority.

2.9.1.12. Incompetence or neglect of duty.

2.9.1.13. Disruptive behavior which impairs the performance of others. or

2.9.1.14. Violation of any of the requirements of any policy

2.9.2. Types of Discipline

2.9.2.1. The mayor may take disciplinary action against an employee at any time, to include termination. The broad objective of discipline is to motivate employees to conform to acceptable standards of conduct and to prevent prohibited activities. Discipline is a part of the daily responsibility of employees and not merely the action taken at times when an employee deviates from acceptable forms of conduct. The mayor's most effective means of maintaining discipline is through the promotion of cooperation, sustained good working relationships, and

the self-discipline and responsible performance expected of mature employees. The mayor may use any of the following types of discipline at any time:

2.9.2.1.1. Counseling

2.9.2.1.2. Suspension Without Pay for a Period of up to 3 Days

2.9.2.1.3. Termination

2.9.2.2. At all times, discipline will be administered in a fair and consistent manner as possible to all employees.

2.10. Sexual Harassment: Sexual harassment is illegal and will not be tolerated. Any occurrence of sexual harassment should be reported to the mayor. All reports of sexual harassment will be investigated and utmost care taken, to maintain confidentiality/privacy during the investigation.

2.11. Drug and Alcohol Policy (Optional Testing):

2.11.1. Purpose: To identify and remove the adverse effects of alcohol and drugs on job performance and to protect the health and safety of our employees by providing education and treatment.

2.11.2. Use and misuse of alcohol or drugs can and does impair the ability of an employee to perform his/her duties and may endanger the employee, his/her co-workers and the public as well as property. The city seeks to prevent the use/abuse/misuse of drugs and alcohol by employees in any way which impairs their ability to perform their duties.

2.11.3. The city shall implement a comprehensive drug and alcohol abuse education program. As part of that program, information will be provided on the availability of employee assistance program services as needed.

2.11.4. Alcoholism and other drug addiction are recognized as diseases responsive to proper treatment, and this will be an option as long as the employee cooperates. Employee Assistance Program (EAP) will be made available to assist employees as needed.

2.11.5. The manufacture, distribution, dispensing, possession, sale, purchase, or use of a controlled substance on company property is prohibited.

2.11.6. Being under the influence of alcohol or illegal drugs on company property is prohibited. The unauthorized use or possession of prescription drugs or over-the-counter drugs on company property is prohibited.

2.11.7. Employees who violate this policy are subject to appropriate disciplinary action including, but not limited to termination.

- 2.11.8. The policy applies to all employees of the city regardless of rank or position and includes temporary and part-time employees, as well as all elected and appointed officials of the city.
- 2.11.9. Effective July 25, 2017 all potential employees will be drug-tested prior to hiring or as soon as practical.
- 2.11.10. The city reserves the right to drug/alcohol-test current employees at any time, with or without just cause, on a random basis.
- 2.12. No Smoking Policy: The Avery city council has declared city hall to be a "smoke-free" workplace to include vaping/e-cigarettes. There will be no smoking inside any part of the building to include the shop. The designated smoking area for those employees who wish to smoke shall be outside the back door of city hall with the door closed.
- 2.13. Discrimination Complaint: The City of Avery must have procedures in place for responding to discrimination complaints filed directly with the city and must notify clients, customers, and program participants of prohibited discrimination and the procedures for filing a services discrimination complaint. All complaints alleging services discrimination against the City of Avery will be referred to the U.S. Department of Justice, Office of Justice Programs, and the Office for Civil Rights. The city will notify the complainant and the CJD of the referral. All parties wishing to file a discrimination complaint against the City of Avery shall be provided a copy of the "civil rights compliance" in section 2.14.
- 2.14. Civil Rights Compliance
- 2.14.1. How do I file a discrimination complaint directly with the Office for Civil Rights (OCR)?
- 2.14.2. OCR investigations complaints from members of the public who believe that an agency that receives funding from the U.S. Department Of Justice (USDOJ) has discriminated against them, either in employment or in the delivery of services or benefits.
- 2.14.3. OCR has jurisdiction to investigate agencies that receive funding from the Office of Community Oriented Policing Services (COPS office), the Office on Violence against Women (OVW), and the Office of Justice Programs and its components.
- 2.14.4. OCR can investigate not only recipients that receive funding directly from USDOJ (i.e. CJD), but it can also investigate agencies that receive USDOJ funding from state and local government agencies (i.e. CJD's grantee's).
- 2.14.5. To file a civil rights complaint, download and complete the complaint verification form (CVF) and the identity release statement (IRS) and return both forms to the OCR at the following address:

Office of Civil Rights
Office of Justice Programs

U.S. Department Of Justice
810 7th Street, NW
Washington, DC 20531

2.14.6. If you believe that you have been the target of discrimination, you should file a complaint with the OCR as soon as possible. In most circumstances, you may have no longer than one year from the date of the discriminatory incident to file a complaint.

2.14.7. For more information on civil rights go to: <http://www.ojp.usdoj.gov/about/offices/ocr.htm>

2.15. Employees or potential employees are subject to a federal background check.

2.16. All employees must agree with and sign employee statement of understanding.

2.16.1. This statement will be kept in the employees file.

2.17. Any exceptions to the preceding personnel policies and procedures manual must have mayor and/or city council approval.

3. Services and Fees

3.1.1. Purpose: To enable all departments of the City of Avery to operate within a uniform set of personnel policies and procedures.

3.2. General

3.2.1. All new accounts must be set up by account owner by filling out an application and submitting the appropriate deposit.

3.2.2. Fee chart located in Appendix 1

3.3. Water Service Fees and Fines

3.3.1. Water deposits

3.3.1.1. \$100 for homeowners

3.3.1.2. \$250 for renters

3.3.1.3. \$200 for business/commercial

3.3.2. No modifications are allowed to change the name on an existing account.

3.3.2.1. A new service must be set up if renters change.

3.3.3. If requesting a new water meter for a new service, there is an additional \$350 per meter and \$3/linear foot to reach the nearest main.

3.3.4. Customer must complete a disconnect form (in person) at city hall during normal business hours.

3.3.5. Refunds on deposits may take up to 60 days before they are sent out.

3.3.6. Residential/commercial water service is billed at \$27.10 for 0-1000 gallons.

3.3.6.1. Water is an additional \$3.50/1000 gallon increment thereafter. (Ex. 1000-1999 is \$3.50; 2000-2999 would be \$7.00, etc. etc.)

3.3.7. Reconnect fees are \$35.00

3.3.8. Disconnect fees are \$50.00

3.3.9. Tampering with your water meter will result in a \$500.00 fine in addition to owing whatever water was used (based off the last meter reading).

3.4. 3.4 Wastewater Service Fees and Fines

3.4.1. Wastewater is billed at \$22.50

3.4.2. Dumping prohibited chemicals/products down your toilet will result in a \$500 fine.

3.4.2.1. Prohibited chemicals/products include but are not limited to:

3.4.2.2. Gasoline, diesel, motor oil, solvents, feminine sanitary products, prescription medication, controlled substances, or other environmentally harmful products.

3.5. Trash Service Fees and Fines

3.5.1. Trash service is available (required if you have water/sewer service) for a fee listed in appendix 1.

3.5.2. Trashcans/bins/poly-carts will be picked up upon disconnect or if your account is past due.

3.5.3. If you tamper with your trash service (by stealing/borrowing a can from a vacant house or otherwise), you will incur a fine of \$50.00

3.6. Payments

3.6.1. Payments are due on the 25th

3.6.1.1. Payments are late on the 5th and a \$20.00 late fee will be accessed.

3.6.1.2. Door hangers for the 24 hour notice of cutoff are placed on the 5th. Meters will be disconnected on the 6th. If the 6th falls on Fri, Sat, or Sun, the meter will be disconnected on the following Monday. A \$50.00 disconnect fee will be accessed. In order to have your meter reconnected a \$35.00 reconnect fee will be charged.

3.6.1.2.1. A reconnect fee and payment in full will be required to regain service.

3.6.2. Payments are accepted anytime via the drop box at city hall or through the PayClix website.

3.7. Late bill actions

3.7.1. May only be late twice per calendar year, outstanding balance must be paid in full.

3.7.2. If you have an outstanding balance, this must be paid before the city reconnects service.

3.7.2.1. Outstanding balances will be sent to collections after 1 month of non-payment (partial payments do not extend this).

3.7.3. Bounced checks or other returned payments will be presented to the DA for prosecution.

3.7.3.1. If a customer bounces a check (NSF) they will be mandated to pay cash, credit card, or money order thereafter.

3.8. Meter Reading Procedures

3.8.1. All customers' meters shall be read during the last five to six days prior to the end of the month. The only exceptions to this would be due to inclement weather or major repairs to the city's water or sewer systems.

3.8.2. A copy of the Meter Rereads lists, Unread Meter Report, and any bills that reflect exceptionally high usage will be sent to the Mayor by email.

3.8.3. Meter reading should be entered into the RVS system the day prior to the end of the month billing.

3.9. Billing Procedures

3.9.1. Billing will be done on the last working day of the month.

3.9.2. Hard copies of the bills will be mailed and PayClix will be uploaded.

3.9.3. End of the month reports will be printed. The Adjustment report requires signatures of the Mayor and Mayor pro tem or Council person.

3.9.4. City Council will be presented with copies of the Usage Breakdown Report, an Exceptional Usage report under 1,000 gallons, and an Exceptional Usage Report over 5,000 gallons.

Passed this 13th day of December, 2021

Alex Ackley, Mayor

Attest:

Employee Statement of Understanding

I have read and agree to the terms and conditions set forth in the City of Avery policy & procedures, specifically section 2 regarding employee policy.

Employee print: _____

Employee signature: _____ Date: _____

Fee Chart for the City of Avery

Water rates

Deposits required:

Renter: \$250.00; Home owner \$100.00; Commercial \$200.00

(*All deposits remain on accounts until account closes*)

Water tap (does not include installation) \$350

Meter tampering \$500.00 fine

Customer requested meter reread: \$5.00

Customer requested meter relocate: \$200.00

1000 gallon minimum water usage: \$27.10

Over 1,000 gallons and each 1,000 gallons thereafter \$3.50

Disconnect fee is \$50.00

Reconnect/Connect fee is \$35.00

Late fee after the 25th of the month is \$20.00.

Accounts are delinquent on the 5th by close of business (3pm). Accounts will be cutoff on the 6th and are required to pay a disconnect fee. To start service again, account must be current including a reconnect fee. Insufficient fund checks will be given 7 days to pay in cash then the check will be turned over for collection to the district attorney's office. If the bill is paid at city hall, the charge for the NSF check will be \$35.00 plus the amount of the check.

Sewer rates

\$22.50 Residential/ \$24.00 Commercial

Sewer tap (does not include installation) \$450

Garbage

Residential rates: 1 cart: \$24.00 (\$17.00/each additional cart)

Handicapped stickers are available by contacting city hall.

Garbage collection is every Tuesday from 6:00 a.m. until completed. (Collection may change due to inclement weather or holidays.)

Commercial rates:

Size	Once weekly pickup	Twice weekly pickup	Per additional pickup
2-Yard	\$84/mo.	\$112/mo.	\$42/unit
3-Yard	\$105/mo.	\$126/mo.	\$49/unit
4-Yard	\$133/mo.	\$175/mo.	\$63/unit
6-Yard	\$189/mo.	\$224/mo.	\$77/unit
8-Yard	\$224/mo.	\$322/mo.	\$91/unit

Additional fees

Storm shelter: \$35.00 plus \$50.00 refundable deposit= \$85.00

City lake pavilion: \$25 (free to use on first come first served basis unless reserved)

Copies, faxing, emails and notary fees are free to residents of Avery up to ten pages, \$.25/page thereafter.

Nonresidents- \$1.00 per faxed/copied page and a \$5.00 Notary fee

all fees are subject to change without notice