

**COUNCIL OF THE CITY OF SEAT PLEASANT, MARYLAND**

**Ordinance No.**                   **O-09-04**  
**Introduced By**               **City Council**  
**Date Introduced**           **January 12, 2009**  
**First Reading**             **January 12, 2009**  
**Second Reading**         **February 9, 2009**  
**Date Adopted**             **February 9, 2009**  
**Date Effective**           **March 5, 2009**

**AN ORDINANCE concerning**

**PERSONNEL HIRING AND TRANSFERS– BUDGETARY APPROPRIATION AND  
POSITION ALLOCATION**

**FOR** the purpose of prohibiting any person from hiring any new personnel, or transferring any existing personnel, in the City of Seat Pleasant government unless the hiring authority has requested and received from the City Treasurer a certification that sufficient appropriation, unexpended and unencumbered funds and position allocation are provided in the City budget and available for such purpose; prohibiting the City Treasurer from providing a certification for the hiring any new personnel, or transferring any existing personnel, in the City of Seat Pleasant government unless the City Treasurer determines that sufficient appropriation and position allocation are provided in the City budget for such purpose; providing that any hiring or transfer made without the required certification is void; and generally relating to ensuring fiscal accountability in the hiring and transfer of City government personnel.

**BY**    adding

Chapter 31 – Personnel Policies  
Sections 31-12  
Code of the City of Seat Pleasant  
1994 Edition, as amended

**SECTION 1. BE IT ORDAINED BY THE SEAT PLEASANT CITY COUNCIL** that new Sections 31-12 be and it hereby is added to the Code of the City of Seat Pleasant (1994, as amended), to follow immediately after Section 31-11 thereof, to read as follows:

**Chapter 31 – Personnel Policies**

**§31-12. FISCAL AUTHORIZATION FOR HIRING AND TRANSFERS.**

- A. BEFORE HIRING ANY NEW PERSONNEL FOR THE CITY GOVERNMENT OR TRANSFERRING AN EXISTING EMPLOYEE FROM ONE POSITION TO ANOTHER IN THE CITY GOVERNMENT, THE HIRING AUTHORITY SHALL REQUEST FROM THE CITY TREASURER A WRITTEN CERTIFICATION THAT THE CURRENT CITY BUDGET CONTAINS SUFFICIENT APPROPRIATION, AND UNEXPENDED AND UNENCUMBERED FUNDS ARE AVAILABLE, TO PAY THE SALARY AND BENEFITS FOR THE PROPOSED HIRE OR TRANSFER, AND THAT THE CURRENT CITY BUDGET ALSO CONTAINS A VACANT ALLOCATION FOR THE POSITION TO WHICH THE EMPLOYEE IS PROPOSED TO BE HIRED OR TRANSFERRED.
- B. NO PERSON MAY HIRE ANY PERSONNEL FOR THE CITY OF SEAT PLEASANT, OR EFFECT A TRANSFER OF AN EXISTING EMPLOYEE FROM ONE POSITION TO ANOTHER IN THE CITY GOVERNMENT, UNLESS THE HIRING AUTHORITY FIRST HAS REQUESTED AND RECEIVED FROM THE CITY TREASURER THE CERTIFICATION SPECIFIED IN SUBSECTION A. OF THIS SECTION.
- C. THE CITY TREASURER MAY NOT ISSUE THE CERTIFICATION SPECIFIED IN SUBSECTION A. OF THIS SECTION UNLESS THE TREASURER HAS VERIFIED THAT THAT THE CURRENT CITY BUDGET CONTAINS SUFFICIENT APPROPRIATION, AND THAT UNEXPENDED AND UNENCUMBERED FUNDS ARE AVAILABLE, TO PAY THE SALARY AND BENEFITS FOR THE PROPOSED HIRE OR TRANSFER, AND THAT THE CURRENT CITY BUDGET ALSO CONTAINS A VACANT ALLOCATION FOR THE POSITION TO WHICH THE EMPLOYEE IS PROPOSED TO BE HIRED OR TRANSFERRED.
- D. ANY HIRE OR TRANSFER MADE WITHOUT THE CERTIFICATION FROM THE CITY TREASURER SPECIFIED IN SUBSECTION A. OF THIS SECTION IS VOID.


**SECTION 2. AND BE IT FURTHER ORDAINED BY THE SEAT PLEASANT CITY COUNCIL** that the City Clerk shall certify to the adoption of this ordinance, and cause the same to be published as required by law, and that this Ordinance shall become effective twenty (20) days following approval by the Mayor or passage by the Council after veto by the Mayor.

**ATTEST:**

  
\_\_\_\_\_  
Dashaun N. Lanham

City Clerk

**COUNCIL OF THE CITY OF  
SEAT PLEASANT**

  
\_\_\_\_\_

Brian K. Shivers  
President

**EXPLANATION:**

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

((Double Parenthesis)) indicate matter deleted from existing law.

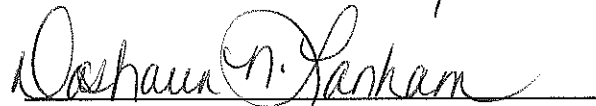
Underlining indicates amendments to bill.

~~Strike Out~~ indicates matter stricken from the bill by amendment or deleted from the law.

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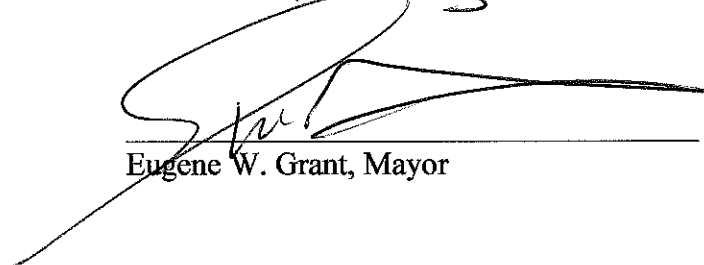
**APPROVED:**

This Ordinance was presented to the Mayor for his approval of disapproval pursuant to Section C-313 of the Charter of the City of Seat Pleasant this 10<sup>th</sup> day of February, 2009.



Dashaun N. Lanham  
City Clerk

In accordance with Section C-313 of the Charter of the City of Seat Pleasant, I hereby **APPROVE/DISAPPROVE** this Ordinance this 10<sup>th</sup> day of February, 2009.



Eugene W. Grant, Mayor