

STATE OF GEORGIA  
CLAYTON COUNTY  
CITY OF RIVERDALE

ADOPTED BY THE GOVERNING BODY THIS 8th DAY OF FEBRUARY, 2016.

ORDINANCE NO. **2-2-2016**

AN ORDINANCE OF THE CITY OF RIVERDALE'S MAYOR AND COUNCIL AMENDING CHAPTER 3 CODE OF ETHICS, SECTION 3.12 SUBSECTION (C); TO ALLOW FOR A REVISED PROCEDURE ON THE USE OF CITY VEHICLES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE.

**WHEREAS**, the City of Riverdale (hereinafter "City") is governed by the Mayor and Council; and

**WHEREAS**, the City of Riverdale adopted an Ethics ordinance to govern the behaviors of its elected officials and employees; and

**WHEREAS**, the City of Riverdale has determined there is a need to regulate an elected official's use of City vehicles, including police patrol cars; and

**WHEREAS**, the current Ethics Ordinance needs revising to regulate the use of city vehicles; and

**AND WHEREAS**, it is in the City's best interest to revise the current Ethics Ordinance to govern an elected officials use of City vehicles.

**Section 1.** NOW THEREFORE IT IS HEREBY RESOLVED that Section 3.12(c) of Chapter 3 Code of Ethics be amended so that Sections 3.12(c) shall be deleted in its entirety and replaced with the following language:

*(c) Elected officials shall not access or use government property of any kind other than for officially approved activities. In no instance shall City-owned vehicles be used for personal travel, nor shall he or she direct employees to use government property for unauthorized or personal purposes. In those instances where City business requires travel, elected officials shall be governed by the following:*

*(1) **Police Patrol Vehicles** - The City Manager shall be notified, in writing, of the Mayor's or her/his designee's (another elected official) intended desire to have a police escort for City-related business at least ten (10) days prior to the use of a police patrol car escort. The City Manager has the authority and discretion to deny the use based on the vehicle's and/or staff's availability. A log sheet detailing the length of time, purpose,*

*and police personnel assigned to escort the Mayor or his/her designee shall be completed for each time the Mayor or her/his designee requests a police patrol car. Said log shall be kept on file with the City Clerk and is subject to the Open Records Act. This policy shall be enforced against elected officials in addition to any City Charter, City Ordinance and Riverdale Police Standards of Operation, policies and procedures governing the use of all City vehicles. Occupancy of a police patrol car shall be limited to the Mayor or her/his designee.*

*(2)**All Other City-Owned Cars** – Use of City-owned vehicles shall be limited to City-related business over 100 miles outside the City limits. When using a City-owned vehicle, there shall not be any reimbursement of mileage. The City Manager shall be notified, in writing, of the elected official's use of a City-owned vehicle for City-related travel at least thirty (30) days prior to use. The City Manager has the authority and discretion to deny the use based on the vehicle's availability. A log sheet detailing the length of time, purpose, and elected official assigned to drive the City-owned vehicle shall be completed for each time the elected official requests to drive a City-owned vehicle. Said log shall be kept on file with the City Clerk and is subject to the Open Records Act. This policy shall be enforced against elected officials in addition to any City Charter, City Ordinance and Riverdale Police Standards of Operation, policies and procedures governing the use of all City vehicles. Occupancy of a City-owned vehicle shall be limited to elected officials.*

**Section 2.** The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

**Section 3.** This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Riverdale.

**Section 4.** This Ordinance shall take effect immediately upon adoption by the Mayor and Council. All Ordinances in conflict herewith are expressly repealed. It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Riverdale, Georgia, and the sections of this Ordinance may be renumbered, if necessary, to accomplish such intention.

**Section 5.**

- a. It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.
- b. It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause and phrase of this Ordinance is severable from every other, section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.
- c. In the event that any phrase, clause, sentence, paragraph or Section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the

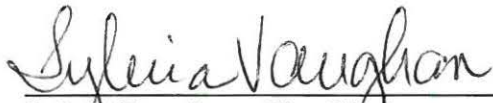
Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or Sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and Sections of the Article shall remain valid, constitutional, enforceable, and of full force and effect.

**Section 6.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

**Section 7.** The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

SO ORDAINED, this 8<sup>th</sup> day of February, 2016.

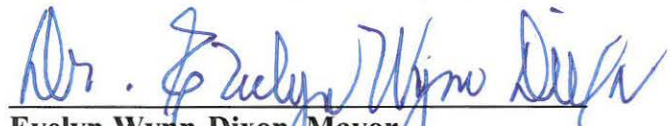
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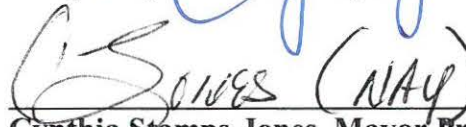
  
Sylvia Vaughan, City Clerk

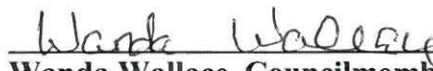
Approved as to form:

  
L'Erin F. Barnes, City Attorney

THE CITY OF RIVERDALE, GEORGIA

  
Evelyn Wynn-Dixon, Mayor

  
Cynthia Stamps-Jones, Mayor Pro Tem

  
Wanda Wallace, Councilmember

  
Kenny Ruffin, Councilmember

  
An'cel Davis, Councilmember