

AN ORDINANCE

REPEALING CHARLESTON COUNTY ORDINANCE NO. 947, CODIFIED AS CODE SECTIONS 2-81 THROUGH 2-89

Section 1.0 Purpose of Repeal, Findings

WHEREAS, on January 3, 1995, Charleston County Council adopted Ordinance number 947, which repealed then-existing Sections 2-81-2-112 of the County Code of Ordinances, and

WHEREAS, Ordinance 947 addressed certain aspects of human resources management for county employees, and

WHEREAS, Council also simultaneously adopted a manual of personnel policies, under which certain procedures were promulgated, and

WHEREAS, this Personnel Policies and Procedures Manual has undergone amendments to its procedures, in various forms from time to time, and

WHEREAS, Council now wishes to ratify former amendments and approve further revisions to the Policies and Procedures Manual, and

WHEREAS, in order to allow for more efficient approvals of future revisions to policies and procedures to comply with updated legislation or to respond to changing circumstances, Council has determined that the adoption and ratification of policies and procedures by resolution rather than ordinance is preferable,

NOW, THEREFORE, Charleston County Council, in meeting duly assembled, hereby ordains as follows:

Section 2.0 Ratification, Repeal, Concurrence with Resolution

All prior versions of the Personnel Policies and Procedures Manual and any memoranda, directives, other written amendments thereto or other similar writings by whatever name or title, are hereby ratified, affirmed and given force and effect from the date of their publication or distribution up to the effective date of the new Policies and Procedures Manual. As of that effective date, Ordinance number 947, codified as Sections 2-81 through 2-89 of the *Code of Ordinances of Charleston County*, along with all such documents described above are hereby repealed, simultaneously with the adoption of a Resolution adopting and ratifying the new Human Resources Policies and Procedures Manual in the form considered by Council in meeting duly assembled on September 5, 2006.

Section 3.0 - Severability

If any provision of this ordinance or its application to any circumstance is held by a court of competent jurisdiction to be invalid for any reason, this holding does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are severable.

Section 4.0 - Preservation of Disciplinary Actions

Any conduct, action or inaction taking place prior to the effective date of the new Policies and Procedures Manual which constituted a violation of provisions within the previous Policies and Procedures Manual are not to be deemed to have been forgiven or rendered no longer a violation, notwithstanding the repeal, amendment or deletion of any policy or procedure. Employees will remain subject to discipline and or termination for any such violation, whether discovered prior to or after the effective date of the new Policies and Procedures Manual.

Section 5.0- Effective Date

This Ordinance shall become effective upon approval following Third Reading.