

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING THE OSAGE BEACH CODE OF ORDINANCES BY CREATING NEW SECTION 115.185 SETTING OUT THE AUTHORITY OF THE CITY ADMINISTRATOR TO DESIGNATE OTHER CITY OFFICERS TO ACT IN THE ABSENCE OF THE CITY ADMINISTRATOR AND PROVIDING FOR A CHAIN OF COMMAND.

WHEREAS, the prompt and effective administration of the city requires a clear chain of command to effectively respond to events even in the absence of key personnel; and,

WHEREAS, the Board of Alderman is desirous of making a clear and certain declaration of that authority in the event it is ever needed

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, MISSOURI, AS FOLLOWS:

Section 1. That Section 115.185 be and in hereby created and enacted as set for the below:

Section 115.185 Designation of Acting City Administrator

1. Whenever the City Administrator may deem it necessary to designate an appropriate officer to act in his/her place when the City Administrator is out of the office or otherwise unavailable the City Administrator shall designate in writing, by name and title, the city official who shall perform the duties and exercise the powers of the City Administrator during the period of absence. Such written designation shall be filed with the City Clerk and promptly communicated to the Mayor, members of the Board of Alderman, and all department heads.
2. Whenever the City Administrator is out of the office or otherwise unavailable and has not designated an officer to act in his/her place pursuant to Section 1 above the Assistant City Administrator shall act in the place of the City Administrator. If the Assistant City Administrator is unavailable or unable to act, the Building Official shall then become acting City Administrator until the return of the City Administrator.

Section 2. Severability

The chapter, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or degree of any Court of any competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the same would have been enacted by the Board of Aldermen without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 3. Repeal of Ordinances not to affect liabilities, etc.

Whenever any part of this ordinance shall be repealed or modified, either expressly or by implication, by a subsequent ordinance, that part of the ordinance thus repealed or modified shall continue in force until the subsequent ordinance repealing or modifying the ordinance shall go into effect unless therein otherwise expressly provided; but no suit, prosecution, proceeding, right, fine or penalty instituted, created, given, secured or accrued under this ordinance previous to its repeal shall not be affected, released or discharged but may be prosecuted, enjoined and recovered as fully as if this ordinance or provisions had continued in force, unless it shall be therein otherwise expressly provided.

Section 4. Effective Date.

This Ordinance shall take effect and be in full force from and after its passage by the Board of Aldermen and approval by the Mayor.

READ FIRST TIME: April 19, 2018

READ SECOND TIME: May 3, 2018

I hereby certify that the above Ordinance No. 18.23 was duly passed on May 3, 2018, by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes:	6	Nays:	0
Abstain:	0	Absent:	0

This Ordinance is hereby transmitted to the Mayor for his signature.

May 4, 2018  
Date

Cynthia Lambert  
Cynthia Lambert, City Clerk

Approved as to form:

Edward B. Rucker  
Edward B. Rucker, City Attorney

I hereby approve Ordinance No. 18.23.

May 7, 2018  
Date

John Olivarri  
John Olivarri, Mayor

ATTEST:



Cynthia Lambert  
Cynthia Lambert, City Clerk