

CITY OF FAIRVIEW PARK  
ORDINANCE NO. 15-01  
REQUESTED BY: COUNCILMAN MCDONOUGH  
SPONSORED BY: CITY COUNCIL

AN ORDINANCE AMENDING SECTION 143.24 OF THE CODIFIED ORDINANCES OF THE CITY OF FAIRVIEW PARK AND DECLARING AN EMERGENCY

WHEREAS, Section 143.24 of the Codified Ordinances of the City of Fairview Park governs the holiday leave extended to employees; and

WHEREAS, the creation of the Martin Luther King, Jr. Holiday in 1983 culminated a 15-year movement to establish a celebration commemorating Dr. King's contributions to the civil rights movement in the United States and has progressed to also become a National Day of Service; and

WHEREAS, council wishes to acknowledge this national holiday, and to also allow employees the opportunity to participate in the numerous projects offered during this day of service.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FAIRVIEW PARK, COUNTY OF CUYAHOGA AND STATE OF OHIO:**

SECTION 1. Section 143.24 of the Codified Ordinances of the City of Fairview Park is hereby amended to read as follows:

**143.24 HOLIDAY LEAVE.**

(a) Each regular full-time and regular part-time employee shall receive holiday pay at regular compensation on the following work days:

New Years Day

**Martin Luther King, Jr. Day/Day of Service**

Memorial Day

Independence Day

Labor Day

Thanksgiving Day

Christmas Day

Employee's birthday

Four **(4)** floating holidays as approved by the director of the administrative department or the President of Council for employees of Council, including the Clerk of Council.

(b) Should holiday leave granted herein occur on a Sunday, the following Monday shall be observed as the holiday. Should holiday leave granted herein occur on a Saturday, the preceding Friday shall be the holiday. Should an employee be regularly scheduled for work on a day defined hereinbefore as holiday leave, such employee shall be entitled to take such

holiday leave at another time as may be approved by the director of the employing department. Refusal on the part of an employee to work on a holiday when requested to do so shall constitute a forfeiture of all benefits of holiday pay under this section. Failure of an employee to work on a scheduled work day preceding and the scheduled work day succeeding the holiday, unless excused by the Mayor or department or division head or President of Council, or unless on vacation shall constitute a forfeiture of all benefits of holiday pay under this section.

(c) Holiday pay shall not apply to temporary, seasonal or per diem personnel.

(d) No employee shall receive the benefit of this section in more than one (1) employment capacity with the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FAIRVIEW PARK, COUNTY OF CUYAHOGA AND STATE OF OHIO:**

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare and provide for immediate implementation of the ordinance and provided it receives the affirmative vote of a majority plus one of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED:  
APPROVED:

1<sup>st</sup> reading: 01.20.15  
2<sup>nd</sup> reading:  
3<sup>rd</sup> reading:

---

Michael P. Kilbane, President of Council

---

Eileen Ann Patton, Mayor

---

Liz L. Westbrooks, Clerk of Council