

**ORDINANCE NO. 802**

**AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE SATELLITE BEACH PERSONNEL POLICY; SAID POLICY ADOPTED BY ORDINANCE NO. 435 AND AMENDED BY ORDINANCE NOS. 464, 477, 479, 488, 495, 505, 526, 546, 575, 612, 633, 640, 644, 653, 665, 697, 710, 711, 737, 770, AND 798; AMENDING SECTION 10.07 (SELL-BACK SICK LEAVE); PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City adopted Ordinance No. 770 on November 3, 1999; and

**WHEREAS**, it was the intent of Ordinance No. 770 to provide for the "sell back" of sick leave when an employee reaches the maximum accumulation of sick leave; and

**WHEREAS**, the provisions for this benefit as written for employees who are scheduled for a 56 hour week need clarification to achieve the above stated intent;

**NOW THEREFORE, BE IT ENACTED** by the City Council of the City of Satellite Beach, Brevard County, Florida, as follows:

**SECTION 1.** Section 10.07 of the Satellite Beach Personnel Policy is hereby amended to read as follows:

10.07 Sell Back Sick Leave

Any employee who works a forty (40) hour schedule and has 1,080 hours of sick leave may request to "sell back" to the City 40 hours of sick leave. Employees who are scheduled for fifty-six (56) hours per week may request to "sell back" to the City 56 hours of sick leave upon accruing 1,620 hours of sick leave. Payment will be made in December. Only one request and one payment shall be made per calendar year. The deduction of 40 hours of sick leave from the employee's total will be made at the time of the request.

**SECTION 2. SEVERABILITY CLAUSE.** In the event a court of competent jurisdiction shall hold or determine that any part of this Ordinance is invalid or unconstitutional, the remainder of the Ordinance shall not be affected thereby, and it will be presumed that the City Council for the City of Satellite Beach did not intend to enact such invalid or unconstitutional provision. It shall further be assumed that the City Council would have enacted the remainder of this Ordinance without said invalid and unconstitutional provision, thereby causing said remainder to remain in full force and effect.

**SECTION 3. REPEAL OF INCONSISTENT PROVISIONS.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall become effective immediately upon its adoption.

**SECTION 5.** This Ordinance was duly passed on first reading at a regular meeting of the City Council on the 6<sup>th</sup> day of December, 2000, and adopted on the second and final reading at a regular meeting of the City Council on the 3<sup>rd</sup> day of January, 2001.

  
\_\_\_\_\_  
Bob Bolin, Mayor

ATTEST:

  
\_\_\_\_\_  
Barbara Boyens, CMC, City Clerk