

TITLE 4**MUNICIPAL PERSONNEL****CHAPTER**

1. SOCIAL SECURITY.
2. EMPLOYEE BENEFITS.
3. PERSONNEL REGULATIONS.
4. OCCUPATIONAL SAFETY AND HEALTH PROGRAM.
5. TRAVEL REIMBURSEMENT REGULATIONS.
6. THEFT OR DESTRUCTION OF ANY WORK PRODUCT OR PROPERTY OF THE TOWN.

CHAPTER 1**SOCIAL SECURITY****SECTION**

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- 4-102. Necessary agreements to be executed.
- 4-103. Withholdings from salaries or wages.
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- 4-105. Records and reports.
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4-101. Policy and purpose as to coverage. It is hereby declared to be the policy and purpose of this town to provide for all eligible employees and officials of the town, whether employed in connection with a governmental or proprietary function, the benefits of the system of federal old age and survivors insurance. In pursuance of said policy, and for that purpose, the town shall take such action as may be required by applicable state and federal laws or regulations. (1988 Code, § 1-601)

4-102. Necessary agreements to be executed. The mayor is hereby authorized and directed to execute all the necessary agreements and amendments thereto with the state executive director of old age insurance, as agent or agency, to secure coverage of employees and officials as provided in the preceding section. (1988 Code, § 1-602)

4-103. Withholdings from salaries or wages. Withholdings from the salaries or wages of employees and officials for the purpose provided in the first section of this chapter are hereby authorized to be made in the amounts and at such times as may be required by applicable state or federal laws or regulations,

and shall be paid over to the state or federal agency designated by said laws or regulations. (1988 Code, § 1-603)

4-104. Appropriations for employer's contributions. There shall be appropriated from available funds such amounts at such times as may be required by applicable state or federal laws or regulations for employer's contributions, and the same shall be paid over to the state or federal agency designated by said laws or regulations. (1988 Code, § 1-604)

4-105. Records and reports. The recorder shall keep such records and make such reports as may be required by applicable state and federal laws or regulations. (1988 Code, § 1-605)

4-106. Exemption from coverage. There is hereby exempted from this chapter any authority to make any agreement with respect to any position, any employee or official not authorized to be covered by applicable state and federal laws or regulations. (1988 Code, § 1-606)

CHAPTER 2

EMPLOYEE BENEFITS

SECTION

- 4-201. Applicability.
- 4-202. Holidays.
- 4-203. Annual vacation.
- 4-204. Sick leave.
- 4-205. Injury leave.
- 4-206. Emergency leave.
- 4-207. Maternity leave.
- 4-208. Military leave.
- 4-209. Jury leave.
- 4-210. Leave without pay.
- 4-211. Absence without leave.
- 4-212. Leave records.

4-201. Applicability. Holiday, vacation and other leave benefits are extended to all full-time town officers and employees. (1988 Code, § 1-701)

4-202. Holidays. Each full-time employee shall be entitled to pay for each of the following holidays: New Years (two days), Good Friday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving (two days), and Christmas (two days), provided the holiday falls on a normal work day. Holidays falling on Sunday will be observed on Monday. Employees will not be given time off on election day, due to the fact, that the polls are open sufficient hours to allow voting after working hours.

Employees who are required to work on any of the above holidays will be compensated at the regularly hourly rate in addition to holiday pay. To be eligible for holiday pay, an employee must be on duty his/her last scheduled whole working day before and his next scheduled whole working day after the holiday. Authorized absence with pay shall be considered as being on duty.

Policemen shall receive an additional eight (8) hours pay for each of the above holidays on duty or not. (1988 Code, § 1-702)

4-203. Annual vacation. Annual vacation is granted for the purpose of allowing an employee to leave his duties for rest and relaxation in order that he may serve the town more efficiently throughout the balance of the year.

All full-time employees of the town shall be granted annual vacation leave with normal pay, subject to the following conditions:

(1) An employee with one full year of service prior to January 1, will be allowed an annual vacation of ten (10) working days per year.

- (2) An employee with ten (10) years or more service will be allowed an annual vacation of fifteen (15) working days per year.
- (3) An employee with twenty (20) years or more of service will be allowed an annual vacation of twenty (20) working days per year.
- (4) An employee with less than one (1) year of service will be eligible to take off five (5) working days without pay, with prior approval.
- (5) The annual vacation earned during one calendar year shall be taken during the next calendar year.
- (6) It shall be the policy of the town to schedule vacation periods so that operations may continue without having to hire additional help.
- (7) Vacation should be requested in writing at least thirty (30) days in advance. The town will begin accepting requests on January 1 of each year.
- (8) Vacation requests will be decided on the basis of seniority.
- (9) Vacation may be taken on a daily basis with prior approval.
- (10) Employees may not take more than two (2) weeks vacation during the months of May, June, July, August, or September without board approval.
- (11) If any employee leaves the service of the town, he/she shall be paid for accumulated annual vacation. In the event of death, his/her dependents shall be paid the dollar amount of accumulated vacation.
- (12) The town may, at its option, request any employee to accept vacation pay in lieu of time off. (1988 Code, § 1-703)

4-204. Sick leave. Sick leave shall be allowed only as provided in this section.

- (1) No employee shall be eligible for sick leave during his/her probationary period of employment.
- (2) A full-time employee may be allowed sick leave at the rate of one (1) day for each month of employment.
- (3) Sick leave benefits may be allowed to accrue to a maximum of ninety (90) working days.
- (4) In cases of prolonged illness and after all sick leave benefits have been exhausted, an employee will be permitted to use his/her annual vacation benefits to supplement sick leave benefits. If no sick leave or annual vacation benefits are available, the employee shall not be permitted to use anticipated sick or annual vacation credits.
- (5) No compensation will be allowed for unused sick leave upon retirement, resignation, or discharge.
- (6) A certificate from a reputable physician, or the health department, may be required as evidence of illness before compensation is allowed for the period in question.
- (7) Sick leave shall be considered for all purposes as continuous employment.

(8) To be eligible for sick leave, an employee shall communicate with his/her department head, prior to or immediately after the time for beginning work. Failure to do so, may be the cause for denial of sick leave with pay.

(9) Sick leave pay must be requested in writing, immediately upon return to work. (1988 Code, § 1-704)

4-205. Injury leave. A full-time employee occupying a permanent position with the town who is unable to work because of injuries sustained in the performance of his/her job, shall receive compensation during the period of such disability in accordance with the following provisions:

(1) During the first seven (7) calendar days of the disability the town shall pay the employee his basic weekly wage.

(2) After the first seven (7) days, the employee may elect to use his sick leave and/or annual vacation benefits to supplement the difference between his basic weekly wage and the benefits paid by the workman's compensation insurance carrier.

(3) Part-time and temporary employees will receive workman's compensation insurance benefits only.

(4) To become eligible for injury leave with pay, an employee must report his/her injury to his/her supervisor immediately and make himself available for first aid treatments.

(5) No employee of the town shall be eligible for injury leave benefits if absent from duty because of injuries sustained while not actually on duty. Such absences shall be considered as sick leave and will be governed by the rules pertaining to sick leave. (1988 Code, § 1-705)

4-206. Emergency leave. In the case of death or serious illness in his/her immediate family, an employee may be granted sick leave for a period not to exceed five (5) days. If additional time is required, it will be deducted from the employee's annual vacation credits, or if no vacation credits are available, the additional time will be considered as leave without pay. (1988 Code, § 1-706)

4-207. Maternity leave. Maternity leave will be granted to an employee who requests it if the employee has satisfactorily completed her probationary period of employment. The board of mayor and aldermen may use its discretion in determining the duration of maternity leave, based upon a doctor's statement, the health of the employee, and the nature of the job held by the employee. The employee shall not be required to return to work until the end of forty-two (42) calendar days after the birth of the child, but must return to work within sixty (60) calendar days after the birth of the child unless evidence is presented that she is physically unable to return to work.

In the granting of maternity leave, the employee may utilize both vacation leave and sick leave prior to taking leave without pay. It is not

mandatory, however, that the employee utilize either sick leave or vacation leave; the employee may also utilize leave without pay in lieu of sick leave and vacation leave. Benefits will not be paid during leave without pay.

An employee who is pregnant may be permitted to work as long as health permits and as long as she can function competently in her position; however, a doctor's statement must be sent to the board of mayor and aldermen during the seventh month and the eighth month of pregnancy, stating that the employee is not being adversely affected by continued employment. The immediate supervisor must also submit a statement during the seventh month and the eighth month of employment to the board that the employee is currently functioning effectively on the job.

Employees are permitted to use up to a maximum of thirty (30) working days of sick leave and up to a maximum of twenty (20) working days of vacation leave prior to taking leave without pay for maternity purposes. (1988 Code, § 1-707)

4-208. Military leave. An employee who is a member of the Organized Reserve or National Guard and who is required to attend a summer camp or perform emergency service with his/her unit:

(1) Shall have the option of refunding military pay in order to receive basic pay, or,

(2) Forfeiting his basic pay for military pay. The provisions of this paragraph shall not be operative in cases of mobilization for more than temporary employees. (1988 Code, § 1-708)

4-209. Jury leave. The town expects each regular full-time employee to assume all the obligations of citizenship. Except in extreme cases the town will not attempt to have an employee excused from jury duty, however, the employee:

(1) Shall have the option of refunding jury pay in order to receive basic pay, or

(2) Forfeiting his basic pay for jury pay. (1988 Code, § 1-709)

4-210. Leave without pay. The board of mayor and aldermen may grant leaves of absence without pay to full-time employees. Leave may be granted for any legitimate purpose, but such leave will not be granted if it is detrimental to the best interests of the town. Application for such leave shall be made in writing well in advance of the date desired. (1988 Code, § 1-710)

4-211. Absence without leave. No employee shall absent himself from duty without the express permission of his/her immediate supervisor. Absence without leave will be sufficient cause for forfeiture of all rights and privileges earned while employed. After three (3) days of unsatisfactorily explained

absence, the employee will be considered as having voluntarily terminated his/her employment. (1988 Code, § 1-711)

4-212. Leave records. The town shall maintain a record of the type and duration of all leaves taken by each employee. Shortly after the first of the calendar year, each employee will be furnished with a record of his/her annual vacation and unused sick leave credits. (1988 Code, § 1-712)

CHAPTER 3

PERSONNEL REGULATIONS

SECTION

- 4-301. Purpose.
- 4-302. Applicability.
- 4-303. Definitions.
- 4-304. Conduct.
- 4-305. Disciplinary action.

4-301. Purpose. The purpose of the town's personnel regulations is to establish uniform provisions and standards for the personal conduct of all employees, whether on or off the job, and outline the disciplinary measures which shall be taken for violations of the standard of conduct. (1988 Code, § 1-801)

4-302. Applicability. These regulations shall apply to all regular salaried and hourly wage employees of the town, except elected officials, members of boards or commissions, part-time and temporary employees. (1988 Code, § 1-802)

4-303. Definitions. (1) "Probationary employee." Each person employed by the town will be a probationary employee for a period of six consecutive months for his/her date of employment. This probationary period is a test period designed to acquaint the employee with his job and to allow his supervisor to observe the employee's work and attitude. During the probationary period the employee accumulates annual vacation and sick leave benefits but is not entitled to use these benefits until the completion of the probationary period. An employee who has not been certified as a full-time employee when leaving the employment of the town will not be compensated for annual vacation earned.

(2) "Full-time employee." Upon the completion of his/her probationary period and with the approval of the board of mayor and aldermen, the new employee shall be considered a full-time employee.

(3) "Part-time employee." A part-time employee is one who regularly works a shorter period of time than the normal work week of the department to which he/she is assigned.

(4) "Temporary employee." A temporary employee is one who has been hired for a short period of time whether definite or indefinite. A temporary employee is not eligible for the benefits available to a full-time employee and will not be paid for holidays occurring during employment. (1988 Code, § 1-803)

4-304. Conduct. As members of a unit of government the employees of the town are expected to conduct themselves in a manner which will bring no

discredit to the town. Although the employee's off duty time is his/her own, any action which may affect his/her work will be treated in the same manner as misconduct on duty.

The following list is not all inclusive, but is indicative of the forms of misconduct governed by these policies and regulations:

(1) Political activity. The policy of the board of mayor and aldermen provides that no employee of the town shall be an active participant in any political campaigns while on town time.

(2) Intoxication. Any employee who is observed drinking alcoholic beverages while on duty shall be subjected to disciplinary action. Any employee who reports for work while under the influence of alcoholic beverages will either be placed on a three (3) day leave without pay, or dismissed.

(3) Contacts with town aldermen. The individual aldermen is not a personnel officer. Grievances should be submitted to the immediate supervisor and may then be appealed to the board. The board is to be considered as a "court of last resort" and grievances shall be taken to the board in written form, only at a regular or special called meeting.

(4) Insubordination. All employees are expected to obey the orders of their superiors. If any employee believes that an order given to him/her is unreasonable or improper, he shall follow the grievance procedures outlined above.

(5) Town property. Any employee who abuses or misuses any item or town property will be disciplined whether the property has been damaged or not. The pilfering, theft, or vandalism of any town property held in trust by the town may result in the dismissal and/or prosecution of the employee involved. No employee shall use any town property or time for personal gain.

(6) Misuse of privileged information. No employee shall use his position for personal profit by virtue of advance knowledge of town affairs or other matters of a confidential nature.

(7) Solicitation of gratuities. No employee shall solicit nor shall he/she accept any gratuities or gifts for the performance of municipal services. Gifts from salesmen shall not be solicited and under no circumstances shall any gift be accepted that is tendered by a salesman as an incentive for recommending the purchase of any item.

(8) Falsification of records. An employee who falsified his/her work reports that refer to the work done or the time spent on the job shall be dismissed. Oral reports will be treated in the same manner as written reports. (1988 Code, § 1-804)

4-305. Disciplinary action. Disciplinary action may take the form of outright dismissal from the job, or may be in the form of a lay-off without pay for one (1) or more days. The immediate supervisor may suspend any employee for a period of not more than three (3) days but a more severe penalty may be given with the approval of the board. Employees may appeal any suspension

imposed by their immediate supervisor to the board. The mayor shall have the authority to suspend or dismiss any town employee for just cause. He shall do so in writing and will specify the reason therein. The mayor shall, if requested by the employee, call the board together within five (5) days of receiving a written request from that employee to allow the board to review said suspension or dismissal and to take any action that it deems appropriate.

A temporary employee who is accepted as a full-time employee shall have his continuous employment immediately prior to his full-time status used in computing sick leave and annual vacation benefits.

Town hall employees are expected to work overtime from time to time and will be compensated for such overtime unless, according to the Fair Labor Standards Act. Employees who do volunteer work are expected by the town to perform this work during their off duty hours. (1988 Code, § 1-805)

CHAPTER 4

OCCUPATIONAL SAFETY AND HEALTH PROGRAM¹

SECTION

- 4-401. Title.
- 4-402. Purpose.
- 4-403. Coverage.
- 4-404. Standards authorized.
- 4-405. Variances from standards authorized.
- 4-406. Administration.
- 4-407. Funding the program.
- 4-408. Severability.
- 4-409. Amendments, etc.

4-401. Title. This chapter shall be known as "The Occupational Safety and Health Program Plan" for the employees of City of Pikeville. (1988 Code, § 1-901, as replaced by Ord. #5-12-O03, July 2003, and Ord. #11-12-013, Dec. 2013)

4-402. Purpose. The City of Pikeville, in electing to update their established program plan will maintain an effective and comprehensive occupational safety and health program plan for its employees and shall:

(1) Provide a safe and healthful place and condition of employment that includes:

- (a) Top management commitment and employee involvement;
- (b) Continually analyze the worksite to identify all hazards and potential hazards;
- (c) Develop and maintain methods for preventing or controlling existing or potential hazards; and
- (d) Train managers, supervisors, and employees to understand and deal with worksite hazards.

(2) Acquire, maintain and require the use of safety equipment, personal protective equipment and devices reasonably necessary to protect employees.

(3) Record, keep, preserve, and make available to the Commissioner of Labor and Workforce Development, or persons within the Department of Labor and Workforce Development to whom such responsibilities have been delegated, adequate records of all occupational accidents and illnesses and

¹The plan of operation for the occupational safety and health program is included in its entirety as Appendix A.

personal injuries for proper evaluation and necessary corrective action as required.

(4) Consult with the Commissioner of Labor and Workforce Development with regard to the adequacy of the form and content of records.

(5) Consult with the Commissioner of Labor and Workforce Development, as appropriate, regarding safety and health problems which are considered to be unusual or peculiar and are such that they cannot be achieved under a standard promulgated by the state.

(6) Provide reasonable opportunity for the participation of employees in the effectuation of the objectives of this program plan, including the opportunity to make anonymous complaints concerning conditions or practices injurious to employee safety and health.

(7) Provide for education and training of personnel for the fair and efficient administration of occupational safety and health standards, and provide for education and notification of all employees of the existence of this program plan. (1988 Code, § 1-902, as replaced by Ord. #5-12-003, July 2003, and Ord. #11-12-013, Dec. 2013)

4-403. Coverage. The provisions of the occupational safety and health program plan for the employees of City of Pikeville shall apply to all employees of each administrative department, commission, board, division, or other agency whether part-time or full-time, seasonal or permanent. (1988 Code, § 1-903, as replaced by Ord. #5-12-003, July 2003, and Ord. #11-12-013, Dec. 2013)

4-404. Standards authorized. The occupational safety and health standards adopted by the City of Pikeville are the same as, but not limited to, the State of Tennessee Occupational Safety and Health Standards promulgated, or which may be promulgated, in accordance with section 6 of the Tennessee Occupational Safety and Health Act of 1972 (Tennessee Code Annotated, title 50, chapter 3). (1988 Code, § 1-904, as replaced by Ord. #5-12-003, July 2003, and Ord. #11-12-013, Dec. 2013)

4-405. Variances from standards authorized. Upon written application to the Commissioner of Labor and Workforce Development of the State of Tennessee, we may request an order granting a temporary variance from any approved standards. Applications for variances shall be in accordance with Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, VARIANCES FROM OCCUPATIONAL SAFETY AND HEALTH STANDARDS, CHAPTER 0800-01-02, as authorized by Tennessee Code Annotated, title 50. Prior to requesting such temporary variance, we will notify or serve notice to our employees, their designated representatives, or interested parties and present them with an opportunity for a hearing. The posting of notice on the main bulletin board shall be deemed

sufficient notice to employees. (1988 Code, § 1-905, as replaced by Ord. #5-12-003, July 2003, and Ord. #11-12-013, Dec. 2013)

4-406. Administration. For the purposes of this chapter, the City of Pikeville is designated as the safety director of occupational safety and health to perform duties and to exercise powers assigned to plan, develop, and administer this program plan. The safety director shall develop a plan of operation for the program plan in accordance with Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, SAFETY AND HEALTH PROVISIONS FOR THE PUBLIC SECTOR, CHAPTER 0800-01-05, as authorized by Tennessee Code Annotated, title 50. (as added by Ord. #5-12-003, July 2003, and Ord. #11-12-013, Dec. 2013)

4-407. Funding the program. Sufficient funds for administering and staffing the program plan pursuant to this chapter shall be made available as authorized by the mayor and board of aldermen. (as added by Ord. #5-12-003, July 2003, and Ord. #11-12-013, Dec. 2013)

4-408. Severability. If any section, sub-section, sentence, clause, phrase, or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof. (as added by Ord. #5-12-003, July 2003, and Ord. #11-12-013, Dec. 2013)

4-409. Amendments, etc. The ordinance comprising this chapter shall take effect from and after the date it shall have been passed, properly signed, certified, and has met all other legal requirements, and as otherwise provided by law, the general welfare of the City of Pikeville requiring it. (as added by Ord. #5-12-003, July 2003, and Ord. #11-12-013, Dec. 2013)

CHAPTER 5

TRAVEL REIMBURSEMENT REGULATIONS

SECTION

- 4-501. Purpose.
- 4-502. Enforcement.
- 4-503. Travel policy.
- 4-504. Travel reimbursement rate schedule.
- 4-505. Administrative procedures.

4-501. Purpose. The purpose of this chapter and referenced regulations is to bring the town into compliance with Public Acts 1993, Chapter 433. This act requires Tennessee municipalities to adopt travel and expense regulations covering expenses incurred by "any mayor and any member of the local governing body and any board or committee member elected or appointed by the mayor or local governing body, and any official or employee of the municipality whose salary is set by charter or general law."

To provide consistent travel regulations and reimbursement, this chapter is expanded to cover regular town employees. It's the intent of this policy to assure fair and equitable treatment to all individuals traveling on town business at town expense. (Ord. #10C-19-093, Oct. 1993)

4-502. Enforcement. The chief administrative officer (CAO) of the town or his or her designee shall be responsible for the enforcement of these travel regulations. (Ord. #10C-19-093, Oct. 1993)

4-503. Travel policy. (1) In the interpretation and application of this chapter, the term "traveler" or "authorized traveler" means any elected or appointed municipal officer or employee, including members of municipal boards and committees appointed by the mayor or the municipal governing body, and the employees of such boards and committees who are traveling on official municipal business and whose travel was authorized in accordance with this chapter. "Authorized traveler" shall not include the spouse, children, other relatives, friends, or companions accompanying the authorized traveler on town business, unless the person(s) otherwise qualifies as an authorized traveler under this chapter.

(2) Authorized travelers are entitled to reimbursement of certain expenditures incurred while traveling on official business for the town. Reimbursable expenses shall include expenses for transportation; lodging; meals; registration fees for conferences, conventions, and seminars; and other actual and necessary expenses related to official business as determined by the CAO. Under certain conditions, entertainment expenses may be eligible for reimbursement.

(3) Authorized travelers can request either a travel advance for the projected cost of authorized travel, or advance billing directly to the town for registration fees, air fares, meals, lodging, conferences, and similar expenses.

Travel advance requests aren't considered documentation of travel expenses. If travel advances exceed documented expenses, the traveler must immediately reimburse the town. It will be the responsibility of the CAO to initiate action to recover any undocumented travel advances.

(4) Travel advances are available only for special travel and only after completion and approval of the travel authorization form.

(5) The travel expense reimbursement form will be used to document all expense claims.

(6) To qualify for reimbursement, travel expenses must be:

(a) Directly related to the conduct of the town business for which travel was authorized, and

(b) Actual, reasonable, and necessary under the circumstances.

The CAO may make exceptions for unusual circumstances.

Expenses considered excessive won't be allowed.

(7) Claims of \$5 or more for travel expense reimbursement must be supported by the original paid receipt for lodging, vehicle rental, phone call, public carrier travel, conference fee, and other reimbursable costs.

(8) Any person attempting to defraud the town or misuse town travel funds is subject to legal action for recovery of fraudulent travel claims and/or advances.

(9) Mileage and motel expenses incurred within the town aren't ordinarily considered eligible expenses for reimbursement. (Ord. #10C-19-093, Oct. 1993)

4-504. Travel reimbursement rate schedule. Authorized travelers shall be reimbursed according to the federal travel regulation rates. The town's travel reimbursement rates will automatically change when the federal rates are adjusted.

The municipality may pay directly to the provider for expenses such as meals, lodging, and registration fees for conferences, conventions, seminars, and other education programs. (Ord. #10C-19-093, Oct. 1993)

4-505. Administrative procedures. The town adopts and incorporates by reference--as if fully set out herein--the administrative procedures submitted by MTAS to, and approved by letter by, the Comptroller of the Treasury, State of Tennessee, in June 1993. A copy of the administrative procedures is on file in the office of the town recorder.

This chapter shall take effect upon its final reading by the municipal governing body. It shall cover all travel and expenses occurring on or after July 1, 1993. (Ord. #10C-19-093, Oct. 1993)

CHAPTER 6

**THEFT OR DESTRUCTION OF ANY
WORK PRODUCT OR TOWN PROPERTY****SECTION**

4-601. Destruction, etc. of work product or town property.

4-602. Theft, etc. of work product or town property.

4-603. Violation.

4-601. Destruction, etc. of work product or town property. Each and every employee, public official, and/or contractor of the Town of Pikeville in the course of his or her duties as such employee, public official, and/or contractor shall not conceal, destroy, alter, or cause to be concealed, destroyed or altered any paperwork, file, or memorandum which has been produced or generated in furtherance of the objectives of the Town of Pikeville, Tennessee. (Ord. #6B-10-096, Aug. 1996)

4-602. Theft, etc. of work product or town property. It shall be unlawful for any person, employee, public official, contractor, or independent contractor to knowingly retain, conceal, remove, take possession of, cause the removal of, alter, amend, or transfer any paperwork, file, memorandum, notes, computer print-out, or any other information stored in a computer memory, whether stored in hard copy or paperform, on disc or diskette, generated or produced in furtherance of the objectives of the Town of Pikeville, Tennessee, or in the process of such employment without the prior written consent of the board of mayor and aldermen. All the aforementioned tangible or intangible items shall be considered property of the Town of Pikeville, Tennessee, and shall remain in the possession of and in the custody of the Town of Pikeville, Tennessee, after the termination of said employment, tenure, term of office, or course of contract. (Ord. #6B-10-096, Aug. 1996)

4-603. Violation. Any violation to this chapter shall be punishable as Class C misdemeanor, and in addition thereto, be punishable by a fine of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00). (Ord. #6B-10-096, Aug. 1996)