

BILL NO. 02-001

ORDINANCE NO. 99-005

CORPORATE SEAL

20.020 Corporate Seal: The seal of the Town shall be the words "SEAL" in Roman capitals, inside of and surrounded by scroll or circular impression having inscribed therein the words, "Town of Loma Linda, Newton County, MO". The seal shall be circular and about two inches in diameter. The Town seal shall be safely kept in the office of the Town Clerk.

FINANCES and RECORDS

SUBCHAPTER A – FISCAL YEAR

22.010 Fiscal year: The fiscal year of the Town of Loma Linda, Missouri shall begin on January 1, and end on December 31, of the calendar year.

SUBCHAPTER B – BUDGET

22.100 Budget required: Prior to the commencement of each fiscal year, a budget for the Town shall be prepared, and the same will be presented to and approved by the Board of Trustees. The format of the budget shall be that illustrated by Appendix I to this chapter.

22.110 Budget contents: The annual budget shall present a complete financial plan for the next fiscal year. The following shall be included in the budget:

1. A budget message to describe the important features of the budget and to point out any major changes from the previous year.
2. An estimate of revenues which are expected to be received during the next year from all sources, plus a comparative statement of the revenues for the previous two budget years. These comparisons shall be shown by year, fund, and sources.
3. An estimate of the expenditures that are proposed to be spent during the budget year, plus a comparative statement of actual expenditures for the previous two years. These comparisons should be shown by year, fund, activity, and object.
4. The amount of money required to pay any interest, amortization, or redemption charges which the municipality will owe during the budget year.
5. A general summary of the total proposed budget.

22.120 Budget committee: The budget committee shall prepare the Town Budget under the direction of a committee chairman. The Chairman of the Board of Trustees shall concur in the budget prior to its submission to the Board of Trustees.

22.140 Expenditures limited: Expenditure estimates in the budget shall not be larger in amount than the total anticipated revenue for the budget year, plus any surplus from the previous year or less any deficit from the previous year.

22.150 Debt limited: The Town shall not incur any debts which aggregate an amount greater than the anticipated revenues for the budget year, without the approval of the voters of the Town, as required by law.

22.160 Budget calendar: The budget committee shall prepare the Town budget in accordance with the following calendar;

1. First, the Town Treasurer, who shall be a member of the budget committee, will collect the data necessary, and make preliminary revenue estimates for the coming fiscal year. They will estimate expenditures for the present year and note expenditures and revenues for the previous two fiscal years.

2. Second, the budget committee will request from each Town officer a statement of expenditures requested for the coming fiscal year.

3. Third, the budget committee will review the departmental requests and make final revenue estimates for the coming fiscal year and will confer with department heads to discuss these requests.

4. Fourth, the budget committee will begin assembling the Town budget.

5. Fifth, the budget committee will confer with the Chairman of the Board of Trustees and any such other officers as the Chairman may designate, for preparation of the Town budget for the next fiscal year to be submitted to the Board of Trustees.

6. The budget shall be submitted to the Board of Trustees at the regular meeting in December.

22.170 Budget procedures: To the maximum extent practicable, and to the extent it does not conflict with State Law, this Code, or other Ordinance, the budget shall be prepared in accordance with A Guide to Budgeting for Missouri Municipalities, published by the Missouri Municipal League.

SUBCHAPTER C – RECORDS MANAGEMENT

22.200 Town Clerk to keep records: The records of the Town shall be kept in the custody of the Town Clerk.

1. As used in this subchapter, the word, “Record”, or, “Records”, shall mean any document, book, paper, photograph, map, sound recording or other material, regardless of physical form or characteristics, made or received pursuant to law or in connection with the transaction of official business. Library and museum material made or acquired and preserved solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference, and stocks of publications and of

processed documents are not included within the definition of records as used in this subchapter, and are hereinafter designated as, "Non-record", materials.

2. The Town Clerk may delegate to a subordinate or to another Town Official authority to have temporary custody of Town records, after satisfying himself as to the safety of said records.

22.210

Destruction of records and non-record material: All records made or received by or under the authority of or coming into the custody, control or possession of local officials in the course of their public duties are the property of the Town and shall not be mutilated, destroyed, transferred, removed or otherwise damaged or disposed of, in whole or in part, except as provided by law.

1. No record shall be destroyed or otherwise disposed of unless it is determined that the record has no further administrative, legal, fiscal, research or historical value.

2. Non-record materials or materials not included within the definition of records may, if not otherwise prohibited by law, be destroyed at any time, if same have the approval of the Missouri Local Records Board.

3. Records of the Town may be disposed of or destroyed without the approval of the Missouri Local Records Board, if the same is permitted by the state Municipal Records Manual. Records may be retained for a period of time longer than the minimum retention period required by the State Municipal Records Manual, at the discretion of the Town Clerk.

This supersedes Ordinance No. 99-006

GENERAL ADMINISTRATION

21.010 Elective Officers, terms: The following officers shall be elected by the qualified voters of the Town of Loma Linda; to wit: members of the Board of Trustees. They shall be elected as follows:

1. The General Election shall be held on the first Tuesday in April of each year.
2. On even numbered years, three trustees shall be elected.
3. On odd numbered years, two trustees shall be elected.
4. Each trustee shall serve for a term of two years.

21.020 Tie vote: Whenever there shall be a tie in the election of a trustee, the matter shall be determined by the Judges of Election by lot.

21.030 Appointive officers, terms: A Clerk, to be known as the Town Clerk, and a treasurer, to be known as the Town Treasurer, shall be elected by the Board of Trustees. The other appointive officers shall be appointed by the Chairman of the Board of Trustees, with the consent and approval of a majority of the members of the Board of Trustees. Such appointive officers may include, but are not limited to, the following: a town attorney, a Marshall, a health, street, sewer, or building commissioner and such other department heads as needed to conduct the business of the town.

21.040 Trustees, qualifications: To qualify for the position on the Board of Trustees, the person shall have attained the age of Twenty-one (21) years, shall be a citizen of the United States of America, and shall have been an inhabitant of the Town of Loma Linda for at least one year preceding his election.

1. The Board of Trustees shall judge the qualifications, elections and returns of its own members.
2. No person shall be elected or appointed to any office that shall at the time be in arrears for any unpaid town taxes, or forfeiture or defalcation in office.

21.050 The Board of Trustees may arrange blanket bonding: The Boards of Trustees may arrange for the bonding of the various offices or positions, elective or appointive, irrespective of the persons holding the same, under the form of a blanket policy, the same to be renewable from year to year by payment of renewal premiums and to be

subject to such alterations from time to time by arrangements negotiated by the Board of Trustees as the Board of Trustees may in its discretion deem necessary.

- 21.060 Commission: No person shall perform the duties of any office to which he is elected or appointed until commissioned as such. When the oath and bond, as herein provided, have been filed with the Town Clerk, thereupon the Town Clerk shall deliver to the person elected or appointed a commission in the name of and signed by the Chairman of the Board of Trustees and under the seal of the Town of Loma Linda, authorizing and empowering such person to discharge the duties of the office for the term for which he has been elected or appointed and until his successor shall have been duly elected or appointed and commissioned.
- 21.070 Reports required: It shall be the duty of all officers of the Town of Loma Linda to report annually at the first regular meeting in April to the Board of Trustees, such reports to embrace a full statement of the receipts and expenditures of their respective offices and such other matters as may be required by the Board of Trustees, by ordinance, resolution or otherwise. Any officer shall, as often as required by the Chairman or Board of Trustees, exhibit his accounts or other papers or records, and make report to the Board of Trustees, in writing, touching any matter relating to his office.
- 21.080 Removal of elective officers: The Board of Trustees may remove from office any elected official at will by a three-fifths vote of all the members elected to the Board of Trustees upon showing that said official has failed to attend any three of the regular monthly meetings of the Board of Trustees during the fiscal year unless leave of absence be granted or unless excused for illness or other special reason; such elective official of the Town first given opportunity, together with witnesses, to be heard before the Board of Trustees sitting as a board of impeachment.
- 21.090 Vacancies in office, how filled: If a vacancy occurs in an office not elective, the Chairman of the Board of Trustees shall appoint a suitable person to fill such office until the next regular meeting of the Board of Trustees at which time said vacancy shall be filled.
1. If a vacancy occurs in an elective office said vacancy shall be filled by appointment by the Chairman or person exercising the duties of the Chairman and approved by a majority of the Board of Trustees.
- 21.095 Town employees, how selected: The Board of Trustees may from time to time approve the employment and fix the compensation of such clerks, stenographers, inspectors, laborers, supervisors and employees of the various departments of the Town government as they may deem necessary and useful in carrying on the functions thereof and may likewise dismiss or suspend any such employees at will. In such matters, the Board of Trustees shall have the advice and suggestions of the appropriate committee and Town officer.

SUBCHAPTER B -- THE MAYOR, CHAIRMAN OF THE BOARD

- 21.100 How chosen: The Board of Trustees shall assemble within twenty days after their election and choose one of their members as Chairman of the Board of Trustees, whose title shall be Mayor. Wherever, in this or subsequent ordinances, the term, "Mayor" is used, it shall be synonymous with the title, "Chairman of the Board of Trustees." The Chairman shall remain in said office for the term for which he may have been appointed or elected as a trustee.
- 21.120 To preside over and communicate to Board of Trustees: The Mayor shall preside over the Board of Trustees and shall have a vote on any question, but he shall not preside or vote in cases where he is an interested party. The Mayor shall, from time to time, communicate to the Board of Trustees such measures as may, in his opinion, tend to the improvement of the finances, the police, health, security, ornament, comfort and general prosperity of the Town of Loma Linda.
- 21.130 Approval and signing of bills: The Mayor, or the person exercising the duties of the Mayor, shall consider every bill which has been duly passed by the Board of Trustees and attest its passage and the date thereof on said bill.
- 21.140 Appointment and supervision over Town officers: The Mayor shall communicate to the Board of Trustees his appointments of the officers to be appointed and such members of boards, employees of the Town, standing committees, special committees and such other appointments as he may be directed and authorized by ordinance to make. He shall exercise general supervision over all the officers and affairs of the Town of Loma Linda, and shall take care that the ordinances of the Town and the State laws relating thereto are complied with.
- 21.150 To make annual report and to require accounting and reports: The Mayor shall on the first day of March in each year, make out a correct statement of all moneys received and expended by the Town during the twelve months next preceding; and shall cause such statement, within ten days thereafter, to be published in some newspaper printed in the County of Newton, Missouri, having general circulation in the Town, or by causing copies of such statement to be put in six of the most public places in such Town. The Mayor shall cause all subordinate officers to be dealt with promptly for any neglect or violation of duty, and he shall have power as often as he may deem it necessary, to require any officer of the Town to exhibit his accounts or records, and to have reported to the Board of Trustees, in writing, touching any matter relating to his office.
- 21.160 To sign commissions and approve bonds: The Mayor shall sign the commissions and appointments of all Town officers elected or appointed in the Town, and shall approve all official bonds, drafts and warrants drawn on the Town treasury for money, and cause the Town Clerk to attest the same and to affix thereto the seal of the Town, and to keep an accurate record thereof in a book to be provided for that purpose.

21.170 To require additional bonds, when: The Mayor shall have the power, whenever in his judgment any bond held by the Town from any person has become or is likely to become impaired through any cause whatsoever to require the principal in such bond, at a time to be appointed by him to show cause why a new bond shall not be given, and unless cause be shown, such person shall be required within ten days to enter into a new bond, and in default thereof, the Town shall have the right to declare a forfeiture of all rights and privileges granted by the Town under the ordinances or contract of which said bond forms a part.

21.180 Mayor may administer oaths: The Mayor shall have power to administer oaths to witnesses to any matter under consideration in which the interest of the Town is involved.

21.185 Additional powers to Mayor: The Mayor shall have such other powers and perform such other duties as may be provided by the laws of the State or by ordinance.

21.190 Vacancy in office: In case of the absence of the Mayor at any meeting of the Board, the Board may appoint a chairman pro tempore, and in case he shall die, resign, be removed from office or removed from the Town, the Board of Trustees shall appoint one of their members Mayor, who shall hold the office of the unexpired term.

1. In case the office of Mayor becomes vacant, the remaining members of the Board of Trustees shall select one of their own members as temporary Chairman and then proceed to elect some person to fill such vacancy; provided, the Chairman or temporary Chairman shall have no vote except in case of a tie.

SUBCHAPTER C -- THE BOARD OF TRUSTEES

21.200 Qualifications: The qualifications of members of the Board of Trustees shall be as set out in Section 21.040 of this chapter.

21.205 Meetings: An adjourned meeting may be held for the purpose of completing the unfinished business of any meeting at such time as may be determined by the Board. Special meetings may be called from time to time at the time and place designated in the notice thereof; such special meetings may be called by the Mayor or by any three (3) trustees. Written notice of special meetings shall be given in person, by telephone or by mail. If in person, it shall be given at least twenty-four (24) hours before the time set for the special meeting. If by mail, the notice shall be deposited in the United States mail at least thirty-six (36) hours before the time set for the meeting; provided, the requirements of notice may be waived by unanimous consent of the Board by telephone, in person, or by digital communication.

- 21.210 To attend meetings unless excused: The members of the Board of Trustees shall attend all meeting of the Board unless leave of absence be granted or unless excused for illness or other special reason.
- 21.215 Quorum, how constituted: Three (3) trustees shall constitute a quorum for the transaction of business. If at any meeting a quorum be not present, the meeting shall stand adjourned until the next regular or special meeting, provided, that any three (3) members of the Board of Trustees, or the Mayor, may have a call of the Board of Trustees and send for and compel the attendance of the absent member or members and make and enter an order for either his censure or fine.
- 21.220 To keep a journal: The Board of Trustees shall cause to be kept a journal of its proceedings, and the ayes and nays shall be entered on any question at the request of any member. In vote on passage of any ordinance, the ayes and nays must in all cases be entered in the Journal showing the vote of each trustee who is in attendance and the absentees must be noted.
- 21.222 Standing Committees: Standing committees shall be appointed by the Mayor, with the approval of the Board of Trustees, as soon after the annual Town election as practical. The committee members shall elect one of its members as chairman.
- The standing committees shall be:
1. Budget
 2. Streets
 3. Sewers
 4. Zoning, Architectural
- 21.225 Budget Committee: This committee shall prepare and present the annual budget and, in general, shall consider and report on all of the financial affairs of the Town. The Town Treasurer shall meet with and advise the Budget Committee.
- 21.230 Street Committee: This committee shall consider and report on all propositions relative to opening up new streets and alleys, improving and repairing any street or alley, making or repairing sidewalks, the placing and maintenance of trees, shrubs, street or traffic signs and markings, lights and lighting standards in any street or alley, and in general, any and all propositions relating to the same.
- 21.232 Sewer Committee: This committee shall consider and report upon all matters relating to the construction, placement, repair, DNR compliance and any other matter relating to sewers referred to it by the Mayor and Board of Trustees.

- 21.245 Zoning, Architectural: As provided by Bills 24-010 and 24-011, this committee shall consider and report on all matters regarding enforcement of the Comprehensive Development Plan of the Town of Loma Linda, Missouri, established by Bill 24-003, building permit requirements established by Bill 05-001 and any other matters pertaining to buildings, construction and zoning within the boundaries of the Town. The Architectural Committee shall be an autonomous group within the Zoning Committee and may negotiate with prospective builders and approve or disapprove building plans without convening a meeting of the entire Zoning/Architectural Committee. There should be a quorum to avoid the steering of board decisions.
- 21.250 Reference of business: New business and other matters may be referred by the Mayor to the appropriate committee for consideration and report before final action by the entire Board of Trustees. Such committee shall receive from the Town Clerk all papers relating to the subject matter referred.
- 21.255 Ordinances, style and passage: No ordinance shall be passed, except by bill, and no bill shall become an ordinance unless on its passage a majority of the members of the Board of Trustees vote therefore, and the yeas and nays are entered upon the journal; all bills shall be publicly read at a regular meeting of the Board of Trustees before the passage thereof, and all ordinances shall be in full effect from and after their passage, and on being duly signed by the Chairman of the Board of Trustees and attested by the Town Clerk.
- 21.260 Ordinances to be published: The Chairman of the Board shall cause to be printed and made a part of the permanent Book of Ordinances of the Town of Loma Linda the ordinances of the Board and cause the same to be carried into effect. The Town Clerk shall provide access to digital copies and then hard copies available upon request and are subject to printing fees.
- 21.265 Officer's records: The Board of Trustees shall, as often as it deems necessary, require any officer, employee or appointee, of the Town of Loma Linda to exhibit the business accounts or other papers or records, and to make report to the Board, in writing, touching any matter relating to the office.
- 21.270 Attendance of witnesses: The Board of Trustees, in its discretion, may compel the attendance of witnesses and the production of books and papers relating to any subject under consideration in which the interest of the Town of Loma Linda is involved, and to call on the the proper officers of Newton County to execute such process.

21.275 Publish statements: The Board of Trustees shall annually, in January of each year, make out and spread upon their records a full and detailed account and statement of the receipts and expenditures and indebtedness of the Town for the year ending December 31 preceding the date of such report, which account and statement shall be published in a newspaper of general circulation in the Town of Loma Linda, Newton County, Missouri within the time period referenced in Section 21.150.

21.280 Other duties: The Board of Trustees shall have such other powers and perform such other duties as may be provided by the laws of the State or by ordinance.

SUBCHAPTER D -- THE TOWN ATTORNEY

21.300 Duties: The Town Attorney shall, at the discretion of the Board, attend the meetings of the Board of Trustees, advise the various Town officers, committees and boards upon legal questions pertaining to their respective duties for the Town, draw ordinances, deeds, releases, assessments, contracts, bonds and other documents relating to municipal affairs, represent the Town in all litigation in the courts and before the Public Service Commission and prosecute for violations of Town Ordinances in the Public Court. The Town Attorney shall be a lawyer licensed to practice in the Courts of the State of Missouri.

SUBCHAPTER E -- THE TOWN CLERK

21.400 Duties, in general: It shall be the duty of Town Clerk to assist the Mayor in the administration and management of all affairs of the town, that are placed in the Mayor's charge by the provisions of the ordinances and statutes, by performing general office duties, inventory control, office equipment maintenance, and managing the daily operations of the municipality. The Town Clerk attends the meeting of the Board of Trustees; keeps regular minutes of their proceedings and records them and all ordinances, which may become laws, and all resolutions passed by the Board, and then posts them to the Town web site. The Clerk shall have custody of the Town Seal, the original ordinances and resolutions passed by the Board of Trustees, the public records of the Town, and all such other papers, records and documents as may be entrusted to their care. They shall record the official bonds of all Town officers, and all other bonds executed to the Town, and file in the town office. They shall affix the Town Seal to and notarizes all public instruments, documents and papers as are required by law or ordinance. They shall furnish to the Town Attorney or Board of Trustees any records, documents or papers in the office which either may be called for or be used in any court and for the same obtain and file a receipt. They whenever required, must provide the Mayor, Board of Trustees or any committee of the Board, copies of any accounting records or documents of the Town, and shall at all times permit the Mayor, any member of the Board of Trustees, any interested Town officer or other citizen of the Town to examine any records, papers or documents in the office.

- 21.410 To countersign and seal documents, etc.: The Town Clerk shall prepare, seal with the Town Seal, and countersign all commissions and other official documents which the Mayor is required to issue and keep a register thereof, in which the substance thereof shall be noted.
- 21.415 Duties at election: The Town Clerk shall in all Town elections perform all the duties specified in the general election law of the State to be performed by the County Clerk and he shall also perform all such duties as may be from time to time required of them by law or ordinance.
- 21.420 Bookkeeping Duties: The Town Clerk shall be the general bookkeeper of the town. They shall maintain the town's sewer billing system, collect all Revenues of the Town, issue checks, and maintain all accounting records and documents, prepare and present Financial Statements and accounting records to the Town Treasurer for review on a monthly basis.

SUBCHAPTER F -- THE TOWN TREASURER

- 21.440 Audit accounting records: The Town Treasurer shall be the general accountant of the Town, responsible for examining the Financial Statements and auditing the accounting records monthly. Reviewing and signing, payroll and other tax reports quarterly and annually, and sign any other official financial documents as an agent for the Town.
- 21.450 Review and sign checks: The Town Treasurer shall review and sign checks for any moneys found to be due and owed by the Town. No checks shall be issued unless the accompanying invoices have been approved by the Board of Trustees, and there is money in the bank sufficient for the check to clear. All checks issued and signed by the Town Treasurer must also be signed by the Mayor, or other designated signer.
- 21.460 Review and reconcile the Bank Statements: The Town Treasurer shall receive all bank statements to review, reconcile and initial the statements with the check register and general ledger, maintained by the Town Clerk.
- 21.470 Finance Committee Chairperson: The Town Treasurer shall act as the Chairperson of the Finance Committee, scheduling meetings of the Finance Committee, attending Board meetings, preparing the Budget, recruiting and working with the town's external auditors, preparing the town's Management Discussion and Analysis and reviewing financial information to be provided to the town's auditors.
- 21.475 Annual Accounting: The Town Treasurer shall, at the first regular meeting of the Board of Trustees in April of each year, render his account with the proper vouchers to the Board of Trustees, who shall settle and adjust the same.
- 21.480 To issue and record tax bills: The Town Treasurer shall issue a special tax bill as directed by ordinance. The Town Treasurer shall keep a record of all special tax bills issued in a special book provided for that purpose, which record shall show the date and amount of each tax bill, the rate of interest it bears, and a description of the land against which it was issued, the name of the party to whom it was issued, the improvement or other purpose for which the cost was incurred. The Town Treasurer shall record the satisfaction of any tax bill on the special book with the date of satisfaction on presentation of the tax bill to him marked paid, or on filing by the Town collector of one duplicate copy of his payment report of a special tax

bill. A tax bill, when satisfied, shall be considered canceled.

SUBCHAPTER G -- COMBINATION OF OFFICES

21.500 Clerk, Treasurer, Collector: The Board of Trustees shall not appoint the same person to the offices of Town Clerk, Town Treasurer and Town Collector to avoid any such opportunity for embezzlement to go unnoticed for a longer period of time.

SUBCHAPTER H -- LAWSUITS AGAINST TOWN

21.600 Action arising out of street defect, notice, No action shall be maintained against the Town of Loma Linda, Missouri on account of any injuries growing out of any defect in the condition of any bridge, sidewalk, or thoroughfare in said Town, unless notice shall first have been given, in writing, verified by affidavit, to the Chairman of the Board of Trustees of said Town, within ninety (90) days of the occurrence for which such damage is claimed, stating the place where, the time when such injury was received, the character and circumstances of the injury, and the person so injured who is claiming damages from the Town.

This supersedes Ordinance No. 04-001

1. The Town Clerk, hereby is appointed custodian of the records of the Town of Loma Linda, Missouri and that such custodian is located at 5000 Butterfield Drive, Loma Linda, Missouri and commonly known as Town Hall.
2. That said custodian shall respond to all requests for access to or copies of public record within the time period provided by statute, except in those circumstances authorized by statute.
3. That the fees to be charged for access to or furnishing copies of records shall be as hereinafter provided:
 - A. Photocopying shall be twenty-five cents (\$.25) per page for copies measuring 8.5" x 11" or less.
 - B. In the case of subdivision plats and other extra large documents requiring special photocopy machines, the price shall be that which is charged by those persons producing the photocopy.
 - C. There shall be an hourly fee for the clerical time in making the records not to exceed the actual rate paid to the clerical staff that reproduces the records. Clerical time shall, also, be charged for research of the records at the actual costs.
4. That it is a public policy of the Town of Loma Linda, Missouri that meetings, records, votes, actions and deliberations of this body shall be open to the public unless otherwise provided by law.
5. That the town of Loma Linda, Missouri shall comply with sections 610.010 to 610.030 RsMo, commonly know as the Missouri Sunshine Law, as now existing or as may hereafter be amended from time to time.

SEXUAL HARRASSMENT

The Town of Loma Linda, Missouri is proud of its professional and congenial work environment, and will take all necessary steps to ensure that the work environment remains pleasant for all who work here. All employees must treat each other with courtesy, consideration and professionalism. The Town of Loma Linda, Missouri will not tolerate harassment of any employee by any other employee or supervisor for any reason. In addition, harassment for any discriminatory reasons, such as race, sex, national origin, disability, age, or religion, is prohibited by State and Federal laws, which may subject the Town of Loma Linda, Missouri and /or the individual harasser, but, also, other unprofessional and discourteous actions. Accordingly, derogatory racial, ethnic, religious, age, sexual or other inappropriate remarks, slurs or jokes will not be tolerated.

Conduct prohibited by this policy includes, but is not limited to, unwelcome sexual advances, request for sexual favors or any other visual, verbal or physical conduct of a sexual nature when:

1. Submission to the conduct is made either implicitly or explicitly a condition of the individual's employment.
2. Submission to, or rejection of, the conduct is used as the basis for an employment decision affecting the harassed employee.
3. The harassment has the purpose or effect of unreasonably interfering with the employee's work performance or creating an environment which is intimidating, hostile or offensive to the employee.

Each employee must exercise his/her own good judgment to avoid engaging in conduct including, but not limited, to:

1. Verbal: Repeated sexual innuendoes, racial or sexual epithets, derogatory slurs, off-color jokes, propositions, threats, or suggestive or insulting sounds.
2. Visual/non-verbal: Derogatory posters, cartoons or drawing; suggestive objects or pictures; graphic commentaries; leering; or obscene gestures.
3. Physical: Unwanted physical contact including touching, interference with an individual's normal work movement or assault.
4. Other: Making or threatening reprisals as a result of a negative response to harassment.

The Town of Loma Linda, Missouri is committed to preventing such conduct, to investigating complaints or inappropriate conduct and remedying violations of this policy. Any employee who believes that he/she is or may be subjected to objectionable conduct must report it immediately to his/her Department Head or Chairman of the Board of Trustees of the Town of Loma Linda, Missouri. Employees should not allow an inappropriate situation to continue by not reporting it, regardless of who is creating that situation. No employee in this Town of Loma Linda, Missouri is exempt from reporting misconduct in violation of this policy.

Complaints may be made confidentially, and employee requests for confidentiality will be honored, consistent with applicable legal requirements. In response to every complaint, the Town of Loma Linda, Missouri will investigate promptly and thoroughly. Should an investigation disclose a violation of this policy, the Town of Loma Linda, Missouri will undertake appropriate corrective action designed to rectify the conduct and prevent any recurrence. Under no circumstances will the Town of Loma Linda, Missouri tolerate any retaliation against an individual for making a complaint in good faith under this policy.

Any employee who engages in prohibited conduct is subject to discipline up to and including termination.

Violation of this ordinance shall be a misdemeanor and punishable as provided by the general ordinances of the Town of Loma Linda, Missouri.