

**ORDINANCE NUMBER 09-01  
OF THE CITY OF FRANKLIN, INDIANA**

**AN ORDINANCE PROVIDING FOR A CLOTHING AND EQUIPMENT ALLOWANCE AND  
REPEALING AND REPLACING ORDINANCE NO. 04-12 RELATIVE TO SAME**

Whereas, the City of Franklin, Indiana ("City") has provided an annual clothing allowance to certain employees to assist them in procuring and maintaining the necessary uniforms and equipment required by their official duties;

Whereas, the administration of the annual clothing allowance has become problematic, and should be revised;

**NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF FRANKLIN,  
INDIANA, ORDAINS AND ENACTS THE FOLLOWING:**

- 1) **Eligible Members:** A clothing and equipment allowance (referred to hereafter as the "Allowance") will be provided to all active merit members of both the Franklin Fire Department and Police Department. Police Evidence Technician(s) who have been employed at least one (1) full year will receive the Allowance. Further, Police Dispatchers, Public Safety Officer(s) and Fire Civilian Paramedics having been employed at least one (1) full year will also receive the Allowance, but only in an amount equaling fifty-percent (50%) of the full Allowance. Recipients leaving the City's employ are not entitled to any pro rata share of future Allowance payments.
- 2) **Amount of Allowance:** The full Allowance will annually be Eight Hundred Dollars (\$800.00).
- 3) **Method of Payment:** The Allowance will be paid in two (2) equal installments, with the first being paid on or about January 10<sup>th</sup> and the second being paid on or about July 1<sup>st</sup> of each year. Otherwise, the Clerk-Treasurer may make the Allowance payments in a manner she deems appropriate, including by separate check to the eligible employees.
- 4) **Approved Clothing and Equipment:** Board of Works Resolution No. 06-02 details a list of approved clothing and equipment. Additionally, the Board of Works may from time to time add or subtract items from this approved list as the Board deems appropriate.
- 5) **Taxability of Allowance:** The entire Allowance is subject to all applicable taxation, including income taxes, social security taxes, and/or Medicare taxes, except those portions of the Allowance used for qualified and approved uses. Recipients desiring to exempt some or all of their Allowance from their taxable income must submit to the Clerk-Treasurer receipts of approved clothing and/or equipment purchases they have made no later than thirty (30) days before anticipated issuance of the next semi-annual installment payment. To be considered a valid purchase, the receipt must state the date, time, place, amount, and business purpose of the purchase(s). The Board of Works may use its

discretion to determine the validity of purchases. Otherwise, applicable income tax withholdings will be made from the employee's next or subsequent wages.

- 6) **Construction of Clause Headings.** The clause headings appearing in this ordinance have been provided for convenience and reference, and do not purport and will not be deemed to define, limit, or extend the scope or intent of the clauses to which the headings pertain;
- 7) **Repeal of Conflicting Ordinances.** The provisions of all other ordinances in conflict with the provisions of this ordinance are of no further force or effect, and are now repealed, specifically including Ordinance No. 04-12.
- 8) **Severability of Provisions.** If any part of this ordinance is held to be invalid, such part will be deemed severable and its invalidity will have no effect upon the remaining provisions of this ordinance;
- 9) **Duration and Effective Date.** The provisions set forth in this ordinance become and will remain in full force and effect (until their repeal by ordinance) on day of the passage and adoption of this ordinance by signature of the executive in the manner prescribed by Indiana Code §§ 6-4-6-15, 16.

Introduced and Filed on the 2nd day of February, 2009. A motion to consider same on the First Reading or day of introduction was [not offered] [sustained by a vote of 6 in Favor and 0 Opposed, pursuant to Indiana Code § 36-4-6-13.]

DULY PASSED on this 16th day of February, 2009 by the Common Council of the City of Franklin, Johnson County, Indiana, having been passed by a vote 6 in Favor and 0 Opposed.

City of Franklin, Indiana, By its Common Council:

**Voting Affirmative:**

Absent

\_\_\_\_\_  
Dr. William T. Murphy, President

\_\_\_\_\_  
Joseph Abban

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Joseph R. Ault

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Kenneth W. Austin

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Ann Gordon

**Voting Opposed**

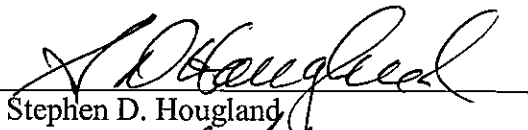
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Dr. William T. Murphy, President

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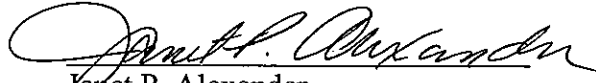
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Ann Gordon

  
Stephen D. Hougland  
  
Craig Wells

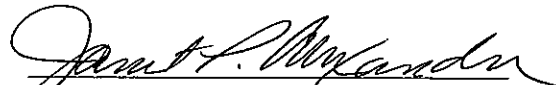
Stephen D. Hougland

Craig Wells

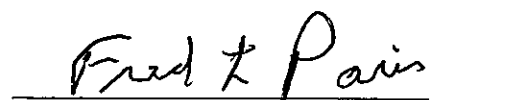
Attest:

  
Janet P. Alexander,  
Clerk-Treasurer

Presented by me to the Mayor of the City of Franklin for his approval or veto pursuant to Indiana Code § 36-4-6-15,16, this 16th day of February, 2009 at 8:00 o'clock p.m.

  
Janet P. Alexander  
City Clerk/Treasurer

This ordinance having been passed by the legislative body and presented to me was [Approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1)] [Vetoed, pursuant to Indiana Code § 36-4-6-16(a)(2)], this 16th day of February, 2009 at 8:00 o'clock p.m.

  
Fred L. Paris  
Mayor of the City of Franklin, Indiana

Attest:

  
Janet P. Alexander  
Clerk Treasurer

Amended by Clerk Treasurer's Office,  
January 2009