

**ORDINANCE NO. 3852**

**AN ORDINANCE AMENDING §33.16 OF THE NEW CASTLE CITY CODE**

WHEREAS, Chapter 33 of the New Castle City Code establishes the City Police Department and sets forth general regulations regarding the operation of the Police Department and the compensation of its officers; and,

WHEREAS, City Code §33.16 provides that officers assigned to the Drug Task Force Unit are entitled to receive pay equivalent to the pay received by investigators; and,

WHEREAS, officers that have attained certain ranks have been unwilling to serve on the Drug Task Force Unit because it would result in the officer experiencing a reduction in pay; and,

WHEREAS, it is important that qualified and experienced officers serve on the Drug Task Force Unit; and,

WHEREAS, the City Code should be amended to ensure that service on the Drug Task Force Unit will not result in a reduction in pay.

NOW THEREFORE BE IT ORDAINED by the Common Council as follows:

1. City Code §33.16 currently reads as follows:

“Assignment to the "Drug Task Force Unit" shall have no effect upon the rank of the officer so assigned. While assigned to the Drug Task Force Unit, the officer will retain his or her former rank while so assigned and after being returned to regular duty unless otherwise promoted pursuant to the Rules and the City Police Merit Board. However, while assigned to the Drug Task Force Unit, the officer shall receive pay equivalent to the pay received by investigators. This pay shall continue only so long as the officer is assigned to the Drug Task Force Unit and the officer's pay shall return to the pay normally received by his or her rank upon return to regular duty.”

§33.16 shall be amended to read as follows:

Assignment to the "Drug Task Force Unit" shall have no effect upon the rank of the officer so assigned. While assigned to the Drug Task Force Unit, the officer will retain his or her former rank while so assigned and after being returned to regular duty unless otherwise promoted pursuant to the Rules and the City Police Merit Board. While assigned to the Drug Task Force Unit, the officer will receive pay equivalent to the pay received by investigators or the pay received by the officer at his or her current rank, whichever is greater.

All other provisions of Chapter 33 of the City Code, which are not specifically modified by this Ordinance, shall continue in effect.

**REPEALER:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SEVERABILITY:** Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation of law shall be inapplicable, shall be deemed omitted but the rest and remainder of this ordinance, to the extent feasible, shall remain in full force and effect.

**EFFECTIVE DATE:** This Ordinance shall become effective immediately upon passage and publication as provided for by law.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

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Greg York, Presiding Officer  
Common Council, City of New  
Castle

ATTEST:

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Brenda Grider, Clerk-Treasurer

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APPROVED BY ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

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Greg York, Mayor of the City  
Of New Castle, Indiana