

ORDINANCE NO. 1144

**AN EMERGENCY ORDINANCE AMENDING SECTION 37.107 OF
THE TOWN OF SILVER CITY MUNICIPAL CODE, RELATING TO DEFINITIONS
APPLICABLE TO CHAPTER 34, §34.107 (COLLECTIVE BARGAINING) AND
REGARDING RULES PROMULGATED BY THE PUBLIC EMPLOYEE
LABOR RELATIONS BOARD**

WHEREAS, the Council of the Town of Silver City has reviewed the provisions of §34.107 of the Municipal Code of Ordinances relating to definitions to be applied to Chapter 34, §34.105 through 34.118 therein; and

WHEREAS, the Council has determined that there exists certain inconsistencies between those definitions and the definitions prescribed by State law, specifically §10-7D-1 through 26 N.M.S.A. 1978 (Public Employee Bargaining Act, or "P.E.B.A."); and

WHEREAS, the Council intends that the Town's Local Board shall employ the rules promulgated by the Public Employee Labor Relations Board whenever possible and practical; and

WHEREAS, the Mayor has declared an emergency pursuant to §3-17-3 N.M.S.A. 1978 in order to prevent the waste and undue expenditures of funds of the Town of Silver City, and the Council has determined that the immediate enactment of this Amendment is required.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF SILVER CITY, GRANT COUNTY, NEW MEXICO, that:

Section 34.107 is amended by deleting all definitions contained therein and incorporating by reference all definitions set forth in §10-7D-1 to -26 N.M.S.A. 1978 ("P.E.B.A.") as though fully set forth therein.

Further,

The Town Council orders that the Town's Local Board provided for in Chapter 34, §34.117 of the Town of Silver City Municipal Code of Ordinances employ the rules promulgated by the New Mexico Public Employee Labor Relations Board whenever possible and practical, and to make whatever changes necessary in its internal governance and procedures to accomplish this goal.

PASSED, ADOPTED AND APPROVED by vote of the Council of the Town of Silver City, Grant County, New Mexico, this 13th day of May, 2008.

(Seal)

TOWN OF SILVER CITY

/s/

James R. Marshall, Mayor

ATTEST:

/s/

Ann L. Mackie, Town Clerk