

TUCSON, ARIZONA
Supp. No. 123 – Instruction Sheet

Enclosed with this instruction sheet are new and replacement pages for your loose-leaf copy of the Code, bringing the Code current through June 18, 2019. In order to keep your copy of the Code up to date, you must remove the following indicated obsolete pages from your Code and replace them with the indicated revised pages. The current revision number appearing on the lower left corner of each page revised in this package is “Supp. No. 123”. If you have any questions, please contact American Legal Publishing at 1-800-445-5588.

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CONTAINING
THE CHARTER AND GENERAL ORDINANCES
CITY OF TUCSON, ARIZONA

Adopted, October 19, 1964
Effective, January 20, 1965

Published by Order of the Mayor and Council

Republished 1987

Contains Supplement No. 123
Current through June 18, 2019

Published by:
AMERICAN LEGAL PUBLISHING CORPORATION
One West Fourth Street ✧ 3rd Floor ✧ Cincinnati, Ohio 45202
1-800-445-5588 ✧ www.amlegal.com

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Checklist of Up-to-Date Pages

(This checklist will be updated with the printing of each Supplement)

From our experience in publishing Looseleaf Supplements on a page-for-page substitution basis, it has become evident that through usage and supplementation many pages can be inserted and removed in error.

The following listing is included in this Code as a ready guide for the user to determine whether the Code volume properly reflects the latest printing of each page.

In the first column all page numbers are listed in sequence. The second column reflects the latest printing of the pages as they should appear in an up-to-date volume. The letters "OC" indicate the pages have not been reprinted in the Supplement Service and appear as published for the original Code. When a page has been reprinted or printed in the Supplement Service, this column reflects the identification number or Supplement Number printed on the bottom of the page.

In addition to assisting existing holders of the Code, this list may be used in compiling an up-to-date copy from the original Code and subsequent Supplements.

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CITY COURT*

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*Charter Reference – City court, ch. XII.

Cross references – Penalty for violating ordinances, § 1-8; treatment of prisoners generally, § 1-9 et seq.; violations of traffic regulations, § 20-68 et seq.

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construction law to hear and decide cases arising under Tucson Code section 11-38. The compensation for such construction special magistrates shall be as set forth in subsection (b) above.

(f) Upon recommendation of the presiding judge of the Pima County Superior Court, the mayor and council may appoint a full-time magistrate pro tempore from among the appointed special magistrates, as needed, to assist in the timely adjudication of Tucson City Court cases. The full-time magistrate pro tempore shall serve a four (4) year term of office and may be reappointed. Compensation shall be set at eighty (80) percent of a city magistrate's pay with benefits during the term of the appointment.

(Ord. No. 7887, § 3, 8-3-92; Ord. No. 8835, § 1, 3-3-97; Ord. No. 8943, § 1, 9-8-97; Ord. No. 9158, § 3, 11-9-98; Ord. No. 9973, § 1, 5-17-04; Ord. No. 10063, § 1, 10-11-04; Ord. No. 10952, § 2, 12-20-11, eff. 1-1-12; Ord. No. 11111, § 1, 9-24-13, eff. 10-1-13; Ord. No. 11626, § 1, 1-20-19)

Sec. 8-2.3. Appointment of limited special magistrates; term; powers; duties; qualifications; compensation.

(a) Subject to the appointment procedures set forth in section 8-2.1, the mayor and council may appoint limited special magistrates to provide for the expeditious enforcement of civil violations and civil infractions of the Tucson Code and civil traffic violations under state law. Limited special magistrates shall be full time, shall serve a four-year term of office, and may be reappointed.

(b) Limited special magistrates shall have concurrent jurisdiction with regular and special magistrates to hear and decide actions alleging civil violations or civil infractions of the Tucson Code and civil traffic violations under state law, and shall assume all duties referenced in the Tucson Code as being the responsibility of an administrative hearing officer.

(c) At the time of appointment, limited special magistrates must have demonstrated experience or familiarity with administrative proceedings, technical codes or traffic law.

(d) The compensation to be received by limited special magistrates shall be as set from time to time by

the mayor and council and shall include the same fringe benefits as provided to regular magistrates.

(Ord. No. 7887, § 4, 8-3-92; Ord. No. 8179, § 1, 1-3-94; Ord. No. 9398, § 1, 6-12-00; Ord. No. 10063, § 2, 10-11-04)

Sec. 8-2.4. Criminal history records check prior to appointment of city magistrates.

(a) Pursuant to A.R.S. § 41-1750, the City of Tucson is hereby authorized to receive criminal history record information for the purpose of evaluating the fitness of current and prospective city court magistrates.

(b) Each person who seeks to be appointed as a regular, special, or limited special city court magistrate shall, as part of such appointment application process, furnish a full set of fingerprints to the city.

(c) Pursuant to A.R.S. § 41-1750 and Public Law 92-544, the city shall submit such fingerprints accompanied by the appropriate fees, which will be paid by the city, to the Arizona Department of Public Safety and the Federal Bureau of Investigation for the purpose of obtaining criminal history record information on all individuals identified in Section 1, subpart B. Such information shall be used only for the purpose of evaluating the fitness of such current and prospective city court magistrates.

(d) The city shall comply with any relevant State and Federal rules and regulations that may relate to the dissemination of such criminal history record information.

(Ord. No. 9085, § 1, 7-6-98)

Sec. 8-2.5. Justices of the peace appointed as special magistrates for weekend arraignments, initial appearances, and conflict and other cases designated by the presiding magistrate.

Any justice of the peace, upon assuming office, is appointed as a special magistrate of the city for the specific purpose of presiding over arraignments, initial appearances and any conflict case(s) or other case(s) designated by the presiding magistrate of the Tucson city court involving any state law or city ordinance.

(Ord. No. 9971, § 1, 5-17-04; Ord. No. 10155, § 1, 5-24-05; Ord. No. 10996, § 1, 6-19-12, eff. 7-1-12; Ord. No. 11653, § 1, 5-21-19)

Sec. 8-3. Conducting business on nonjuridical days.

City court shall always be open except on nonjuridical days. On such nonjuridical days, it may transact business within its jurisdiction.

(1953 Code, ch. 9A, §§ 2, 3; Ord. No. 1956, § 2, 9-8-59; Ord. No. 4679, § 3, 6-27-77; Ord. No. 7733, § 3, 12-9-91)

Sec. 8-4. Magistrates; powers and duties.

Each magistrate of the city court, in addition to exercising such judicial authority as provided in the Charter and Code of the city and the laws of the state shall:

- (1) Devote his or her entire time to the duties of being a magistrate and shall not engage in the private practice of law.
- (2) Observe, be available, and be present in attendance upon the court for the transaction of business every juridical day between the hours of 8:00 a.m. and 5:00 p.m. In addition to such hours, a magistrate may open court and be in attendance at the court during such additional hours of any juridical or nonjuridical day as may be necessary for the discharge or disposition of business properly coming before the court.
- (3) Dispose with all reasonable promptness all matters taken under advisement and, in any event, issue a decision no later than twenty (20) days thereafter.
- (4) Issue a minute entry of the court's judgment in all matters wherein disposition was based upon legal grounds rather than upon the factual merits of the matter, specifying therein the legal conclusion underlying the court's judgment.
- (5) Follow and adhere to supervision by the presiding judge of the superior court as provided for in Arizona Supreme Court Administrative Order 93-30, and any amendment or successor to this provision.
- (6) Follow and adhere to the city's rules of conduct and code of ethics contained in

administrative directive 2.02-5 and 2.02-14 and any amendments or successors to these provisions to the extent adherence to these provisions does not affect judicial independence or is not inconsistent with the Code of Judicial Conduct.

(Ord. No. 4679, § 12, 6-27-77; Ord. No. 5169, § 3, 6-16-80; Ord. No. 7733, § 4, 12-9-91; Ord. No. 10062, § 3, 10-11-04)

Editor's note – Ord. No. 4679, § 1, adopted June 27, 1977, specifically amended the Code by repealing former § 8-5, which had pertained to office hours and had been derived from the 1953 Code, ch. 9A, § 5. Section 12 of Ord. No. 4679 added a new § 8-5 as hereinabove set out. The section was renumbered § 8-4 and the text amended by § 4 of Ord. No. 7733.

Sec. 8-4.1. Authorizing assignment of an associate presiding magistrate, term, compensation, duties.

(a) There is hereby created one administrative assignment position of Presiding Magistrate of the City Court of the City of Tucson whose function it is to assist the presiding judge of the superior court in performing administrative duties associated with the judicial and non-judicial functions of the city court.

(b) The presiding judge of the superior court is hereby authorized to appoint, in his or her sole discretion, any sitting city magistrate to the administrative assignment position of presiding magistrate.

(c) Any sitting city magistrate selected for assignment to the position of presiding magistrate shall serve at the pleasure of the presiding judge of the superior court, and may be removed from the administrative assignment of presiding magistrate at any time, for any reason, without cause and without right of appeal by the presiding judge of the superior court.

(d) While performing the administrative assignment of presiding magistrate, a city magistrate shall receive additional compensation in the amount of ten (10) percent of his or her annual salary, payable on a biweekly basis, pro-rated.

(e) The presiding magistrate shall perform those duties as required by law and this chapter and as assigned by the presiding judge of the superior court. (Ord. No. 9042, § 1, 4-13-98; Ord. No. 10062, § 4, 10-11-04; Ord. No. 10454, § 1, 9-25-07)

Sec. 10-31(8). Payment for uniform maintenance.

Subject to the prior approval of the city manager, the human resources director shall, as part of the budget process, annually recommend payment for uniform maintenance.

(Ord. No. 10426, § 4, 6-19-07, eff. 6-24-07; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11291, § 3, 8-5-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16; Ord. No. 11558, § 2, 6-5-18, eff. 6-24-18; Ord. No. 11611, § 1, 12-18-18)

Editor's note – Ord. No. 11180, § 2, adopted June 3, 2014, ratified, reaffirmed, and reenacted this section for Fiscal Year 2015. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 29, 2014. Ord. No. 11273, § 2, adopted June 9, 2015, and Ord. No. 11291, § 5, adopted August 5, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017. Ord. No. 11659, §§ 1-2, adopted June 18, 2019, ratified, reaffirmed, and reenacted this section for Fiscal Year 2020, with amendments to Schedules B-2, C-2 and F-1 (Schedule F effective December 22, 2019). Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 23, 2018.

(1953 Code, ch. 10, § 10; Ord. No. 7369, § 17, 3-12-90; Ord. No. 9675, § 3, 2-25-02, eff. 6-30-02)

Editor's note – Listed below are the ordinances constituting and amending the compensation plan:

1957 Supp. to 1953 Code, Ch. 10, § 36 – Amended by:

Ord. No. 1826, § 2, 5-5-58
 Ord. No. 1853, § 1, 8-18-58
 Ord. No. 1855, § 2, 9-2-58
 Ord. No. 1870, § 1, 12-8-58
 Ord. No. 1899, § 1, 4-20-59
 Ord. No. 1960, §§ 1, 2, 9-28-59
 Ord. No. 1980, § 6, 11-16-59
 Ord. No. 1981, § 1, 11-16-59
 Ord. No. 2004, § 1, 2-3-60
 Ord. No. 2030, § 1, 5-2-60
 Ord. No. 2129, § 1, 1-3-61
 Ord. No. 2187, § 1, 6-19-61
 Ord. No. 2212, § 3, 9-18-61
 Ord. No. 2329, § 1, 8-13-62
 Ord. No. 2390, § 3, 12-17-62
 Ord. No. 2496, § 1, 7-22-63
 Ord. No. 2574, § 1, 1-20-64
 Ord. No. 2651, § 1, 8-13-64

Ord. No. 2658, § 1, 9-8-64
 Ord. No. 2693, § 1, 11-2-64

Ch. 10, § 36a of the 1953 Code as added by Ord. No. 1980, § 7, 11-16-59 – Amended by:
 Ord. No. 2004, § 2, 2-3-60
 Ord. No. 2105, § 1, 11-7-60
 Ord. No. 2129, § 2, 1-3-61
 Ord. No. 2212, § 4, 9-18-61
 Ord. No. 2390, § 4, 12-17-62
 Ord. No. 2608, § 1, 5-4-64
 Ord. No. 2709, § 1, 12-7-64

Ch. 10, § 36b of the 1953 Code as added by Ord. No. 1980, § 7, 11-16-59 – Amended by:
 Ord. No. 2004, § 3, 2-3-60
 Ord. No. 2212, § 5, 9-18-61
 Ord. No. 2390, § 5, 12-17-62
 Ord. No. 2651, § 2, 8-13-64
 Ord. No. 2659, § 1, 9-8-64

Ch. 10, § 36c of the 1953 Code as added by Ord. No. 1980, § 7, 11-16-59 – Amended by:
 Ord. No. 2004, § 4, 2-3-60
 Ord. No. 2074, § 1, 8-1-60
 Ord. No. 2212, § 6, 9-18-61
 Ord. No. 2329, § 2, 8-13-62
 Ord. No. 2574, § 2, 1-20-64

Ch. 10, § 36d of the 1953 Code as added by Ord. No. 1980, § 7, 11-16-59 – Amended by:
 Ord. No. 1971, § 2, 11-16-59
 Ord. No. 2004, § 5, 2-3-60
 Ord. No. 2032, § 1, 5-16-60
 Ord. No. 2212, § 7, 9-18-61
 Ord. No. 2390, § 7, 12-17-62
 Ord. No. 2496, § 2, 7-22-63

Ch. 10, § 36e of the 1953 Code as added by Ord. No. 1980, § 7, 11-16-59 – Amended by:
 Ord. No. 2004, § 6, 2-3-60
 Ord. No. 2212, § 8, 9-18-61
 Ord. No. 2329, § 3, 8-13-62
 Ord. No. 2390, § 8, 12-17-62
 Ord. No. 2460, § 2, 5-6-63
 Ord. No. 2574, § 3, 1-20-64
 Ord. No. 2608, § 2, 5-4-64
 Ord. No. 2695, § 1, 11-9-64

Ch. 10, § 36f of the 1953 Code as added by Ord. No. 1980, § 7, 11-16-59 – Amended by:
 Ord. No. 2004, § 7, 2-3-60
 Ord. No. 2105, § 2, 11-7-60
 Ord. No. 2212, § 9, 9-18-61
 Ord. No. 2213, § 1, 9-25-61
 Ord. No. 2390, § 9, 12-17-62
 Ord. No. 2460, § 3, 5-6-63
 Ord. No. 2490, § 3, 7-22-63
 Ord. No. 2574, § 4, 1-20-64
 Ord. No. 2693, § 2, 11-2-64

Ch. 10, § 36g of the 1953 Code as added by Ord. No. 1980, § 7, 11-16-59 – Amended by:
 Ord. No. 2004, § 8, 2-3-60
 Ord. No. 2063, § 1, 7-5-60

- Ord. No. 2105, § 3, 11-7-60
- Ord. No. 2212, § 10, 9-10-61
- Ord. No. 2216, § 1, 10-19-61
- Ord. No. 2390, § 10, 12-17-62
- Ord. No. 2496, § 4, 7-22-63
- Ord. No. 2574, § 5, 1-20-64

Ch. 10, § 36 of the 1953 Code as added by Ord. No. 2638, § 1, 7-6-64.

Section 10-31 has been amended by the following ordinances:

- Ord. No. 2754, § 3, 4-5-65
- Ord. No. 2845, § 4, 2-7-66
- Ord. No. 2874, § 1, 5-16-66
- Ord. No. 2908, §§ 1, 2, 8-1-66
- Ord. No. 2930, §§ 1, 2, 10-24-66
- Ord. No. 2940, § 3, 11-28-66
- Ord. No. 2973, § 1, 2-6-67
- Ord. No. 2974, § 1, 2-6-67
- Ord. No. 2986, § 2, 3-20-67
- Ord. No. 3009, §§ 1, 2, 6-5-67
- Ord. No. 3061, § 1, 12-4-67
- Ord. No. 3079, § 1, 1-15-68
- Ord. No. 3123, § 1, 5-20-68
- Ord. No. 3126, § 2, 5-27-68
- Ord. No. 3127, § 1, 6-3-68
- Ord. No. 3137, § 1, 7-1-68
- Ord. No. 3163, §§ 1, 2, 9-9-68
- Ord. No. 3179, § 1, 11-12-68
- Ord. No. 3199, § 1, 12-2-68
- Ord. No. 3208, § 1, 1-13-69
- Ord. No. 3209, §§ 1, 2, 1-13-69
- Ord. No. 3214, § 1, 2-3-69
- Ord. No. 3215, §§ 1, 2, 2-24-69
- Ord. No. 3251, §§ 1, 2, 5-5-69
- Ord. No. 3266, § 1, 6-2-69
- Ord. No. 3279, § 1, 6-23-69
- Ord. No. 3298, § 1, 7-21-69
- Ord. No. 3344, § 2, 10-16-69
- Ord. No. 3405, § 1, 2-2-70
- Ord. No. 3428, § 1, 3-23-70
- Ord. No. 3429, § 1, 3-23-70
- Ord. No. 3444, § 1, 5-18-70
- Ord. No. 3512, § 1, 8-31-70
- Ord. No. 3534, § 1, 10-12-70
- Ord. No. 3581, § 1, 1-4-71
- Ord. No. 3582, § 1, 1-4-71
- Ord. No. 3635, §§ 1, 2, 5-12-71
- Ord. No. 3648, §§ 1-4, 5-10-71
- Ord. No. 3710, §§ 1, 2, 9-7-71
- Ord. No. 3768, § 1, 12-20-71
- Ord. No. 3838, §§ 1-4, 5-1-72
- Ord. No. 3863, §§ 1-4, 6-12-73
- Ord. No. 3914, §§ 1, 2, 9-5-72
- Ord. No. 3968, § 1, 1-22-73
- Ord. No. 4014, § 1, 4-23-73
- Ord. No. 4025, § 1, 5-21-73
- Ord. No. 4027, § 1, 5-29-73
- Ord. No. 4038, § 2, 6-25-73
- Ord. No. 4065, § 1, 7-16-73
- Ord. No. 4075, § 1, 8-6-73
- Ord. No. 4105, § 1, 11-5-73
- Ord. No. 4119, § 2, 12-11-73
- Ord. No. 4142, § 1, 2-25-74
- Ord. No. 4182, § 1, 5-28-74
- Ord. No. 4194, § 1, 6-3-74
- Ord. No. 4198, § 2, 6-17-74
- Ord. No. 4203, § 2, 7-1-74
- Ord. No. 4218, § 1, 7-22-74
- Ord. No. 4239, § 1, 9-9-74
- Ord. No. 4241, § 1, 9-9-74
- Ord. No. 4306, § 1, 1-13-75
- Ord. No. 4371, § 1, 6-30-75
- Ord. No. 4381, § 1, 8-4-75
- Ord. No. 4425, § 2, 12-30-75
- Ord. No. 4445, § 1, 2-17-76
- Ord. No. 4523, § 2, 6-21-76
- Ord. No. 4528, § 1, 6-28-76
- Ord. No. 4643, § 1, 5-23-77
- Ord. No. 4682, § 2, 7-5-77
- Ord. No. 4735, § 2, 12-19-77
- Ord. No. 4849, §§ 2, 3, 7-3-78
- Ord. No. 4859, § 1, 8-7-78
- Ord. No. 4872, § 1, 9-5-78
- Ord. No. 4896, § 1, 10-23-78
- Ord. No. 4905, §§ 1, 2, 11-13-78
- Ord. No. 4939, §§ 1, 2, 2-12-79
- Ord. No. 4984, § 2, 6-4-79
- Ord. No. 5007, §§ 1, 2, 7-2-79
- Ord. No. 5032, § 1, 9-4-79
- Ord. No. 5061, §§ 1, 2, 11-13-79
- Ord. No. 5085, § 1, 1-7-79
- Ord. No. 5146, §§ 1, 2, 5-5-80
- Ord. No. 5164, § 2, 5-27-80
- Ord. No. 5199, § 1, 8-4-80
- Ord. No. 5305, §§ 1, 2, 2-9-81
- Ord. No. 5365, § 1, 6-8-81
- Ord. No. 5399, §§ 2, 3, 7, 6-29-81
- Ord. No. 5413, § 1, 8-3-81
- Ord. No. 5599, §§ 1, 3-5, 9, 6-28-82
- Ord. No. 5624, § 1, 8-3-82
- Ord. No. 5677, § 1, 11-8-82
- Ord. No. 5798, §§ 1, 3, 8, 7-5-83
- Ord. No. 5832, § 1, 8-1-83
- Ord. No. 5850, §§ 1-3, 9-6-83
- Ord. No. 5901, § 1, 11-21-83
- Ord. No. 5903, § 1, 11-21-83
- Ord. No. 5951, § 1, 2-13-84
- Ord. No. 6007, § 1, 4-30-84
- Ord. No. 6040, §§ 1, 3, 8, 6-25-84
- Ord. No. 6071, § 1, 8-6-84
- Ord. No. 6114, §§ 1-3, 11-5-84
- Ord. No. 6169, § 1, 2-11-85
- Ord. No. 6264, §§ 1, 3, 8, 6-24-85
- Ord. No. 6302, §§ 1, 2, 9-3-85
- Ord. No. 6329, § 1, 11-18-85
- Ord. No. 6332, § 1, 11-25-85
- Ord. No. 6338, § 1, 11-25-85
- Ord. No. 6452, § 1, 3, 6-16-86
- Ord. No. 6506, § 1, 9-2-86
- Ord. No. 6613, § 1, 1-12-87
- Ord. No. 6643, § 1, 3-16-87
- Ord. No. 6735, §§ 1, 5, 10, 7-6-87
- Ord. No. 6772, §§ 1, 2, 9-14-87
- Ord. No. 6840, § 1, 11-16-87
- Ord. No. 6913, § 1, 3-28-88
- Ord. No. 6921, § 1, 4-4-88
- Ord. No. 6945, § 1, 5-9-88
- Ord. No. 6960, §§ 1, 2, 6-6-88
- Ord. No. 7004, §§ 1, 4, 9-11, 14, 7-5-88

Ord. No. 7024, § 1, 9-6-88
 Ord. No. 7097, § 1, 11-28-88
 Ord. No. 7151, §§ 1, 2, 3-6-89
 Ord. No. 7196, §§ 1, 2, 5-15-89
 Ord. No. 7243, §§ 7, 9, 12, 7-3-89
 Ord. No. 7275, §§ 1 – 3, 9-11-89
 Ord. No. 7312, §§ 1, 2, 11-13-89
 Ord. No. 7350 § 1, 2-5-90
 Ord. No. 7383, § 2, 3-19-90
 Ord. No. 7439, § 1, 6-25-90
 Ord. No. 7466, § 1, 8-6-90
 Ord. No. 7497, § 1, 9-17-90
 Ord. No. 7518, § 1, 11-19-90
 Ord. No. 7549, § 1, 1-14-91
 Ord. No. 7566, § 1, 2-25-91
 Ord. No. 7599, §§ 1, 2, 4-1-91
 Ord. No. 7605, §§ 1, 2, 4-15-91
 Ord. No. 7653, §§ 1, 2, 6-24-91
 Ord. No. 7691, §§ 1, 2, 9-16-91
 Ord. No. 7780, §§ 1, 2, 3-16-92
 Ord. No. 7906, § 1, 9-14-92
 Ord. No. 7917, §§ 1, 2, 10-5-92
 Ord. No. 7970, § 1, 1-4-93
 Ord. No. 8022, § 1, 4-12-93
 Ord. No. 8067, §§ 1, 2, 6-21-93
 Ord. No. 8090, § 1, 7-6-93
 Ord. No. 8092, § 1, 8-2-93
 Ord. No. 8149, § 1, 11-1-93
 Ord. No. 8166, § 1, 11-22-93
 Ord. No. 8206, § 1, 2-7-94
 Ord. No. 8316, § 1, 7-5-94
 Ord. No. 8367, § 1, 9-12-94
 Ord. No. 8378, § 1, 10-17-94
 Ord. No. 8439, § 2, 1-23-95
 Ord. No. 8444, § 1, 2-6-95
 Ord. No. 8519, §§ 1, 2, 6-12-95
 Ord. No. 8619, § 1, 1-2-96
 Ord. No. 8712, § 2, 6-10-96
 Ord. No. 8753, § 2, 8-5-96
 Ord. No. 8791, § 1, 1-6-97
 Ord. No. 8842, § 1, 3-17-97
 Ord. No. 8844, § 1, 3-24-97
 Ord. No. 8878, § 1, 6-9-97
 Ord. No. 8975, § 1, 11-3-97
 Ord. No. 9008, § 1, 2-2-98
 Ord. No. 9055, § 1, 5-18-98
 Ord. No. 9068, § 1, 6-8-98
 Ord. No. 9093, § 1, 8-3-98
 Ord. No. 9151, § 1, 11-2-98
 Ord. No. 9191, § 1, 1-11-99
 Ord. No. 9237, § 1, 6-14-99
 Ord. No. 9347, § 1, 2-7-00
 Ord. No. 9352, § 1, 2-28-00
 Ord. No. 9399, § 1, 6-12-00
 Ord. No. 9465, § 1, 9-25-00
 Ord. No. 9475, § 1, 10-16-00
 Ord. No. 9575, § 1, 6-25-01
 Ord. No. 9588, § 1, 8-6-01
 Ord. No. 9677, § 1, 2-25-02 (effective June 30, 2002)
 Ord. No. 9724, §§ 1, 2, 6-17-02
 Ord. No. 9727, §§ 1, 2, 6-24-02
 Ord. No. 9742, § 2, 8-5-02 (retroactive to June 30, 2002)
 Ord. No. 10003, § 1, 6-28-04 (effective June 27, 2004)
 Ord. No. 10165, § 1, 6-14-05 (effective June 26, 2005)

Ord. No. 10289, §§ 1 – 3, 6-27-06 (effective July 9, 2006)
 Ord. No. 10293, §§ 1, 2, 6-27-06 (retroactive to June 25, 2006)
 Ord. No. 10364, § 1, 12-19-06 (amending Ord. No. 10289)
 Ord. No. 10426, § 1, 6-19-07 (effective June 24, 2007)
 Ord. No. 10491, §§ 1, 2, 1-8-08
 Ord. No. 10550, § 1, 6-17-08 (effective July 1, 2008)
 Ord. No. 10619, §§ 1, 2 (Exh. A), 1-6-09 (effective January 1, 2009)
 Ord. No. 10675, § 1, 6-2-09 (effective July 1, 2009)
 Ord. No. 10806, § 1, 6-15-10 (effective July 1, 2010)
 Ord. No. 10900, § 1, 6-28-11 (effective July 1, 2011)
 Ord. No. 10989, § 2, 6-5-12 (effective July 1, 2012)
 Ord. No. 11075, § 5, 5-21-13 (effective July 1, 2013)
 Ord. No. 11134, § 2, 12-17-13
 Ord. No. 11180, § 1, 6-3-14 (effective June 29, 2014)
 Ord. No. 11233, § 1, 12-16-14
 Ord. No. 11273, § 1, 6-9-15 (effective June 28, 2015)
 Ord. No. 11291, § 3, 8-5-15
 Ord. No. 11373, § 1, 6-7-16 (effective June 26, 2016)
 Ord. No. 11407, § 1, 11-9-16 (effective November 27, 2016)
 Ord. No. 11429, § 1, 1-24-17 (effective December 25, 2016)
 Ord. No. 11464, § 1, 6-6-17 (effective June 25, 2017)
 Ord. No. 11511, § 1, 12-19-17 (effective December 24, 2017)
 Ord. No. 11535, § 1, 3-20-18
 Ord. No. 11542, § 1, 4-17-18
 Ord. No. 11558, § 1, 6-5-18 (effective June 24, 2018)
 Ord. No. 11611, § 1, 12-18-18
 Ord. No. 11659, § 1, 6-18-19 (effective June 23, 2018; new Sch. F effective December 22, 2019)

Sec. 10-32. Administration of plan.

(a) Under the direction and supervision of the city manager, the human resources director shall administer the annual position-compensation plan which is predicated on performance and skill based components and principles. A skill based pay component of the position-compensation for any department will not be implemented or administered without prior approval of a department proposal by the human resource director. Consideration and implementation of a proposal for a skill based component requires:

- (1) That a comprehensive review of departmental work practices has been undertaken. This review shall include the evaluation of work practices, the identification of potential improvements that integrate organization change, new work practices and use of new technologies and,
- (2) That benefits and cost savings which will result from the utilization of a skill based pay component for the department have been identified and quantified.

- (3) That there has been a job analysis identifying skill, job description, skill objectives, training program supporting the acquisition of identified skills, and skill based compensation structure.
- (4) That the human resources is satisfied with and approves the proposed skill based component to be appropriate for the classification involved.

(b) In no event shall a skill based pay component for a department be approved if the proposal results in the compensation of positions in a city classification both under the performance and skill based component of the compensation plan.

(1953 Code, ch. 10, § 21; Ord. No. 7369, § 18, 3-12-90; Ord. No. 10003, § 3, 6-28-04)

Cross references – Duties of director of personnel pertaining to pensions, § 22-23; duties pertaining to group insurance, § 22-84.

Sec. 10-33. Language communication compensation.

(a) In addition to the compensation authorized by section 10-31, employees who use a language other than English, with proficiency at a conversational level as verified by the director of the department of human resources, a minimum of five (5) percent of the work week, or occupy a position designated by an appointing authority and approved by the city manager as a “language communication” position, shall receive extra compensation in the amount of thirty dollars (\$30.00) per pay period.

(b) Designation of a “language communication” position by the appointing authority and its authorization by the city manager shall be pursuant to procedures to be set forth in city administrative directives.

(c) The director of the department of human resources is responsible for the administration of the language communication compensation program, including, but not limited to, fixing: competency standards; verification procedures for confirming five (5) percent language usage; and criteria to be utilized by appointing authorities when designating “language communications” positions.

(Ord. No. 7937, § 1, 10-26-92; Ord. No. 9540, § 1, 4-16-01; Ord. No. 9562, § 1, 6-11-01; Ord. No. 9727, § 2, 6-24-02; Ord. No. 10165, § 3, 6-14-05; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 3, 6-17-08, eff.

7-1-08; Ord. No. 10675, § 2, 6-2-09, eff. 7-1-09; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16; Ord. No. 11558, § 2, 6-5-18, eff. 6-24-18; Ord. No. 11611, § 3, 12-18-18)

Editor’s note – Ord. No. 11180, § 2, adopted June 3, 2014, ratified, reaffirmed, and reenacted this section for Fiscal Year 2015. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 29, 2014. Ord. No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017. Ord. No. 11659, § 2, adopted June 18, 2019, ratified, reaffirmed, and reenacted this section for Fiscal Year 2020. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 23, 2018.

Sec. 10-33.1. Proficiency pay for commissioned police personnel certified as bilingual users of American Sign Language (ASL) or Spanish.

(a) Effective July 1, 2011, commissioned police personnel who are certified as bilingual users of ASL or Spanish, who use ASL or Spanish a minimum of five (5) percent of the work week, or who occupy a position designated by the police chief and approved by the city manager as regularly requiring a certified bilingual user of ASL or Spanish, will receive eighty-five dollars (\$85.00) per pay period.

(b) Designation of a position as regularly requiring the use of a certified bilingual user of ASL or Spanish by the appointing authority and if authorized by the city manager, shall be pursuant to procedures to be set forth in city administrative directives.

(c) Certified bilingual officers who are receiving compensation under this section are not eligible for language communication compensation under section 10-33.

(d) The director of the department of human resources is responsible for establishing and/or

adopting certification standards to ensure that bilingual ASL or Spanish proficiency is at a speed and technical level necessary to accomplish all critical aspects of a commissioned law enforcement officer's duties in those languages. The department of human resources is also responsible for the administration of the certified ASL or Spanish proficiency program including but not limited to verification procedures for confirming five (5) percent usage and criteria to be utilized by appointing authorities when designating a position as requiring certified bilingual user proficiency in ASL or Spanish language.

(Ord. No. 10165, § 4, 6-14-05; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10675, § 2, 6-2-09, eff. 7-1-09; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16; Ord. No. 11558, § 2, 6-5-18, eff. 6-24-18; Ord. No. 11611, § 3, 12-18-18)

Editor's note – Ord. No. 11180, § 2, adopted June 3, 2014, ratified, reaffirmed, and reenacted this section for Fiscal Year 2015. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 29, 2014. Ord. No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017. Ord. No. 11659, § 2, adopted June 18, 2019, ratified, reaffirmed, and reenacted this section for Fiscal Year 2020. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 23, 2018.

Sec. 10-34. Incentive pay for fire prevention inspectors.

In addition to the compensation authorized by Tucson Code section 10-31, compensation in the amount of ninety-two dollars and thirty-one cents (\$92.31) per pay period shall be paid to full time employees holding positions in the Fire Prevention Inspector Classification, Class Code 6412, who achieve and maintain any of the following designations:

International Certified Fire Investigator, certified by the International Association of Arson Investigators;

Fire Inspector II Certification, certified by the State Fire Marshal;

Public Education Specialist II, certified by the State Fire Marshal;

Uniform Fire Code Proficiency Certification, certified by the International Fire Code Institute;

Canine Handler Proficiency for Canine Odor Recognition and Detection of Accelerants, certified by Bureau of Alcohol, Tobacco and Firearms of the United States Treasury Department.

Compensation under this section will be awarded for only one certified designation regardless of the number of certified designations held.

(Ord. No. 8957, § 1, 9-22-97; Ord. No. 9563, § 1, 6-11-01; Ord. No. 9727, § 2, 6-24-02; Ord. No. 10165, § 2, 6-14-05; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10675, § 2, 6-2-09, eff. 7-1-09; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, §§ 2, 3, 6-7-16, eff. 6-26-16; Ord. No. 11558, § 2, 6-5-18, eff. 6-24-18; Ord. No. 11611, § 3, 12-18-18)

Editor's note – Ord. No. 3965, § 5, adopted Dec. 18, 1972, amended this Code by repealing former § 10-34, relative to the conversion of the salary range schedule to hourly, biweekly and approximate annual rates. The section was derived from the following: 1953 Code, ch. 10, § 35a; Ord. No. 2031, § 1, adopted May 16, 1960, and Ord. No. 2401, § 2, adopted Jan. 7, 1963. Subsequently, Ord. No. 8957 added a new § 10-34.

Ord. No. 11180, § 2, adopted June 3, 2014, ratified, reaffirmed, and reenacted this section for Fiscal Year 2015. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 29, 2014. Ord. No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017. Ord. No. 11659, § 2, adopted June 18, 2019, ratified, reaffirmed, and reenacted this section for Fiscal Year 2020. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 23, 2018.

Sec. 10-34.1. Assignment and incentive pay for maintaining paramedic certification and working as paramedics.

Paramedic assignment pay of one hundred fifty dollars (\$150.00) per month will be paid to commissioned fire personnel who:

- (1) Are promoted to and remain in the classification of paramedic; or
- (2) Are in non-paramedic classifications, have completed new hire probation, possess a national and/or state certification (EMT-P) and are minimally available to work one (1) twenty-four-hour shift per month as a paramedic, which work availability is subject to verification by the fire chief.

(Ord. No. 9399, § 2, 6-12-00; Ord. No. 9522, § 1, 3-5-01; Ord. No. 9727, § 2, 6-24-02; Ord. No. 10165, § 2, 6-14-05; Ord. No. 10289, § 4, 6-27-06; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10675, § 3, 6-2-09, eff. 7-1-09; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16; Ord. No. 11558, § 2, 6-5-18, eff. 6-24-18; Ord. No. 11611, § 3, 12-18-18)

Editor's note – Ord. No. 11180, § 2, adopted June 3, 2014, ratified, reaffirmed, and reenacted this section for Fiscal Year 2015. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 29, 2014. Ord. No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017. Ord. No. 11659, § 2, adopted June 18, 2019, ratified, reaffirmed, and reenacted this section for Fiscal Year 2020. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 23, 2018.

Sec. 10-35. Fire battalion chief call back shift pay.

In addition to the compensation authorized by Tucson Code Section 10-31, compensation in the amount of two hundred fifty dollars (\$250.00) for each twelve-hour shift worked outside of a normally scheduled shift shall be paid to full time employees assigned to suppression duties who hold positions in the Fire Battalion Chief Classification.

(Ord. No. 9091, § 1, 7-6-98; Ord. No. 9727, § 2, 6-24-02; Ord. No. 10165, § 2, 6-14-05; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10675, § 2, 6-2-09, eff. 7-1-09; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10948, § 1, 12-5-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16; Ord. No. 11558, § 2, 6-5-18, eff. 6-24-18; Ord. No. 11611, § 3, 12-18-18)

Editor's note – Section 10-35, relating the rate of pay for a class of an employee's original appointment, derived from the 1953 Code, ch. 10, § 22, and Ord. No. 1980, § 1, adopted Nov. 16, 1959, was repealed by § 1 of Ord. No. 7369, adopted Mar. 12, 1990. Subsequently, Ord. No. 9091, § 1, adopted July 6, 1998, added a new § 10-35.

Ord. No. 11180, § 2, adopted June 3, 2014, ratified, reaffirmed, and reenacted this section for Fiscal Year 2015. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 29, 2014. Ord. No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017. Ord. No. 11659, § 2, adopted June 18, 2019, ratified, reaffirmed, and reenacted this section for Fiscal Year 2020. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 23, 2018.

Sec. 10-36. Probationary periods.

All original and promotional appointments of eligible persons to permanent positions shall be made subject to a probationary period. Such probationary period shall commence with the date of appointment, except for entrance into the uniformed service of the police or fire department, when the probationary period

shall commence when the employee enters the police or fire training academy. The length of probationary periods shall be as established by civil service commission rules and regulations.

(1953 Code, ch. 10, § 23; Ord. No. 1980, § 2, 11-16-59; Ord. No. 5000, § 9, 6-25-79; Ord. No. 5398, § 1, 6-29-81; Ord. No. 5598, § 1, 6-28-82; Ord. No. 6735, § 2, 7-6-87; Ord. No. 7004, § 5, 7-5-88; Ord. No. 7243, §§ 2, 3, 7-3-89)

Sec. 10-37. Reallocation.

Sec. 10-37(1). Reallocation of positions compensated under skill based pay components of the compensation plan.

(a) When a position is reallocated to a classification that is assigned to a skill based pay structure and the incumbent's skill level is greater than the incumbent's current pay level the incumbent shall receive a pay increase commensurate with the skill pay level and the incumbent's anniversary date shall be changed.

(b) When a position is reallocated to a classification that is assigned to a skill based pay structure and the incumbent's skill level is equal to the incumbent's current pay level or falls between two (2) points within the skill level band the incumbent shall move to the higher level in the range. The anniversary date shall not change. The incumbent must attain the assigned skill level within the next six (6) months to retain the assigned pay level.

(c) When a position is reallocated to a classification that is assigned to a skill based pay structure and the incumbent's current salary is higher than the incumbent's skill pay level the incumbent shall enter the structure with no change to current salary. The anniversary date shall not change. The incumbents shall not receive any further salary increases until the skill level for the assigned salary has been reached.

Sec. 10-37(2). Reallocation of positions compensated under performance based components of the compensation plan.

(a) When a position is reallocated to a classification that is assigned a higher salary range, an incumbent's anniversary date shall be changed and salary increased as though a promotion had occurred.

(b) When a position is reallocated to a classification assigned a lower salary range, an incumbent's salary shall not change if it is equal to either a step or a point within salary ranges but if falling between two (2) steps of a range, the incumbent's salary will not change until the next pay increase at which time the salary will move to the appropriate step within the salary range. The anniversary date shall not change.

(c) When a position is reallocated to a classification assigned a lower salary range an incumbent's salary shall not change if it is greater than the maximum for the classification. The incumbent shall not receive any further salary increases until salary ranges for the classification increase, permitting salary increases under regular administration of the compensation plan.

(Ord. No. 9399, § 3, 6-12-00; Ord. No. 9866, § 3, 6-23-03; Ord. No. 10003, § 3, 6-28-04; Ord. No. 10550, § 4, 6-17-08, eff. 7-1-08)

Sec. 10-37.1. Reserved.

Editor's note – Ordinance No. 8712, § 3, adopted June 10, 1996, repealed § 10-37.1. Formerly, such section pertained to increases in compensation for the pay for performance plan and derived from Ord. No. 8519, § 6, 6-12-95.

Sec. 10-37.2. Reserved.

Editor's note – Ordinance No. 8712, § 3, adopted June 10, 1996, repealed § 10-37.2. Formerly, such section pertained to increases in compensation for the recreation benchmark group and hourly classifications and derived from Ord. No. 8519, § 7, 6-12-95.

Sec. 10-38. Movement within salary ranges.

Movement within salary ranges shall be based upon performance components and or predicated on acquisition of skills set forth in skill based pay components of the compensation plan and also in accordance with the city managers directives for compensation administration.
(Ord. No. 10003, § 4, 6-28-04)

Sec. 10-39. Increases for exceptionally meritorious service.

Notwithstanding any other provision of article II of chapter 10, no person compensated under a performance based component of the compensation

plan may receive more than one (1) performance based compensation increase within a year, except for exceptionally meritorious service and then only upon the recommendation of the department head and with the approval of the city manager. Performance pay increases for exceptionally meritorious service will not exceed five (5) percent in addition to the basic performance based pay of five (5) percent or a total maximum of ten (10) percent in any twelve (12) month time period. Persons compensated under a skill based component of the compensation plan shall not receive increases for meritorious service but may receive up to three (3) skill based pay level increases per year as provided for by the structure of the skill based component of the compensation plan.

(Ord. No. 8519, § 8, 6-12-95; Ord. No. 10003, § 5, 6-28-04; Ord. No. 10550, § 5, 6-17-08, eff. 7-1-08)

Editor's note – Formerly, § 10-38.

Secs. 10-40 – 10-44. Reserved.

Editor's note – Sections 10-40 – 10-43 were repealed by § 1 of Ord. No. 7369, adopted Mar. 12, 1990. Section 10-40 dealt with transfers to different classes and was derived from the 1953 Code, ch. 10, § 26, and Ord. No. 5000, § 12. Section 10-41 dealt with reduction in pay on demotion to a lower class and was derived from the 1953 Code, ch. 10, § 27, and Ord. Nos. 5000, § 13, and 5237, § 2. Section 10-42 dealt with pay upon reemployment or reinstatement after separation and was derived from the 1953 Code, ch. 10, § 28, and Ord. No. 1980, § 3. Section 10-43 dealt with reallocation and was derived from Ord. No. 5000, § 15. Ord. No. 5000, § 16, adopted Jun 25, 1979, repealed § 10-44, which pertained to the deduction of lodging, transportation, etc., from compensation rates. The section had been derived from the 1953 Code, ch. 10, § 29.

Sec. 10-45. Computation of hourly rates.

Whenever it becomes necessary or desirable to compute compensation for service on an hourly basis, payment for part-time, emergency, temporary, overtime, or extra time service, and other similar cases, the computation shall be made by the city finance director under the direction of the city manager by applying any generally accepted payroll computation method for translating monthly salaries into equivalent hourly rates. The same formula shall be applied to compensation computations for all persons employed by the city.

(1953 Code, ch. 10, § 30; Ord. No. 7369, § 21, 3-12-90)

Sec. 10-46. Part-time employees to be paid by the hour.

Part-time employees shall be compensated at a rate only for the number of hours worked.
(1953 Code, ch. 10, § 31)

Sec. 10-47. Recruiting referral compensation for commissioned personnel.

(a) In addition to other compensation provided by Tucson Code Chapter 10, Article II employees who refer a police officer or firefighter applicant who is hired within one year of the referral shall receive two hundred dollars (\$200.00), as provided in section (b) following.

(b) In addition to other compensation provided by Tucson Code Chapter 10, Article II commissioned firefighter personnel who refer a firefighter applicant who is hired within one year of the referral shall receive two hundred dollars (\$200.00), as provided in section (c) following.

(c) The director of human resources is responsible for the administration of recruiting referral compensation, including, but not limited to, providing for criteria to determine an acceptable referral; establishing methods to match referrals with hiring; and approving referral compensation. Payment of recruiting referral compensation for firefighter referrals will occur upon the applicant's successful completion of the Academy.

(Ord. No. 9349, § 1, 2-7-00; Ord. No. 9405, § 1, 6-19-00; Ord. No. 9727, § 2, 6-24-02; Ord. No. 10165, § 2, 6-14-05; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10558, § 2, 6-25-08, eff. 6-22-08; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16; Ord. No. 11558, § 2, 6-5-18, eff. 6-24-18; Ord. No. 11611, § 3, 12-18-18)

Editor's note – Ord. No. 10900, § 2, adopted June 28, 2011, ratified, reaffirmed, and reenacted this section for Fiscal Year 2012. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective July 1, 2011. Ord. No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are

implemented for all classified and unclassified employees, effective June 25, 2017. Ord. No. 11659, § 2, adopted June 18, 2019, ratified, reaffirmed, and reenacted this section for Fiscal Year 2020. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 23, 2018.

Sec. 10-48. Supplement to military pay.

City employees, who pursuant to state law are entitled to military leave without loss of pay for a period not to exceed thirty (30) days in any two (2) consecutive years and fire commissioned personnel who are entitled by section 22-90(4) to military leave not to exceed thirty (30) days in one (1) year, will, when called to active duty which exceeds either of the preceding thirty (30) day periods for a period that exceeds thirty (30) consecutive days, receive pay to supplement their military base pay and allowances to the equivalent of their regular rate of city pay during the following time period and pursuant to the conditions hereafter provided:

- (1) The supplemental pay will commence July 1, 2002, but pursuant to Tucson Code section 10-31(1), shall expire annually subject to re-adoption and reenactment as part of the annual compensation plan for the succeeding fiscal year.
- (2) Supplemental military pay is an amount calculated to make the employee's military base pay and allowances equivalent to the monthly amount of the employee's regular rate of city pay as set forth in the adopted annual compensation plan that the employee would have received, were the employee not on active duty.
- (3) The employee performs extended military service, meaning for a period exceeding thirty (30) consecutive days.
- (4) The thirty (30) day period of military leave for which the employee is entitled to pay by state law or section 22-90(4) during military service has been or becomes exhausted during the period of military service.
- (5) The employee's base monthly military pay and allowances during any qualifying period is less than the amount the employee would have received as the employee's regular rate of pay per month from city employment were

the employee not on active duty and as provided for in the city annually adopted compensation plan.

- (6) The employee provides proof of military service, hostile fire/imminent danger assignment, base military pay and allowances pursuant to procedures to be established by the human resources director. The director shall certify that the employee's base military pay and allowances received per month is less than the amount the employee would have received as his regular rate of city pay per month were the employee not on active duty before any payment of supplemental military pay will be made to an employee.

(Ord. No. 9641, § 1, 12-10-01; Ord. No. 9709, § 1, 6-3-02; Ord. No. 9866, § 4, 6-23-03; Ord. No. 10003, § 6, 6-28-04; Ord. No. 10165, § 2, 6-14-05; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10675, § 2, 6-2-09, eff. 7-1-09; Ord. No. 10806, §§ 2, 3, 6-15-10, eff. 7-1-10; Ord. No. 10814, § 1, 7-7-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, §§ 2, 4, 6-7-16, eff. 6-26-16; Ord. No. 11398, § 1, 9-7-16, eff. 6-26-16)

Editor's note – Ord. No. 11180, § 2, adopted June 3, 2014, ratified, reaffirmed, and reenacted this section for Fiscal Year 2015. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 29, 2014. Ord. No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017. Ord. No. 11558, § 2, adopted June 5, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019. Ord. No. 11611, § 3, adopted December 18, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019. Ord. No. 11659, § 2, adopted June 18, 2019, ratified, reaffirmed, and reenacted this section for Fiscal Year 2020. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 23, 2018.

Sec. 10-49. Holiday and BOI pay for commissioned officers of the Tucson police department of the position of lieutenant and assignment positions of captain and assistant chief.

(a) In addition to the compensation authorized by section 10-31, commissioned officers of the position of lieutenant and assignment positions of captain and assistant chief shall receive holiday pay for any holiday worked which shall result in one (1) extra day of pay for that holiday.

(b) In addition to the compensation authorized by section 10-31, commissioned officers of the position of lieutenant and assignment positions of captain and assistant chief shall receive one (1) day of board of inquiry pay when called out to serve on a boards of inquiry. Board of inquiry pay shall be equivalent to one (1) day of pay at the regular rate of pay for the employee who is called out. No more than one (1) day of board of inquiry pay shall be received by any employee for the same board.

(Ord. No. 10003, § 7, 6-28-04; Ord. No. 10165, § 2, 6-14-05; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10675, § 2, 6-2-09, eff. 7-1-09; Ord. No. 10806, §§ 2, 3, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16)

Editor's note – Ord. No. 11180, § 2, adopted June 3, 2014, ratified, reaffirmed, and reenacted this section for Fiscal Year 2015. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 29, 2014. Ord. No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017. Ord. No. 11558, § 2, adopted June 5, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019. Ord. No. 11611, § 3, adopted December 18, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019. Ord. No. 11659, § 2, adopted June 18, 2019, ratified, reaffirmed, and reenacted this section for Fiscal Year 2020. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 23, 2018.

Sec. 10-50. Reserved.

Editor's note – Prior to the reenactment of § 10-49 by Ord. No. 10003, Ord. No. 7369, § 1, adopted March 12, 1990, repealed § 10-49 relating to compensation of craftsmen in building trades, derived from the 1953 Code, ch. 10, § 34, and § 10-50, declaring the state prevailing wage scale a public record, derived from Ord. No. 2279, § 1, adopted March 19, 1962.

Sec. 10-51. Basic working hours; alternate work schedules for city employees are authorized subject to city manager approval.

(a) The number of basic working hours for each full time employee shall be forty (40) hours per week, except that in the fire department the work week may be modified as permitted by the Fair Labor Standards Act, but such work week shall not be less than forty (40) hours per week.

(b) Pursuant to A.R.S. § 23-391(B), city employees are authorized to work forty (40) hours in fewer than five (5) working days subject to their classification being approved by the city manager if, in his discretion, city services can be maintained or improved.

(c) The city manager is also authorized, consistent with subsections (a) and (b) above, to review and approve additional alternate work schedules for city employees if the city manager decides, in his discretion, that city services can be maintained or improved. (1953 Code, ch. 10, § 38; Ord. No. 1980, § 8, 11-16-59; Ord. No. 3318, § 1, 9-2-69; Ord. No. 5000, § 14, 6-25-79; Ord. No. 7369, § 22, 3-12-90; Ord. No. 9183, § 1, 1-4-99)

Sec. 10-52. Longevity compensation plan.

The longevity compensation plan is hereby adopted and is designed to reward continuous satisfactory service in municipal employment in all classes of positions both classified and unclassified according to the following schedule:

Years of Service	Percent of Annual Salary of Longevity Premium
0 through 5th year	0
Beginning of 6th year through end of 10th year	4
Beginning of 11th year through end of 15th year	6
Beginning of 16th year through end of 20th year	8
Beginning of 21st year and following	10

Payment of longevity premium will be subject to the following:

- (1) *Years of service.* These are considered as years of full-time service as a city employee of any class beginning with the starting date of the employee's first appointment. Any time served as a part-time employee (working less than twenty-one (21) hours per week or less than forty-two (42) hours per pay period) will not count toward eligibility for longevity pay. Any time in a leave-without-pay status in excess of ten (10) continuous working days will not count as time of service for longevity eligibility, but also will not be considered as a break in service. Military leave will fully count toward eligibility for longevity pay.
- (2) *Method of payment.* The longevity premium will be paid in two (2) semi-annual installments: Half of the annual amount on the payday for the pay period in which June 1 falls, and half on the payday for the pay period in which December 1 falls. This is done so as to provide additional funds when needed most: around June 1 for vacation expenses, and around December 1 for holiday expenses. Employees becoming eligible for longevity compensation for the first time or becoming eligible for an increased increment will receive the first longevity premiums or increment increase amount on a pro rata basis for the period of eligibility in a method to be determined by the finance department.

- (3) *Percentage of annual pay.* The amount of longevity pay will be based on the stated fixed percentage of the salary actually received by the employee during the six-month period immediately preceding the dates upon which longevity payments shall be made, as set forth in subsection (2) hereof. For purposes of this section the term "salary actually received by the employee" shall not include salary received in excess of the base pay.
- (4) *Deductions.* Longevity pay will be subject to all applicable taxes and pension deductions. Such deductions will be made from longevity pay for amounts withheld.
- (5) *Table.* A table of longevity payments will be established by the finance department showing semiannual longevity payment amounts at each pay step for each "percentage of annual pay" and will be available for use of all concerned.
- (6) *Determination of eligibility.* The personnel department will be responsible for the accurate determination twice each year of each employee's length of service, including approved prior service credit, if any, and the resulting eligibility for the proper annual percentage of longevity pay.
- (7) *Eligibility for benefits.* The provisions of this section shall not be applicable to any individual entering into employment with the city on or after May 1, 1977.

(Ord. No. 3345, § 1, 10-16-69; Ord. No. 3597, § 1, 1-25-71; Ord. No. 4077, § 1, 8-6-73; Ord. No. 4330, § 1, 2-24-75; Ord. No. 4642, § 1, 5-2-77; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10675, § 2, 6-2-09, eff. 7-1-09; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16)

Editor's note – Ord. No. 11180, § 2, adopted June 3, 2014, ratified, reaffirmed, and reenacted this section for Fiscal Year 2015. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 29, 2014. Ord.

No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017. Ord. No. 11558, § 2, adopted June 5, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019. Ord. No. 11611, § 3, adopted December 18, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019. Ord. No. 11659, § 2, adopted June 18, 2019, ratified, reaffirmed, and reenacted this section for Fiscal Year 2020. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 23, 2018.

Sec. 10-53. Pipeline protection program; compensation.

(a) In addition to the compensation authorized by section 10-31, city water department employees, when assigned to the pipeline protection program and receiving training in the pipeline protection skills verified as necessary by the human resource director, shall receive a pay increase of seven and one-half (7 1/2) percent calculated on the employee's base salary as designated by the annual compensation plan.

(b) In addition to the compensation authorized by section 10-31, city water department employees, when assigned to the pipeline protection program and fully trained in the pipeline protection skills verified as necessary by the director of human resources, shall receive a pay increase of ten (10) percent calculated on the employee's base salary as designated by the annual compensation plan.

(c) In accordance with Rule VI Section 8 of the Rules and Regulations of the Civil Service Commission of the City of Tucson, pipeline protection program work assignments are temporary and at the discretion of the director of the water department; assignment to and removal from the pipeline protection program is not appealable to the city service commission.

(d) The director of human resources is responsible for the administration of pipeline protection program compensation, including, but not limited to, fixing competency and proficiency standards and setting criteria to be utilized by the water department

director when making a pipeline protection program assignment.

(Ord. No. 9519, § 1, 2-26-01; Ord. No. 9727, § 2, 6-24-02; Ord. No. 10165, § 2, 6-14-05; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10675, § 2, 6-2-09, eff. 7-1-09; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16)

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Sec. 10-53.1. Permanent and probationary city civil service employees and elected officials and appointed employees downtown allowance.

(a) An allowance of twenty-five dollars (\$25.00) per month shall be paid to permanent city civil service employees and elected officials and appointed employees working in the downtown city area bounded by 6th Street as the Northern Border, 12 Street as the Southern Border, I-10 as the Western Border and 4th Avenue as the Eastern Border, subject to the exception of subparagraph (b) following.

(b) Permanent and probationary city civil service employees and elected officials and appointed employees, working within the downtown boundaries of subparagraph (a) who utilize an assigned marked city vehicle for all or part of their commute, are

provided parking by a city department, or receive a vehicle allowance instead of an assigned city vehicle are excepted from the allowance. Additionally, permanent and probationary employees and appointed employees of the Tucson Police Department, Fire Department and the Tucson Convention Center are excepted from the allowance.

(Ord. No. 9558, § 1, 6-11-01; Ord. No. 9608, § 1, 10-1-01; Ord. No. 9727, § 2, 6-24-02; Ord. No. 10165, § 2, 6-14-05; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10633, § 1, 2-10-09, eff. 1-1-09; Ord. No. 10675, § 4, 6-2-09, eff. 7-1-09; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16)

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Sec. 10-53.2. Maintenance management program, assignment and incentive pay compensation.

(a) City water department employees assigned to the maintenance management program team shall receive incentive pay of three hundred dollars (\$300.00) provided the team fully achieves quarterly team performance metrics, as verified by the director of human resources.

(b) Maintenance management program work assignments are at the discretion of the director of the water department; assignment to and removal from the

maintenance management program is not appealable to the civil service commission

(c) The director of human resources is responsible for the administration of incentive pay associated with the maintenance management program. The human resources director shall fix competency and proficiency standards, verify and competencies and set criteria to be utilized by the water department director when making a maintenance management program assignment and verify that performance team metrics are met before any quarterly incentive payment is made.

(d) This section is subject to annual readoption and reenactment by the mayor.

(Ord. No. 9797, § 1, 12-9-02; Ord. No. 10003, § 8, 6-28-04; Ord. No. 10165, § 2, 6-14-05; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10675, § 2, 6-2-09, eff. 7-1-09; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16)

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Sec. 10-53.3. Career enhancement program (CEP) incentive pay for commissioned police personnel through rank of captain.

(a) A career enhancement program (CEP) with a biannual compensation incentive for educational

attainment, participation in special assignments and fitness levels is authorized. It shall be developed and administered by the police department with the human resources director having program oversight and control. This oversight and control shall include approval of any competency and proficiency standards, educational standards and other such criteria. The human resources department shall verify that program requirements are met and/or maintained before any biannual compensation is made to anyone authorized to participate in the CEP.

(b) There shall be three (3) levels of graduated CEP pay based on points:

- (1) Level One, 20 points \$150.00
- (2) Level Two, 30 points \$250.00
- (3) Level Three, 40 points \$350.00

(c) Commissioned police personnel through rank of captain participating in the CEP will receive CEP biannual incentive compensation dependent on CEP points attained. Compensation will be paid biannually on the second payday in March and September, except for the first payment after commencement of the program, which shall be paid on the second payday of June, 2005. To be eligible for the biannual payments, points must be attained prior to the cutoff date for submitting the form for processing payment. The form must be correctly submitted no later than February 28, for the March payment and August 31 for the September payment, except that the form for the first payment after commencement of the program must be submitted no later than April 1, of 2005.

(d) Annual compensation recommendations for CEP will be on a total compensation basis and not on top of or in excess of the salary/benefits budget and will be addressed through the normal budgeting process and is subject to annual re-adoption and reenactment by the mayor and council as part of the annual compensation plan.

(Ord. No. 10136, § 1, 3-22-05; Ord. No. 10165, § 2, 6-14-05; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10675, § 2, 6-2-09, eff. 7-1-09; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16)

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Sec. 10-53.4. Additional compensation for certain public safety command staff.

The following public safety classifications shall receive four thousand dollars (\$4,000.00) annually in addition to the compensation provided in the Annual Compensation Plan Schedules to be paid biweekly.

The classifications to receive this additional compensation are police lieutenant, police lieutenant-assignments to captain and assistant police chief, fire battalion chief, and fire battalion chief-assignments to staff and assistant fire chief.

(Ord. No. 10289, § 5, 6-27-06; Ord. No. 10426, § 3, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10675, § 2, 6-2-09, eff. 7-1-09; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 3, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16)

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Sec. 10-53.5. Honor guard assignment pay for fire commissioned personnel.

Commissioned fire guard personnel assigned to the Tucson Fire Department Honor Guard by the fire chief shall receive twenty-five dollars and thirty cents (\$25.30) per pay period in addition to compensation provided by the Annual Compensation Plan Schedules. (Ord. No. 10289, § 6, 6-27-06; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10675, § 2, 6-2-09, eff. 7-1-09; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16)

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Sec. 10-53.6. Reserved.

Editor's note – Section 10-53.6, additional compensation to defray housekeeping costs for commissioned fire personnel, was repealed by § 4 of Ord. No. 11291, adopted August 5, 2015, effective July 12, 2015. The section had been derived from Ord. Nos. 10426, 10558, and 11273.

Sec. 10-53.7. Certified crane operator assignment and incentive pay program.

(a) In addition to the compensation authorized by section 10-31, city water department employees, trained, certified, and licensed for the operation and maintenance of telescopic boom cranes (TSS) boom truck fixed cab (BTF), shall receive a pay increase of five dollars per hour (\$5.00) added to the employee's base salary as designated by the annual compensation plan when assigned to and during the operation of the telescopic boom cranes.

(b) Telescopic boom crane operation work assignments are temporary and at the discretion of the director of the water department; assignment to and removal from (TSS) (BTF) crane operation is not appealable to the city civil service commission.

(c) The director of human resources is responsible for the administration of certified crane operator and assignment compensation, including, but not limited to, fixing competency and proficiency standards and setting criteria to be utilized by the water department director when making a certified crane operator assignment.

(Ord. No. 11240, § 1, 2-4-15; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16)

Editor's note – Ord. No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017. Ord. No. 11558, § 2, adopted June 5, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019. Ord. No. 11611, § 3, adopted December 18, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019. Ord. No. 11659, § 2, adopted June 18, 2019, ratified, reaffirmed, and reenacted this section for Fiscal Year 2020. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 23, 2018.

Sec. 10-53.8. Certified compressed natural gas inspector assignment and incentive pay program.

(a) In addition to the compensation authorized by section 10-31, compensation in the amount of seventy-

six dollars and ninety-two cents (\$76.92) per pay period shall be paid to general services department employees certified as Compressed Natural Gas (CNG) Inspectors, accepted in the CNG Inspection program, and assigned to perform CNG inspections.

(b) Assignment to the CNG program is temporary and at the discretion of the director of the general services department; assignment to and removal from the CNG Program is not appealable to the city civil service commission.

(c) The director of human resources is responsible for the administration of certified Compressed Natural Gas Inspector and assignment compensation, including, but not limited to, fixing competency and proficiency standards and setting criteria to be utilized by the general services department director when making a CNG inspector assignment.

(Ord. No. 11280, § 1, 6-23-15, eff. 7-1-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16)

Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016.

ARTICLE III. RESERVED

Sec. 10-54. Reserved.

Editor's note – Section 10-54, the executive pay plan, was repealed by § 1 of Ord. No. 7383, adopted Mar. 19, 1990. The section had been derived from Ord. Nos. 4850, 4940, 4985, 5164, 5399, 5599, 5798, 6040, 6264, 6735, 7004, 7243, 7275. See now § 10-31.

ARTICLE XXIV. COMMISSION ON FOOD SECURITY, HERITAGE, AND ECONOMY (CFSHE)

Sec. 10A-250. Creation.

The Commission on Food Security, Heritage, and Economy (CFSHE) is established.
(Ord. No. 11266, § 1, 5-5-15)

Sec. 10A-251. Membership composition; qualifications; terms and reappointment.

(a) *Members.* The CFSHE shall be composed of twelve (12) voting members, who shall serve without compensation. Members shall be appointed by mayor and council from the following nominations:

Two (2) members nominated by Local First Arizona, at least one (1) of which represents local restaurants or stores that purchase locally grown foods;

Two (2) members nominated by the Community Food Bank of Southern Arizona;

One (1) member nominated by the Pima County Food Alliance;

One (1) member nominated by the Southwest Folklife Alliance/Tucson Meet Yourself;

One (1) member nominated by Native Seeds/SEARCH;

One (1) member nominated by the Santa Cruz Valley Heritage Alliance;

One (1) member nominated by the Arizona-Sonora Desert Museum;

One (1) member nominated by the University of Arizona College of Public Health;

One (1) member nominated by the University of Arizona College of Agriculture and Life Sciences; and

One (1) member nominated by the Pima County Health Department.

(b) *Qualifications.* Members should be actively engaged in work or have technical expertise in the areas of food access and security; local food heritage; or local food production, distribution, or commercial purchasing/use. Members must reside or work within the Tucson metropolitan area.

(c) *Terms and reappointment.* Members shall serve for a term of four (4) years and may be re-appointed for up to one (1) additional term of four (4) years, but in no event may any individual serve more than a total of eight (8) continuous years.
(Ord. No. 11266, § 1, 5-5-15; Ord. No. 11649, § 1, 5-21-19)

Sec. 10A-252. Functions and purposes.

The CFSHE shall have the following functions and purposes, to the extent that they are consistent with the city's strategic plan:

- (a) Advising the mayor and council on matters relating to food security, food heritage, and the food economy.
- (b) Providing a common forum to the member organizations for discussion and coordination of activities.
- (c) Fostering cooperation and efficiency among the member organizations.
- (d) Developing food access, food security, nutrition, and economic development goals and targets; liaison with other U.S. and international communities to identify best practices; recommending strategies to meet those goals and targets; and identifying potential funding or other resources to implement those strategies.
- (e) Promoting ideas, practices, and programs to increase access to healthy foods, increase demand and markets for locally-produced foods, improve local food distribution, reduce food waste, expand composting and other uses of food waste, expand food industry job opportunities, and expand food entrepreneur support.

- (f) Evaluating city policies and regulations for their impact on local food production, food access and security, and nutrition, and making recommendations to improve such policies and regulations.
- (g) At the discretion and express direction of the mayor and council, assuming and undertaking such other tasks or duties as would facilitate the goals and objectives of the committee.

(Ord. No. 11266, § 1, 5-5-15)

Sec. 10A-253. Committee organization and rules.

(a) *Chairperson.* The CFSHE shall select from among its members a chair who shall serve a two (2) year term. The chair shall have responsibility for scheduling, presiding at, and directing the conduct of business at all CFSHE meetings.

(b) *Bylaws.* The CFSHE may adopt bylaws for its operations that are consistent with the Tucson Charter, Tucson Code, and other legal authority, and file them with the city clerk.

(c) *Meetings.* The CFSHE shall choose its own meeting dates, times, and places.

(Ord. No. 11266, § 1, 5-5-15)

Sec. 10A-254. Staff support; minutes.

Staff support shall be provided by the mayor's office to support the functions of the CFSHE, including maintaining minutes which shall be filed with the city clerk.

(Ord. No. 11266, § 1, 5-5-15)

Sec. 10A-255. Limitation of powers.

Neither the CFSHE nor any of its members may incur governmental expenses without prior authorization of the mayor and council, nor may the CFSHE or its members obligate the city in any way.

(Ord. No. 11266, § 1, 5-5-15)

Chapter 22

PENSIONS, RETIREMENT, GROUP INSURANCE, LEAVE BENEFITS AND OTHER INSURANCE BENEFITS*

- Art. I. In General, §§ 22-1 – 22-12**
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***Editor's note** – Ord. No. 10294, § 1, adopted June 27, 2006, amended the title of ch. 22 to read as herein set out. Prior to inclusion of said ordinance, ch. 22 was entitled, "Pensions, Retirement and Group Insurance." It should be noted that said ordinance is effective June 20, 2006.

The 1953 Code, ch. 20, §§ 1 – 24, provided for pensions and retirement. These sections were repealed by Ord. No. 1420, § 1, enacted Nov. 30, 1953. Terms and conditions of the repeal, appearing as ch. 20, §§ 25 and 26 in the 1957 supplement to the 1953 Code, have not been included in this Code because fully executed and rights thereunder are guaranteed by the present supplemental retirement systems, § 22-34 et seq.

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Cross reference – Civil service generally, ch. 10.

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- Sec. 22-104. Death benefit for employee group eligible for representation by CWA/TACE.

Sec. 22-97. Living Donor Leave.

(a) An employee is entitled to a paid leave of absence for the time specified for the following purposes:

- (1) Up to five (5) work days to serve as a bone marrow donor for a bone marrow transplant if the employee provides the employee's appointing authority with written verification that the employee is to serve as a bone marrow donor. This leave may include time spent on a screening process to determine whether the employee is a compatible donor, not to exceed one (1) day in any calendar year, if the employee provides written verification that the employee is participating in that process.
- (2) Up to thirty (30) work days to serve as an organ donor for a human organ transplant if the employee provides the employee's appointing authority with written verification that the employee is to serve as an organ donor. This leave may include time spent on a screening process to determine whether the employee is a compatible donor, not to exceed five (5) days in any calendar year, if the employee provides written verification that the employee is participating in that process.

(b) An employee who is granted a leave of absence pursuant to this section is entitled to receive base pay without interruption during the leave of absence. For the purposes of determining seniority, pay or pay advancement, credited service and/or for the calculation and receipt of any benefit that may otherwise be affected by a leave of absence, the service of the employee is considered uninterrupted by the leave of absence.

(c) The employer shall not penalize an employee for requesting or obtaining a leave of absence pursuant to this section.

(d) For the purposes of this section:

- (1) "Bone marrow" means the soft material that fills human bone cavities.
- (2) "Bone marrow transplant" means the medical procedure by which transfer of bone marrow

is made from the body of a person to the body of another person.

- (3) "Employee" means a probationary or permanent full-time or part-time employee.
- (4) "Human organ transplant" means the medical procedure by which transfer of an organ or part of an organ is made from the body of a person to the body of another person.
- (5) "Organ" means human organs or parts of an organ that are capable of being transferred from the body of a person to the body of another person.

(e) The director of human resources may prescribe rules and regulations for the administration of this section.

(Ord. No. 11534, § 1, 3-20-18)

Sec. 22-98. Public Safety Bridge Leave.

(a) Short-term paid Public Safety Bridge Leave may be authorized by the Chief of Police/Fire Chief or their designee to permanent commissioned employees of the police and fire departments for up to 30 consecutive calendar days with a maximum of three 30-calendar day extensions under the following circumstances:

- (1) The permanent commissioned public safety employee is deemed unfit for duty by a licensed mental health provider due to exposure to traumatic event(s) as defined in A.R.S. § 38-673 during their employment as a permanent commissioned employee with the Tucson Police Department or the Tucson Fire Department; and
- (2) The permanent commissioned public safety employee has applied for Worker's Compensation benefits for the specific event(s) the employee was deemed Not Fit for Duty under the Worker's Compensation Act, A.R.S. § 23-1043.01 and is awaiting final disposition of that claim; and
- (3) The permanent commissioned public safety employee has exhausted all Sick Leave, Earned Paid Sick Time, Vacation Leave, Compensatory Time, Donated Leave, or any

other leave provided as part of the permanent commissioned public safety employee's benefits package.

(b) If the permanent commissioned public safety employee's Worker's Compensation claim is accepted, the employee will be appropriately compensated under the Worker's Compensation Act. Public Safety Bridge Leave will be immediately terminated and the employee must repay all compensation received while on Public Safety Bridge Leave. If the Worker's Compensation claim is denied, the Public Safety Bridge Leave is immediately terminated and the employee's status changed to the appropriate leave without pay designation.

(Ord. No. 11642, § 1, 4-23-19)

Sec. 22-99. Reserved.

ARTICLE VI. OTHER INSURANCE BENEFITS

Sec. 22-100. Reserved.

Editor's note – Ord. No. 10425, § 5, adopted June 19, 2007, effective July 1, 2007, repealed § 22-100, which pertained to providing for other insurance benefits and derived from Ord. No. 9383, § 1, adopted May 15, 2000; Ord. No. 10005, § 1, adopted June 28, 2004; Ord. No. 10163, § 4, June 14, 2005.

Sec. 22-101. Death benefit for employee group eligible for representation by TPOA.

Effective June 1, 2008, the city shall provide a twenty-five thousand dollar (\$25,000.00) death benefit to the survivor of a city employee who is a member of the employee group eligible for representation by TPOA, who holds a permanent position in the classified service at the time of death, and who is killed while directly performing duties as a peace officer for the city. A survivor for the purposes of this section shall be the person(s) indicated as the beneficiary of the employee's pension or as otherwise provided by law. (Ord. No. 10005, § 1, 6-28-04; Ord. No. 10163, § 5, 6-14-05; Ord. No. 10557, § 4, 6-25-08, eff. 7-1-08; Ord. No. 10569, § 1, 7-8-08)

Sec. 22-102. Death benefit for employee group eligible for representation by IAFF.

The city shall provide a twenty-five thousand dollar (\$25,000.00) death benefit to the survivor of a city employee who is a member of the employee group eligible for representation by IAFF who holds a permanent position in the classified service at the time of death and who is killed while directly performing duties as a commissioned fire employee for the city, or who dies as a result of occupational illness or occupational exposure. A survivor for the purposes of this section shall be the person(s) indicated as the beneficiary of the employee's pension or as otherwise provided by law.

(Ord. No. 10005, § 1, 6-28-04; Ord. No. 10294, § 3, 6-27-06; Ord. No. 10557, § 5, 6-25-08, eff. 7-1-08)

Sec. 22-103. Death benefit for employee group eligible for representation by AFSCME.

The city shall provide a two thousand five hundred dollar (\$2,500.00) special death benefit to the survivor of a city employee who is a member of the employee group eligible for representation by AFSCME and dies while in the employ of the City of Tucson. Although the benefit will be paid without restriction, it is intended that it should be used for purposes of the employees funeral expenses. A survivor for the purposes of this section shall be the person(s) indicated as the beneficiary of the employee's pension or as otherwise provided by law.

(Ord. No. 10020, § 1, 8-2-04; Ord. No. 10557, § 6, 6-25-08, eff. 7-1-08)

Sec. 22-104. Death benefit for employee group eligible for representation by CWA/TACE.

The city shall provide twenty-five thousand dollars (\$25,000.00) death benefit to the survivor of a city employee who is a member of the employee group eligible for representation by CWA/TACE who holds a permanent position in the classified service at the time of death and who is killed while directly performing duties as an employee for the city, or who dies as a result of occupational illness or occupational exposure. A survivor for the purposes of this section shall be the person(s) indicated as the beneficiary of the employee's pension or as otherwise provided by law.

(Ord. No. 10557, § 7, 6-25-08, eff. 7-1-08)

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