ORDINANCE NO. 15-0446

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEOOD, WASHINGTON, AMENDING EDGEOOOD MUNICIPAL CODE CHAPTER 2.25- POLICE CHIEF THERE TO; RE-ESTABLISHING THE OFFICE OF POLICE CHIEF EFFECTIVE UPON THE CITY'S PENDING PLAN OF GOVERNMENT REORGANIZATION; DEFINING THE APPOINTMENT AND REMOVAL STANDARDS AND THE POWERS AND DUTIES OF SAID POSITION; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, by popular vote at the November 4, 2014 general election, the electors of the City of Edgewood approved the abandonment of the City's current council-manager plan of government and reorganization of the City under the mayor-council plan; and

WHEREAS, pursuant to Chapter 35A.12 RCW, the City Council desires to amend the City's current regulations establishing the office of Police Chief to administer the duties and assignments of said office, and to define the powers and duties and appointment and removal standards for said office; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDGEOOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendment of Chapter 2.25 EMC. Chapter 2.25 - Police Chief of the Edgewood Municipal Code is hereby amended to provide in its entirety as follows:

Chapter 2.25

POLICE CHIEF

Sections:

2.25.010 Office created; appointment and removal.
2.25.020 Duties.
2.25.030 Compensation

2.25.010 Office created; appointment and removal.
A. There is hereby created the office of police chief in and for the city, pursuant to the laws of the state of Washington. The position of police chief shall be appointed by the mayor, subject to confirmation by a majority vote of the city council. The police chief shall report to and serve at the pleasure of the mayor.

B. Prior to making an appointment under this section, the mayor shall cause a thorough background investigation of the appointee to be completed pursuant to RCW 35.21.334, or otherwise verify that such background investigation has been completed by another public agency with which the city has executed an interlocal agreement for law enforcement services.

C. Prior to his/her appointment, the appointee shall provide a sworn statement to the mayor verifying the appointee’s satisfaction of the eligibility requirements set forth at RCW 35.21.333.

2.15.020 Duties.

The police chief shall perform the duties and affairs of the office of the police chief and shall serve as the chief law enforcement officer of the city. Without limitation of the foregoing, the police chief shall have the following specific powers and duties:

A. The duties and responsibilities of the police chief shall include all duties and responsibilities prescribed by city ordinance or resolution, as well as the provisions of applicable state and federal law. The police department has all such authority, responsibility, and duties as are normal to municipal police departments of cities organized under the Optional Municipal Code of Title 35A RCW, including but not limited to, maintenance of the peace, issuance of citations, arrest and detention of persons committing criminal offenses or who are mentally ill, investigation of criminal activity, establishment and maintenance of intelligence files, production of scientific evidence, crime prevention, animal control, and such other duties as are set by ordinance of the city or by the laws of the state.

B. The police chief shall perform such other duties as may be now or hereinafter required by statute, ordinance, resolution or other lawful directive of the mayor and/or as directed by the city council.

2.25.030 Compensation.
Compensation for the position of police chief shall be set at the rate provided for in the annual budget adopted by the city council or as provide for by contract or interlocal agreement.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication; provided, that the provisions of Section 1 herein shall take effect immediately upon the effective date of the City’s pending plan of government reorganization, currently scheduled for August 2015.

Presented to Council for its First Reading on July 14, 2015

Presented to Council for its Second Reading on July 28, 2015

PASSED BY THE CITY COUNCIL ON THE 28th DAY OF JULY, 2015

Mayor, Daryl Eidinger

ATTEST/AUTHENTICATED:

Jane Montgomery

Acting City Clerk, Jane Montgomery, CMC

APPROVED AS TO FORM:

Zach Lell

City Attorney, Zach Lell

Date of Publication: July 30, 2015
Effective Date: August 4, 2015* (See Section 3)
LEGAL NOTICE

Date: July 29, 2015

NOTICE OF ORDINANCE PASSED BY EDGEWOOD CITY COUNCIL

The following is a summary of an Ordinance passed by the City of Edgewood City Council on the 28th day of July, 2015, and shall take effect and be in full force on the 4th day of August, 2015 except as provided in the Ordinance.

ORDINANCE NO. 15-0446

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, AMENDING EDGEEWOOD MUNICIPAL CODE CHAPTER 2.25- POLICE CHIEF THERETO; RE-ESTABLISHING THE OFFICE OF POLICE CHIEF EFFECTIVE UPON THE CITY’S PENDING PLAN OF GOVERNMENT REORGANIZATION; DEFINING THE APPOINTMENT AND REMOVAL STANDARDS AND THE POWERS AND DUTIES OF SAID POSITION; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

The full text of the Ordinance is available at the City Clerk’s office, Edgewood City Hall, 2224 - 104th Ave. East, Edgewood, WA 98371 (253) 952-3299.

[Signature]
Acting City Clerk, Jane Montgomery, CMC

Published in the Tacoma News Tribune on: July 30, 2015
Effective Date: August 4, 2015