

# Ordinance No. 00327

[Council meeting minutes of Dec 1 2003](#)

## ORDINANCE NO. 327

AN ORDINANCE of the City Council of the City of Lakewood, Washington, establishing a police department and creating a new Chapter 02.14 of the Lakewood Municipal Code.

WHEREAS, pursuant to RCW 35A.13.090 the City Council may create city departments upon the recommendation of the City Manager; and

WHEREAS, the City Council of the City of Lakewood, Washington, recognizes the safety of its citizens as a top priority; and,

WHEREAS, since incorporation, the City of Lakewood, through a contract with Pierce County for police services, has maintained a police presence and full use of its authority in that regard within its geographical boundaries and the responsibilities of the police department have included the protection of all persons and property located within the City of Lakewood and those areas covered by mutual aid and interlocal agreements; and

WHEREAS, the City Council of the City of Lakewood, Washington has determined that it is now in the best interest of its citizens to establish a City police department whose duties and responsibilities shall include the protection of all persons and property located within the geographical boundaries of the city, as now existing or as hereinafter created by annexation or incorporation, and including those areas that shall be covered by mutual aid agreements and interlocal agreements which services may include police services, public safety dispatch, public safety education, enforcement of municipal codes and state law violations and related duties as may be directed by the City Manager or pursuant to City Code or state law and as authorized by the Lakewood Municipal Code and ordinances; and

WHEREAS, pursuant to RCW 35A.13.090 the City Manager is recommending that the City of Lakewood create a police department.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN as Follows:

Section 1. That the City of Lakewood Police Department is hereby established and shall be charged with the following duties: to protect all persons and property located within the geographical boundaries of the city, as now existing or as hereinafter created by annexation or incorporation, and including those areas that shall be covered by mutual aid agreements and interlocal agreements which services may include police services, public safety dispatch, public safety education, enforcement of penal and other code enforcements as may be directed by the City Manager or pursuant to City Code or state law, and related duties.

Section 2. That a new Chapter 02.14 of the Lakewood Municipal Code be, and the same hereby is, created to read as follows:

### Chapter 02.14

#### Lakewood Police Department

02.14.010 Establishment.

02.14.020 Chief - Appointment

02.14.030 Police chief - Civil service exclusion.

02.14.040 Oath.

02.14.050 Members - Appointment and Commissions

02.14.060 Police Powers

02.14.070 Police Department Staffing

02.14.080 Community Service Officers

02.14.090 Additional Powers

02.14.100 Forfeited Items

02.14.010 Establishment:

There is established and created a police department to be operated under the direction and control of the city's chief law enforcement officer, the chief of police, subject to the supervision of the City Manager.

02.14.020 Chief- Appointment.

The chief of police shall be appointed by the City Manager, and may be removed by the city Manager. Removal shall be in accordance with law and the policies of the City of Lakewood.

02.14.030 Police chief--Civil service exclusion.

Pursuant to RCW 41.12.050, the position of police chief is excluded from civil service for city police.

02.14.040 Oath. The Chief shall take an oath to uphold the laws of the City of Lakewood, hereinafter referred to as the City.

The Chief shall take an oath to uphold the laws of the City of Lakewood, hereinafter referred to as the City.

02.14.050 Members - Appointment and Commissions

All personnel below the rank of chief shall be appointed and commissioned by the chief in accordance with the applicable law, ordinance, rule or regulation relating to civil service except as exempted in accordance with RCW 41.12.050 and may be removed by the City Manager or Chief subject to any applicable law, ordinance, rule or regulation then in force and effect. No police commission, regular, temporary or honorary, shall be issued to any person until such person has been certified for a regular or provisional appointment to fill an authorized personnel vacancy by the civil service commission in accordance with such rules and regulations relating to civil service then in force and effect.

02.14.060 Police Powers.

The chief of police and all commissioned police personnel shall have the powers granted, with duties imposed by the laws of the state relating to chief of police and law enforcement personnel for code cities and the chief and all law enforcement personnel shall have the power and duty to enforce the ordinances of the city and to perform such other services as the laws of the state or the ordinances of the city may now or hereafter require including acts pursuant to inter-local cooperation acts and Mutual Aid Peace Officers Powers Act, pursuant to RCW 10.93.

02.14.070 Police Department Staffing:

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The police department shall be staffed by regular commissioned personnel in such numbers as shall be deemed necessary by the City Council pursuant to its adopted budget.

The Department may be supplemented by such support personnel as would be required to aid in the every day operations of a police department. Such support personnel, also known as clerical staff, shall not be commissioned officers or subject to any civil service regulations.

02.14.080 Community Service Officers. Community service officers, whether paid, or volunteer, part -time or full time, shall have limited powers and shall not be considered commissioned officers or a part of the civil service system.

Community service officers, whether paid, or volunteer, part -time or full time, shall have limited powers and shall not be considered commissioned officers or a part of the civil service system.

02.14.090 Additional Powers.

The Chief of Police is authorized to engage in forfeiture hearings and proceedings according to RCW 69.50 and to appoint a designee to act as a hearing examiner for those proceedings.

02.14.100 Forfeited Items:

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Forfeited property, real or personal pursuant to RCW 69.50 or pursuant to a court order, to wit, firearms, shall not be retained by the department but shall be sold at auction or destroyed, whichever is most appropriate.

Section 3. Severability. If any portion of this Ordinance or its application to any person or circumstances is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 4. Effective Date. That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary.

ADOPTED by the City Council this 1st day of December, 2003.

CITY OF LAKEWOOD

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Bill Harrison, Mayor

Attest:

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Alice M. Bush, CMC, City Clerk

Approved as to Form:

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Heidi Ann Wachter, City Attorney

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