

# Ordinance No. 00369

[Council meeting minutes of Jan 3 2005](#)

## ORDINANCE NO. 369

AN ORDINANCE of the City Council of the City of Lakewood, Washington, amending Chapter 2.14 of the Lakewood Municipal Code, Section 2.14.070, 2.14.080 and 2.14.090 relating to the Lakewood Police Department.

WHEREAS, the City Council of the City of Lakewood, Washington, has previously adopted ordinance 327 which created Chapter 2.14 of the Lakewood Municipal Code to establish the Lakewood Police Department; and

WHEREAS, Chapter 2.14 specifically addresses which specific members of the Lakewood Police Department are included in the civil service; and

WHEREAS, it was the intent of the City Council to include all full-time members of the police department into the civil service with the exception of those exempted in accordance with RCW 41.12.050; and

WHEREAS, the Lakewood City Council has previously adopted ordinance 338 amending Lakewood Municipal Code 2.14.080 to include Community Service Officers in the Civil Service System, an act which is consistent with the language of RCW 41.12.050 ; and

WHEREAS Section 2.14.070 of the Lakewood Municipal Code did not include police support personnel within the definition of a civil service employee; and

WHEREAS sections 2.14.090 and 2.14.100 authorize the Chief of Police to engage in forfeiture proceedings pursuant to RCW 69.50, it is also the intent of the City Council to authorize the Chief to engage in all authorized forfeiture proceedings allowed by Washington State law.

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

Section 1. That Chapter 2.14 of the Lakewood Municipal Code, Section 2.14.070, be, and the same hereby is, amended to read as follows:

### **02.14.070 Police Department Staffing:**

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 a part of the civil service system.~~ Only full time employees may be a part of the civil service system. The positions of Administrative Secretary and Administrative Supervisor are exempt from the civil service system. (Ord. 327 ? 2 (part), 2003.)

Section 2. That Chapter 2.14 of the Lakewood Municipal Code, Section 2.14.080, be, and the same hereby is,

amended to read as follows:

**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. Only full-time Community Service Officers are a part of the civil service system. (Ord. 338 ? 1, 2004; Ord. 327 ? 1 (part), 2003.)

Section 3. That Chapter 2.14 of the Lakewood Municipal Code, Section 2.14.090, be, and the same hereby is, amended to read as follows:

**02.14.090 Additional Powers.**

The Chief of Police is authorized to engage in forfeiture hearings and proceedings according to RCW 69.50 ,~~or~~ RCW 10.105.010 and any other applicable state law, to appoint a designee to act as a hearing examiner for those proceedings.

Section 4. 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 5. 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 3<sup>rd</sup> day of January, 2005.

CITY OF LAKEWOOD

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Douglas G. Richardson, 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