



SEATTLE CITY COUNCIL

Legislative Summary

CB 118476

Record No.: CB 118476

Type: Ordinance (Ord)

Status: Passed

Version: 1

124848

In Control: City Clerk

File Created: 06/22/2015

Final Action: 09/11/2015

Title: AN ORDINANCE relating to the Seattle Police Department; authorizing the Chief of Police to issue Special Police Officer Commissions to qualified government employees to conduct limited law enforcement duties or to former police officers or parking enforcement officers to conduct traffic control; eliminating the authority to authorize Retired Police Officer Commissions; amending Section 3.28.150, and repealing Sections 3.28.450, 3.28.460, 3.28.470, and 3.28.480 of the Seattle Municipal Code.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Harrell

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: angela.socci@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	06/30/2015	Mayor's leg transmitted to Council	City Clerk			
	Action Text: The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk						
	Notes:						
1	City Clerk	06/30/2015	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	07/01/2015	sent for review	Public Safety, Civil Rights, and Technology Committee			

Action Text: The Council Bill (CB) was sent for review. to the Public Safety, Civil Rights, and Technology Committee

Notes:

1 Full Council 08/10/2015 referred Public Safety, Civil Rights, and Technology Committee

Action Text: The Council Bill (CB) was referred. to the Public Safety, Civil Rights, and Technology Committee

Notes:

1 Public Safety, Civil Rights, and Technology Committee 08/19/2015 pass 09/08/2015 Pass

Action Text: The Committee recommends that Full Council pass the Council Bill (CB).

Notes: Before the legislation goes before the Full Council on September 8, 2015, Brian Maxey (SPD) will reach out to affected constituent groups for feedback about legislation and forward the results to the Chair of the Public Safety, Civil Rights, and Technology Committee.

In Favor: 2 Member Bagshaw, Chair Harrell

Opposed: 0

1 Full Council 09/08/2015 passed Pass

Action Text: The Council Bill (CB) was passed by the following vote and the President signed the Bill:

Notes:

In Favor: 9 Councilmember Bagshaw, Council President Burgess, Councilmember Godden, Councilmember Harrell, Councilmember Licata, Councilmember O'Brien, Councilmember Okamoto, Councilmember Rasmussen, Councilmember Sawant

Opposed: 0

1 City Clerk 09/10/2015 submitted for Mayor's signature Mayor

Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor

Notes:

1 Mayor 09/11/2015 Signed

Action Text: The Council Bill (CB) was Signed.

Notes:

1 Mayor 09/11/2015 returned City Clerk

Action Text: The Council Bill (CB) was returned. to the City Clerk

Notes:

1 City Clerk 09/11/2015 attested by City Clerk

Action Text: The Ordinance (Ord) was attested by City Clerk.

Notes:

CITY OF SEATTLE
ORDINANCE 124848
COUNCIL BILL 118476

AN ORDINANCE relating to the Seattle Police Department; authorizing the Chief of Police to issue Special Police Officer Commissions to qualified government employees to conduct limited law enforcement duties or to former police officers or parking enforcement officers to conduct traffic control; eliminating the authority to authorize Retired Police Officer Commissions; amending Section 3.28.150, and repealing Sections 3.28.450, 3.28.460, 3.28.470, and 3.28.480 of the Seattle Municipal Code.

WHEREAS, Section 3.28.150 of the Seattle Municipal Code currently authorizes the Chief of Police to commission persons engaged in private security employment to assist the Police Department in enforcing laws; and

WHEREAS, the Seattle Police Department does not issue Special Police Officer Commissions to persons engaged in security work as such work is strictly regulated under Chapter 18.170 Revised Code of Washington; and

WHEREAS, the City of Seattle has a need for qualified persons with limited law enforcement authority to assist the Police Department where appropriate; and

WHEREAS, the City of Seattle has a need for qualified persons to conduct traffic control; and

WHEREAS, Section 3.28.450 of the Seattle Municipal Code currently authorizes the Chief of Police to grant Retired Police Officer Commissions to any Seattle Police Officer who has retired in good standing; and

WHEREAS a retired officer with a Retired Police Officer Commission has the same authority as an active police officer, may wear his or her Seattle Police Department uniform, and carry a weapon; and

1 WHEREAS, a retired officer with a Retired Police Officer Commission is not considered an
2 employee, has no assigned supervisor, is not required to have ongoing training or be
3 readily identifiable to the public distinctly from active duty officers, and is not subject to
4 discipline for violations of Seattle Police Department or City policy; and

5 WHEREAS, it is appropriate to amend Section 3.28.150 to grant the Chief of Police authority to
6 issue commissions that grant limited law enforcement authority to certain qualified City
7 employees or grant limited law enforcement authority to conduct traffic control to retired
8 police officers and parking enforcement officers; and

9 WHEREAS, it is appropriate to repeal Sections 3.28.450 through 3.28.480 to eliminate the
10 category of Retired Police Officer Commissions; NOW, THEREFORE,

11 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

12 Section 1. Section 3.28.150 of the Seattle Municipal Code, last amended by Ordinance
13 109759, is amended as follows:

14 **3.28.150 Commission—Issuance conditions.**

15 A. The Chief of Police may issue a Special Police Officer commission in accordance
16 with the provisions of this ((subchapter)) Subchapter II to:

17 1. ((a)) government employees whose appointment will assist the Police
18 Department in enforcing the laws and who have prior law enforcement training or experience
19 qualifying them for such duties; or

20 2. ((a)) persons formerly employed by the Police Department with training and
21 experience in traffic control for the purpose of conducting traffic control ((engaged in private

1 ~~security employment who is required to exercise police authority in his employment and whose~~
2 ~~appointment will assist the Police Department in enforcing the laws)).~~

3 B. The Chief shall grant to the person applying for the commission only that police
4 authority necessary to enable said person to accomplish the duties ~~((of his employment))~~
5 specified in the commission in accordance with this Section 3.28.150. A Special Police Officer
6 does not become an employee of the City by virtue of ~~((his))~~ such commission and is not eligible
7 for a City or LEOFF State pension by virtue of such commission.

8 Section 2. Subchapter V of Chapter 3.28 of the Seattle Municipal Code, is amended by
9 repealing Sections 3.28.450, 3.28.460, 3.28.470, and 3.28.480, all last amended by Ordinance
10 109757, as follows:

11 **Subchapter V - Retired Police Officers**

12 **Reserved.**

13 ~~((3.28.450 Commission—Conditions for granting—Authority of commissioned~~
14 ~~officer.~~

15 ~~——The Chief of Police at his discretion may grant a Retired Police Officer Commission to~~
16 ~~any Seattle Police Officer who is retired in good standing for service and not for disability. An~~
17 ~~officer so commissioned shall have the same authority as an active police officer; provided, that~~
18 ~~said authority shall not be exercised in the normal course of said officer's employment,~~
19 ~~profession, or calling; provided further, that said authority may be exercised in the normal course~~
20 ~~of said officer's private uniformed security employment. An officer so commissioned shall be~~
21 ~~subject to orders of the Chief of Police and the rules and regulations of the Police Department~~
22 ~~but does not become an employee of the City by virtue of his commission.~~

~~3.28.460 Commission—Request—Expiration and renewal.~~

~~A retired officer seeking a Retired Police Officer Commission shall submit a written request therefor to the Chief of Police. The Chief at his discretion may grant or deny the request. All commissions shall expire on January 15th of each year. Upon written request prior to expiration, the Chief at his discretion may renew a commission.~~

~~3.28.470 Requirements for commissioned officers.~~

~~A retired officer who has been granted a Retired Police Officer Commission shall:~~

~~A. Advise the Chief in writing of any change in his home or business address or telephone number, and of any change in the nature of any private employment engaged in; and~~

~~B. Maintain the skills and knowledge required of an active police officer.~~

~~3.28.480 Revocation of commission—Conditions.~~

~~The Chief may revoke a Retired Police Officer Commission for any violation of Police Department rules and regulations for mental or physical unfitness to serve as a police officer, or for engaging in employment inconsistent with service as a police officer. Any determination whether these grounds for revocation exist shall be at the sole discretion of the Chief of Police:~~

~~A. Arrest for, conviction of or plea of guilty to any felony, crime of violence or offense involving moral turpitude;~~

~~B. Revocation by the Chief of Police; or~~

~~C. Expiration of the commission.))~~

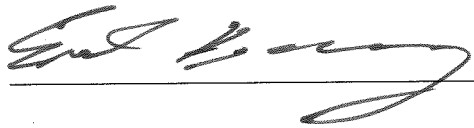
Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 8th day of September, 2015, and signed by me in open session in authentication of its passage this 8th day of September, 2015.



President _____ of the City Council

Approved by me this 11th day of September, 2015.



Edward B. Murray, Mayor

Filed by me this 11th day of September, 2015.



Monica Martinez Simmons, City Clerk

(Seal)

BILL SUMMARY & FISCAL NOTE

Department:	Contact Person/Phone:	Executive Contact/Phone:
Police Department	Brian Maxey	206-714-1903

1. BILL SUMMARY

Legislation Title:

AN ORDINANCE relating to the Seattle Police Department; authorizing the Chief of Police to issue Special Police Officer Commissions to qualified government employees to conduct limited law enforcement duties or to former police officers or parking enforcement officers to conduct traffic control; eliminating the authority to authorize Retired Police Officer Commissions; amending Section 3.28.150, and repealing Sections 3.28.450, 3.28.460, 3.28.470, and 3.28.480 of the Seattle Municipal Code.

Summary and background of the Legislation:

This legislation amends and modifies the existing Special Commission Ordinance allowing the Seattle Police Department Chief of Police to grant qualified government employees, former police officers or parking enforcement officers Special Police Officer Commissions to conduct limited law enforcement duties. This legislation will modify the scope of special commissions and eliminate the authority to authorize Retired Police Officer Commissions.

2. CAPITAL IMPROVEMENT PROGRAM

☐ This legislation creates, funds, or amends a CIP Project.

3. SUMMARY OF FINANCIAL IMPLICATIONS

☒ This legislation does not have direct financial implications.

4. OTHER IMPLICATIONS

- a) Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above?
No.
- b) Is there financial cost or other impacts of not implementing the legislation?
No.
- c) Does this legislation affect any departments besides the originating department?
This legislation modifies the revocation and administration of Police Special

Brian Maxey
SPD Special Commission SUM
June 19, 2015
#D1

Commissions and will affect government employees from the following City departments who hold Police Special Commission: Finance and Administrative Services (FAS), Seattle Department of Transportation (SDOT), Seattle Municipal Court (SMC), and Planning and Development (DPD).

d) Is a public hearing required for this legislation?

No.

e) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No.

f) Does this legislation affect a piece of property?

No

g) Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?

No.

h) If this legislation includes a new initiative or a major programmatic expansion: What are the long-term and measurable goals of the program? Please describe how this legislation would help achieve the program's desired goals.

N/A

i) Other Issues:

None.

List attachments below:

STATE OF WASHINGTON -- KING COUNTY

--SS.

328689

No. 124850,849,848,847,846

CITY OF SEATTLE, CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT: TITLE ONLY ORDINANCES

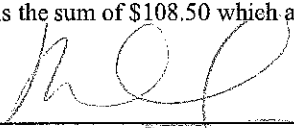
was published on

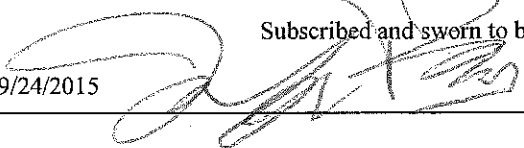
09/24/15

The amount of the fee charged for the foregoing publication is the sum of \$108.50 which amount has been paid in full.



Affidavit of Publication


Subscribed and sworn to before me on

09/24/2015


Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

Title Only Ordinances

The full text of the following legislation, passed by the City Council on September 8th, 2015, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Contact: Office of the City Clerk at (206) 684-8344.

Ordinance 124850

AN ORDINANCE relating to Historic Districts; adding a new Chapter 25.30 to the Seattle Municipal Code (SMC); creating the Sand Point Naval Air Station Landmark District; specifying the district's boundaries; adopting criteria for designating the district; establishing a procedure for preserving significant physical elements within the district; establishing the Sand Point Naval Air Station Landmark District Application Review Committee; providing for administration and enforcement of this Ordinance; and amending Section 22.900C.010 and Table C-1 for Section 22.900C.010 of the SMC to provide for the collection of fees for interpretation of Historic District regulations by the Department of Neighborhoods.

Ordinance 124849

An ORDINANCE related to the City's Emergency Management Program; adding Sections 10.02.045 and 10.02.047 to the Seattle Municipal Code (SMC) to refine the roles and responsibilities of the Office of Emergency Management; and amending Sections 10.02.050, 10.02.060, 10.02.070, 10.02.080, 10.02.090, 10.02.100, and 10.02.110 of the SMC to accommodate these refinements.

Ordinance 124848

AN ORDINANCE relating to the Seattle Police Department; authorizing the Chief of Police to issue Special Police Officer Commissions to qualified government employees to conduct limited law enforcement duties or to former police officers or parking enforcement officers to conduct traffic control; eliminating the authority to authorize Retired Police Officer Commissions; amending Section 3.28.150, and repealing Sections 3.28.450, 3.28.460, 3.28.470, and 3.28.480 of the Seattle Municipal Code.

Ordinance 124847

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the Superintendent of Parks and Recreation to execute, for and on behalf of the City, a concession agreement granting Fifth Avenue Sports, LLC d/b/a Green Lake Boathouse the right to operate a concession providing boat rental service, and retail and food sales at the Department's facility at Green Lake Park.

Ordinance 124846

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

Date of publication in the Seattle Daily Journal of Commerce, September 24, 2015.

9/24(328689)