

## ORDINANCE NO. 1224

### **AN ORDINANCE REQUIRING CRIMINAL HISTORY RECORD CHECKS ON ALL CITY VOLUNTEERS AND PROSPECTIVE CITY EMPLOYEES; AND DECLARING AN EMERGENCY.**

**WHEREAS**, pursuant to ORS 181.555(1) and OAR 257-10-015(1)(a), the Canby Police Department is a criminal justice agency that is authorized to access Oregon State Police computerized criminal history information via Law Enforcement Data Systems ("LEDS") as long as the criminal history is required to implement a local ordinance; and

**WHEREAS**, all City volunteers serve the public and therefore, are responsible for maintaining the public's safety, welfare and resources and have access to public funds and property, possess privileged and proprietary information and the ability to bind the City contractually; and

**WHEREAS**, all prospective employees likewise, may be responsible for maintaining the public's safety, welfare and resources and may have access to public funds and property similar to volunteers; and

**WHEREAS**, it is in the City's best interest to review criminal history information for all City volunteers and prospective employees to ensure that said volunteers and prospective employees have not committed crimes that pose a threat to the public or its resources; now therefore

#### **THE CITY OF CANBY ORDAINS AS FOLLOWS:**

**Section 1.** Anyone who has violated any federal or state criminal statute, or any city or county charter or ordinance, shall not be allowed to volunteer for the City of Canby, if the Canby Police Department and/or the Canby City Administrator concludes that the volunteer presents a danger to persons, public property, safety, health or general welfare.

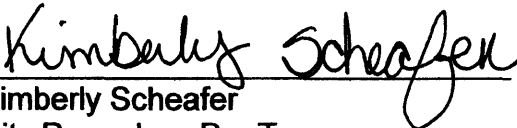
**Section 2.** Likewise, any prospective employee who has violated any federal or state statute, or any city or county charter or ordinance shall not be employed by the City of Canby, if the Canby Police Department and/or Canby City Administrator concludes that the prospective employee presents a danger to persons, public property, safety health or general welfare.

**Section 3.** In order to implement Sections 1 and 2 of this Ordinance, the Canby Police Department is hereby authorized to review the Oregon State Police

computerized criminal history information (LEDS) on everyone who applies for a volunteer position, or other employment position within the City of Canby. If investigation into the applicant's criminal history reveals prior convictions of a criminal nature, this information shall be reported to the Canby City Administrator immediately for determination of whether the applicant presents a danger to persons, public property, safety, health of general welfare.

**Section 4.** In order to implement this Ordinance to immediately serve the best interests of the citizens of the City of Canby, an emergency is hereby declared and this Ordinance shall take effect upon passage following second reading.

**SUBMITTED** to the Canby City Council and read the first time at a regular meeting thereof on October 4, 2006, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on October 18, 2006, commencing at the hour of 7:30 P.M. in the Council Meeting Chambers at Canby City Hall in Canby, Oregon.

  
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Kimberly Scheafer  
City Recorder - Pro Tem

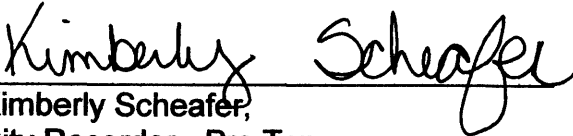
**PASSED** on second and final reading by the Canby City Council at a regular meeting thereof on the 18<sup>th</sup> day of October, 2006, by the following vote:

YEAS 5

NAYS 0

  
\_\_\_\_\_  
Melody Thompson, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Kimberly Scheafer,  
City Recorder - Pro Tem