

ORDINANCE 643

CITY OF LACEY

AN ORDINANCE RELATING TO PRIVATE PATROL SERVICES, REQUIRING A LICENSE, PROVIDING FOR MEANS OF IDENTIFICATION, REGULATING THE CARRYING OF A WEAPON AND ADDING A NEW CHAPTER, 5.22, TO THE LACEY MUNICIPAL CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, as follows:

Section 1. There is hereby added to the Lacey Municipal Code a new chapter, 5.22, to read as follows:

"Section 5.22.010. Definitions. For the purpose of this ordinance, the term 'private patrol service' shall be deemed to be any private service or system which purports to furnish or does furnish to members or subscribers for a consideration, or otherwise, any watchman, guard, patrolman, or other private police person, either uniformed or otherwise, to patrol, guard or watch any property or to perform any service customarily performed by public police agencies. The term shall include the performance of guard or security duty at a public function. Further, the term shall include those firms or individuals commonly identified as 'merchant patrol,' 'security patrol,' 'private police' or any other term used to indicate a similar purpose or organization and shall include one individual as well as a firm hiring more than one individual.

"Section 5.22.020. License Required. No person shall engage in performing private patrol services in the city without first obtaining a license from the city, nor shall any person carry a weapon while engaging in private patrol services unless permission has been granted as part of the issuance of the license.

"Section 5.22.030. Application for License. Applications for licenses issued herein shall be made to the City Clerk upon forms prepared and made available by the city to applicants and shall state:

"A. The full name, age, residence, present and previous occupations of the applicant, and if the applicant is a firm with employees who will perform private patrol services, the full name, age, residence, present and previous occupation of each of said employees;

"B. Such other information as the City Clerk shall find reasonably necessary to effectuate the purpose of this ordinance, including but not limited to an accurate set of fingerprints for each person who is to perform private patrol services;

"C. If the applicant intends to carry a weapon in the performance of private patrol services, the applicant shall attach proof of proficiency in the use of the weapon to said application.

"Section 5.22.040. Standards for Issuance of License. The Chief of Police shall cause an investigation to be made of the applicant and all employees of the applicant intending to perform private patrol services and shall issue a license to the applicant and each individual employee of the applicant who is to perform

private patrol services within twenty (20) days after the filing of said application and upon posting of the bond required by Section 5.22.070. Provided, however, if said investigation reveals that the applicant has been convicted of any felony or of any offense not constituting a felony but which, because of its nature, would render the applicant unfit for the performance of private patrol services within the city, the application of the applicant as well as all employees of the applicant should be denied. If said investigation reveals similar facts about an individual employee of the applicant, only that employee's application shall be denied. If the applicant or any of its employees indicate an intention to carry a weapon in the performance of such services, permission to do so shall be indicated upon the license or licenses only after the Chief of Police receives satisfactory proof of the applicant's proficiency in the use of said weapon.

"Section 5.22.050. Appeal Procedure. Any person or firm whose application for the performance of private patrol services has been denied, shall have the right to appeal said denial to the city council by filing an appeal with the Director of Administrative Services of the city within ten (10) days after the receipt of such denial. The city council shall proceed to hear said appeal and render its decision within thirty (30) days after appeal is filed.

"Section 5.22.060. License Fee. A non-refundable license fee in the sum of \$50.00 shall be paid upon filing of the

application by a firm for a private patrol services license. In addition, a non-refundable license fee for each employee applicant shall be paid in the sum of \$25.00. Each license shall be renewed annually prior to the 31st of January of each year and the renewal fee shall be \$50.00 for each private patrol services firm and an additional \$25.00 for each employee of said firm intending to perform private patrol services.

"Section 5.22.070. Any firm applying for a license under this chapter shall file with the city prior to the issuance of said license, a surety bond in the sum of \$10,000.00 running to the City of Lacey, and conditioned upon the faithful and honest conduct of such business by the applicant firm and each of its employees in compliance with the requirements of this chapter. Any person applying for a license who is not an employee of a firm which has posted a bond as set forth within this section, shall be considered a firm for purposes of this section.

"Section 5.22.080. Distinctive Identification Required. Any uniform worn by a licensee in performing private patrol services shall be distinctly different from the uniform worn by police officers of the City of Lacey and shall contain an identifying patch or badge of a shape and design different from that utilized by the Lacey Police Department which clearly indicates the private nature of the services performed with distinctive lettering of a size at least as large as any other lettering on said patch or badge. If a licensee utilizes an automobile in the performance of the services, the automobile

shall be of such a design, color or have insignia printed thereon that shall clearly identify the private nature of the services and distinguish said automobile from the patrol vehicles of the Lacey Police Department.

"Section 5.22.090. Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor."

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY,  
WASHINGTON, this 25<sup>th</sup> day of February, 1982.

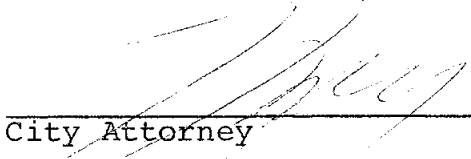
CITY COUNCIL

By   
Mayor

Attest:

  
City Clerk

Approved as to Form:

  
City Attorney

Passed: 2/25/82

Published: 3/3/82