

**AN ORDINANCE BY  
PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**AN ORDINANCE TO AMEND CHAPTER 98, LAW ENFORCEMENT, ARTICLE II, DEPARTMENT OF POLICE, DIVISION 2, PROMOTIONAL POLICY, SECTION 98-70, QUALIFICATIONS FOR ELIGIBILITY, OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, SO AS TO AMEND THE QUALIFICATIONS FOR ELIGIBILITY TO COMPETE FOR THE RANK OF POLICE SERGEANT SO THAT THEY DO NOT CONFLICT WITH THE MINIMUM QUALIFICATIONS TO BE ELIGIBLE TO COMPLETE FOR THE RANK OF POLICE SERGEANT AS SET FORTH IN CHAPTER 114, PERSONNEL, ARTICLE IV, CIVIL SERVICE, DIVISION 7, EXAMINATIONS, SUBDIVISION II, POLICE, FIRE AND CORRECTIONS PROMOTIONS, SECTION 114-236, MINIMUM QUALIFICATIONS TO COMPETE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta Code of Ordinances establishes a promotional system that provides for the selection of superior officers in the department of police based solely upon merit and fitness for promotion, as ascertained by job-related and valid selection procedures developed in accordance with the governing legal guidelines and appropriate professional standards; and

**WHEREAS**, this promotional system is to be utilized for the selection to the rank of police sergeant; and

**WHEREAS**, the qualifications for eligibility to compete for the rank of police sergeant are proscribed in Section 98-70(a)(1) of the City of Atlanta Code of Ordinances which sets forth that “an applicant must have had at least five years continuous service as a sworn member with the department of police immediately prior to the last date for filing an application;” and

**WHEREAS**, prior to February 28, 2006 the qualifications for eligibility to compete for the rank of police sergeant, as set forth in Section 98-70(a)(1), were mirrored in Section 114-236(a)(1) of the City of Atlanta Code of Ordinances; and

**WHEREAS**, on February 28, 2006, the Atlanta City Council adopted and the Mayor approved Ordinance 06-O-0274 which amended Section 114-236(a)(1) to reduce the number of years of continuous service a sworn member of the department of police must have prior to applying to compete for the rank of police sergeant; and

**WHEREAS**, as a result of this amendment, Section 114-236(a)(1) now provides that “[t]o be eligible to compete for the ranks of police sergeant . . . , an applicant must have had at least three years’ continuous service as a sworn member [of the department of police] immediately prior to the last date for filing an application;” and

.....  
**WHEREAS**, it is the desire of the City of Atlanta to resolve this conflict in the City of Atlanta Code of Ordinances such that the qualifications set forth in Section 98-70(a)(1) mirror the newly amended qualifications as set forth in Section 114-236(a)(1).

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS** as follows:

**SECTION 1.** That Chapter 98, Article II, Division 2, Section 98-70(a)(1), of the City of Atlanta Code of Ordinances which currently reads:

**Sec. 98-70. Qualifications for eligibility.**

(a) The rank specification, defined in section 98-61, shall designate the lower ranks from which promotions can be made provided that:

(1) To be eligible to compete for the rank of police sergeant, an applicant must have had at least five years continuous service as a sworn member with the department of police immediately prior to the last date for filing an application; and

be amended such as Chapter 98, Article II, Division 2, Section 98-70(a)(1), of the City of Atlanta Code of Ordinances shall read as follows:

**Sec. 98-70. Qualifications for eligibility.**

(a) The rank specification, defined in section 98-61, shall designate the lower ranks from which promotions can be made provided that:

(1) To be eligible to compete for the rank of police sergeant, an applicant must have had at least ~~five~~ **three** years continuous service as a sworn member with the department of police immediately prior to the last date for filing an application; and

**SECTION 2.** The amendment in this ordinance shall become effective immediately upon the Mayor's signature.

**SECTION 3.** That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel: s/Amber A. Robinson

Contact Number: 404-330-6494

Originating Department: Department of Law

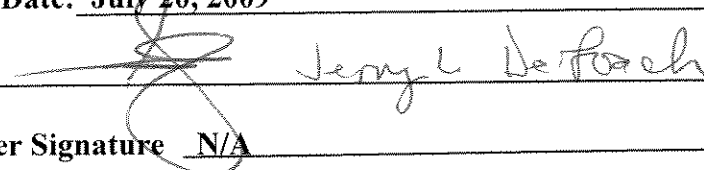
Committee(s) of Purview: Public Safety and Legal Administration

Council Deadline: June 18, 2009

Anticipated Committee Meeting Date(s): June 30 and July 14, 2009

Anticipated Full Council Date: July 20, 2009

Commissioner Signature



Chief Procurement Officer Signature N/A

**CAPTION**

TO AMEND CHAPTER 98, LAW ENFORCEMENT, ARTICLE II, DEPARTMENT OF POLICE, DIVISION 2, PROMOTIONAL POLICY, SECTION 98-70, QUALIFICATIONS FOR ELIGIBILITY, SO AS TO AMEND THE QUALIFICATIONS FOR ELIGIBILITY TO COMPETE FOR THE RANK OF POLICE SERGEANT SO THAT THEY DO NOT CONFLICT WITH THE MINIMUM QUALIFICATIONS TO BE ELIGIBLE TO COMPETE FOR THE RANK OF POLICE SERGEANT AS SET FORTH IN CHAPTER 114, PERSONNEL ARTICLE IV, CIVIL SERVICE, DIVISION 7, EXAMINATIONS, SUBDIVISION II, POLICE, FIRE, AND CORRECTIONS PROMOTIONS, SECTION 114-236, MINIMUM QUALIFICATIONS TO COMPETE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any)

Mayor's Staff Only

Received by CPO: \_\_\_\_\_

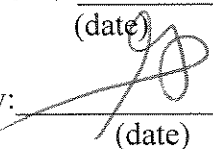
(date)

Received by LC from CPO: \_\_\_\_\_

(date)

Received by Mayor's Office: 6.15.09

(date)

Reviewed by: 

(date)

Submitted to Council: \_\_\_\_\_

(date)