

(Do Not Write Above This Line)

11-0-0939

AN ORDINANCE BY
COUNCILMEMBER
IVORY LEE YOUNG, JR.

TO AMEND CHAPTER 98, ARTICLE II, DIVISION 2, SECTION 98-70, (QUALIFICATIONS FOR ELIGIBILITY) AND CHAPTER 114, ARTICLE IV, DIVISION 7, SUBDIVISION II, SECTION 114-236, (MINIMUM QUALIFICATIONS TO COMPETE), SO AS TO INCREASE THE NUMBER OF YEARS OF CONTINUOUS SERVICE AS A SWORN MEMBER OF THE DEPARTMENT OF POLICE MUST POSSESS BEFORE THEY ARE ELIGIBLE TO COMPETE FOR THE RANK OF POLICE SERGEANT FROM THREE YEARS TO FIVE YEARS; TO FURTHER AMEND SECTION 114-236 TO INCLUDE MORE SPECIFIC DESCRIPTIONS OF THE APPROPRIATE CITY DEPARTMENT WHEREIN YEARS OF SERVICE MUST BE COMPLETED IN ORDER FOR MEMBERS TO BE ELIGIBLE TO COMPETE FOR CERTAIN PROMOTIONS; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

APPROVED BY:

ADOPTED BY

JUN 2 0 2011

IVORY LEE YOUNG, JR.

COUNCILMEMBER

CONSENT REFER

COUNCIL

REGULAR REPORT REFER

ADVERTISE & REFER

1st ADOPT 2nd READ & REFER

PERSONAL PAPER REFER

Date Referred 6/6/11

Referred To: Public Safety

Date Referred

Referred To:

Date Referred

Referred To:

First Reading
Committee _____
Date _____
Chair _____
Referred To _____

PSLA Committee

Date 6/14/11

Chair [Signature]

Action [Signature]

Fav. Adv. Hold (see rev. side)

Other _____

Members _____

Refer To [Signature]

Committee _____

Date _____

Chair _____

Action _____

Fav. Adv. Hold (see rev. side)

Other _____

Members _____

Refer To _____

Committee _____

Date _____

Chair _____

Action _____

Fav. Adv. Hold (see rev. side)

Other _____

Members _____

Committee _____

Date _____

Chair _____

Action _____

Fav. Adv. Hold (see rev. side)

Other _____

Members _____

Refer To _____

Refer To _____

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
Readings
 Consent V Vote RC Vote

CERTIFIED

CERTIFIED
JUN 2 0 2011

ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
JUN 2 0 2011

MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JUN 2 9 11

WITHOUT SIGNATURE
BY OPERATION OF LAW



AN ORDINANCE BY

COUNCILMEMBER IVORY LEE YOUNG, JR.

TO AMEND CHAPTER 98, ARTICLE II, DIVISION 2, SECTION 98-70, (QUALIFICATIONS FOR ELIGIBILITY) AND CHAPTER 114, ARTICLE IV, DIVISION 7, SUBDIVISION II, SECTION 114-236, (MINIMUM QUALIFICATIONS TO COMPETE), SO AS TO INCREASE THE NUMBER OF YEARS OF CONTINUOUS SERVICE AS A SWORN MEMBER OF THE DEPARTMENT OF POLICE MUST POSSESS BEFORE THEY ARE ELIGIBLE TO COMPETE FOR THE RANK OF POLICE SERGEANT FROM THREE YEARS TO FIVE YEARS; TO FURTHER AMEND SECTION 114-236 TO INCLUDE MORE SPECIFIC DESCRIPTIONS OF THE APPROPRIATE CITY DEPARTMENT WHEREIN YEARS OF SERVICE MUST BE COMPLETED IN ORDER FOR MEMBERS TO BE ELIGIBLE TO COMPETE FOR CERTAIN PROMOTIONS; 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 set forth in Section 98-70(a)(1), and in Section 114-236(a)(1) of the City of Atlanta Code of Ordinances; and

WHEREAS, on February 20, 2006, the Atlanta City Council adopted, and on February 28, 2006 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 from five years to three years; and

WHEREAS, on July 20, 2009, the Atlanta City Council adopted, and on July 28, 2009 the Mayor approved Ordinance 09-O-1177 which amended Section 98-70(a)(1) in order 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 from five years to three years, thereby removing a conflict between the language therein and the language in the 2006 amendment to Section 114-236(a)(1); and

WHEREAS, the rank of sergeant is the one of the most important and influential in the Atlanta Police Department, as it is the police sergeant who, based on their knowledge and



experience, directs the daily work of their subordinate police officers who in turn interact most directly with members of the community; and

WHEREAS, accordingly, the work of police sergeants can either enhance or weaken the community's perception of the Atlanta Police Department's professionalism, and therefore, an incumbent in the position of police sergeant must possess leadership, management, and competency skills; and

WHEREAS, it is the opinion of the Atlanta Police Department that these skills are developed over a time period in excess of three-years; and

WHEREAS, it is the desire of the City of Atlanta to ensure that police officers are given time to fully develop the skills a police sergeant must possess by amending Sections 98-70(a)(1) and 114-236(a)(1) of the City of Atlanta Code of Ordinances in order to increase 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 from three years to five years; and

WHEREAS, it is the desire of the City of Atlanta to further amend Section 114-236(a)(1) to include more specific descriptions of the appropriate city departments wherein years of service must be completed in order for members to be eligible to compete for certain promotions.

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 three 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 ~~three~~ **five** 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. That Chapter 114, Article IV, Division 7, Subdivision II, Section 114-236(a)(1), of the City of Atlanta Code of Ordinances which currently reads:

Sec. 114-236. Minimum Qualifications to compete.

(a) The rank specifications defined in section 114-227 shall designate the lower rank from which promotions can be made, provided that:

(1) To be eligible to compete for the rank of fire lieutenant, an applicant must have had at least five years' continuous service as a sworn member with the appropriate city department immediately prior to the last date for filing an application. To be eligible to compete for the ranks of police sergeant or corrections sergeant, an applicant must have had at least three years' continuous service as a sworn member with the appropriate city department immediately prior to the last date for filing an application.

be amended such as Chapter 114, Article IV, Division 7, Subdivision II, Section 114-236(a)(1), of the City of Atlanta Code of Ordinances shall read as follows:

Sec. 114-236. Minimum Qualifications to compete.

(a) The rank specifications defined in section 114-227 shall designate the lower rank from which promotions can be made, provided that:

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

SECTION 3. The amendment in this ordinance shall become effective immediately upon approval.

SECTION 4. That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

AAR

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk

ADOPTED by the Atlanta City Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

June 20, 2011

June 29, 2011

RCS# 1120
6/20/11
4:40 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	Y Watson
Y Young	B Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I