

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF GLADSTONE, MISSOURI, TO ESTABLISH THE POLICE DEPARTMENT, THE FIRE DEPARTMENT, AND CREATE THE POSITIONS OF CHIEF OF POLICE AND FIRE CHIEF.

WHEREAS, the City currently has a Department of Public Safety, in which there are contained both the police and fire divisions; and

WHEREAS, the Director of Public Safety currently leads the Department of Public Safety; and

WHEREAS, the City desires to dissolve the position of the Director of Public Safety, establish the positions of the Chief of Police and the Fire Chief; and separate the Department of Public Safety to create the Gladstone Police Department and the Gladstone Fire Department; and

WHEREAS, to effectuate such changes, it is necessary to implement numerous amendments to the Code of Ordinances; and

WHEREAS, the amendments to the Code of Ordinances are reflected in a document entitled "Exhibit A, City of Gladstone, Missouri, Public Safety Department Amendment 2021," on file and in the City Clerk's office; and

WHEREAS, the City has previously enacted various other amendments to the Code of Ordinances not reflected in Exhibit A, referred to above; and

WHEREAS, the necessary changes regarding the Public Safety Department to those certain previous amendments not contained in Exhibit A, or not otherwise set forth herein, are reflected in a document entitled "Exhibit B, Public Safety Department Amendment 2021, Prior Amendments," on file and in the City Clerk's office; and

WHEREAS, the City Council desires to amend the Code to dissolve the position of the Director of Public Safety; establish the positions of the Chief of Police and the Fire Chief; and separate the Public Safety Department to create the Police Department and the Fire Department.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI AS FOLLOWS:

Section 1. That the Code of Ordinances of the City of Gladstone, Missouri, is hereby amended to read as set forth in the document entitled "Exhibit A, City of Gladstone, Missouri, Public Safety Department Code of Ordinances Amendment 2021," on file and in the City Clerk's office.

Section 2. That the various amendments to the Code of Ordinances not reflected in Exhibit A, including those amendments enacted in Ordinance Nos. 4.513, 4.516, 4.522, 4.530, 4.531, 4.541,

4.549, 4.553, and 4.554 are not modified, amended or effected in any way except as otherwise set forth in Sections 3 & 4 herein.

Section 3. That certain amendments to the Code of Ordinances enacted but not yet reflected in Exhibit A (as described in Section 2), contain provisions that require amendment to reflect the changes sought herein, and those certain amendments are hereby amended to read as set forth in the document entitled “Exhibit B, Public Safety Department Amendment 2021, Prior Amendments,” on file and in the City Clerk’s office.

Section 4. That Section 5.110.3900 of the Code of Ordinances was amended on May 26, 2020, in Ordinance No. 4.516, and such amendment is not reflected in Exhibit A, and that Section 5.110.3900 of the Code of Ordinances of the City of Gladstone, Missouri is hereby amended to read as follows:

Section 5.110.3900. – Employee Permits.


- (a) All persons employed in the retail sale by the drink of alcoholic beverages or packaged alcoholic beverages must procure a permit to do so. To procure such a permit, each applicant shall submit an “Intent to Hire” form, must be fingerprinted by the Chief of Police or present a valid, Missouri state-issued identification with a Missouri Criminal History report dated within the last 30 days of application, submit to a photograph, complete an application form, and prove himself/herself to be a person of good moral character. On application, each applicant shall pay the sum of \$15.00 and shall be given a temporary card which will be good for a period not less than 30 days and may be extended to cover the period of time necessary for detailed investigation. On or before the expiration date of such temporary card, if the applicant meets the applicable requirements of the city and state, then such applicant will be given a permit card valid for three years from the date of the original application.
- (b) Upon the expiration of the permit card, the applicant may procure a new permit card in the same manner as before except no fingerprints will be required when and if a set of classified fingerprints of the applicant are in the files of the Chief of Police. The applicant must produce a valid, Missouri state-issued identification with a Missouri Criminal History report dated within the last 30 days of application and submit to a photograph. All permit cards shall bear a description of the applicant, identifying information (Missouri identification number, date of birth, and address) and photograph and shall be laminated to prevent alteration.
- (c) If any permitted employee shall be found guilty of violating or contributing to the violation of any of the provisions of this chapter, or is convicted of any crime, such employee’s permit card shall be subject to suspension or revocation; provided such permitted employee shall be given a hearing in the same manner as other license holders under this chapter.

- (d) It shall be unlawful for any licensee of any retail establishment to have in such licensee's employ, for the purpose of selling or assisting in the sale or delivery of alcoholic beverages, any person who does not have a permit card.
- (e) Individuals in possession of a valid permit to dispense alcohol may utilize the permit to sell alcohol by the drink or packaged alcohol at a different employer provided the employer has a valid license to sell alcohol by the drink or packaged alcohol, the individual submits the required "Intent to Hire" form from the new employer with a Missouri Criminal History report dated within the last 30 days of submission to the Chief of Police. No additional fee will be required.

Section 5. That this Ordinance shall be in full force and effect from and after the date of its passage and approval.

Section 6. That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

INTRODUCED, PASSED, SIGNED, AND MADE EFFECTIVE BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, ON THIS 14TH DAY OF JUNE, 2021.



R.D. Mallams, Mayor

ATTEST:



Ruth E. Bocchino, City Clerk

First Reading: June 14, 2021

Second Reading: June 14, 2021



Request for Council Action

RES # City Clerk Only

BILL # 21-20

ORD # 4.558

Date: 6/8/2021

Department: General Administration

Meeting Date Requested: 6/14/2021

Public Hearing: Yes Date: [Click here to enter a date.](#)

Subject: An Ordinance amending the code of Ordinances of the City of Gladstone, Missouri, to establish the Police Department, the Fire Department, and to create the positions of Chief of Police and Fire Chief.

Background: In 1968 the police and fire departments merged into the Public Safety Department under the leadership of the Director of Public Safety. At the time of the merger of the Police and Fire departments, the volunteer Fire Department had five drivers and a Chief, and the Police Department had fourteen Police Officers, a Chief, along with Reserve Police Officers. Following the consolidation of the Departments, all personnel became full-time and were cross-trained in police and fire services. In approximately 2000, the city realized that both emergency functions were becoming too specialized and they began filling vacancies within the Public Safety Department with personnel who were trained exclusively in the fields of Law Enforcement or Fire / Emergency Medical Services. With the recent retirement of the Public Safety Director, the City has determined the time is appropriate to formally split the Public Safety Department into separate Police and Fire Departments, each with their own Chief. The current Fire/EMS Division Chief will assume the title of Fire Chief and the City has contracted with Baker Tilly to conduct a national search for a qualified Police Chief. To formalize this new organizational structure, changes have to be made in the City Ordinances, which primarily remove the Public Safety and Public Safety Director references and replace them with Police Department, Fire Department, Chief of Police and Fire Chief respectively. The proposed Ordinance represents the necessary changes to the City Code and will formally allow the City to establish a separate Police and Fire Department.

Budget Discussion: Funds are budgeted in the amount of \$ 0 from the N/A Fund. Ongoing costs are estimated to be \$ 0 annually. Previous years' funding was \$0

Public/Board/Staff Input: Staff recommends approval by the City Council

Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Bob Baer
Department Director/Administrator

JM
City Attorney

SW
City Manager