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**ORDINANCE NO. 3664**

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF ECC 10.25.030 RELATING TO THE SCOPE OF THE CIVIL SERVICE SYSTEM, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

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WHEREAS, the Edmonds City Code establishes provisions regarding civil service coverage for its police department, which have not been amended for some years; and

WHEREAS, RCW 41.12.050 relating to scope of civil service coverage and the process for exclusion has been amended; and

WHEREAS, the City Council deems it to be in the public interest to incorporate the provisions of RCW 41.12.050; and

WHEREAS, the City Council wishes to provide for a right to return to vested civil service status where a chief was promoted from within the classified service; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The Edmonds City Code, Section 10.25.030 Scope is hereby amended to read as follows:

**10.25.030 Scope.**

The provisions of this chapter shall apply to all full-time police personnel of the City except as provided herein.

1. The position of police chief shall be exempt from civil service coverage. The police chief shall have the authority to

exclude an additional number of positions, to be designated the unclassified service. The number of such persons who may be designated shall be determined in accordance with the provisions of RCW 41.12.050.

2. The selection of specific provisions to be in the unclassified service and exempt from civil service shall be made by the police chief, who shall notify the Civil Service Commission of his or her selection. Subsequent changes in the designation of which positions are in the unclassified service may be made only with the concurrence of the police chief, the Mayor, and the Civil Service Commission, and then only after the Civil Service Commission has heard the issue in an open hearing.

3. If a position initially selected by the police chief to be in the unclassified service is in the classified civil service at the time of selection, and if the position is occupied, the employee occupying the position has the right to return to the next highest position or like position in the classified Civil Service.

4. When the Police Chief has been appointed from within the department and has previously established tenure within the classified service, he or she shall retain the civil service rank to which he or she has vested. The Chief serves at will and may be removed with or without cause at any time. In the event that the Chief is removed without cause, the Chief may, at his or her option, return to the last tenured position in the classified service. Civil service tenure may be terminated only for cause in accordance with the provisions of this chapter.

5. All appointments to and promotions in the classified service of the department shall be made solely on merit, efficiency and fitness except as specifically provided in RCW 35.13.360 through 35.13.400, which shall be ascertained by open, competitive examination and impartial investigation. No person in the unclassified service shall be reinstated in or transferred, suspended or discharged from any such place, position, or employment, contrary to the provisions of this chapter.

Section 2. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

APPROVED:

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MAYOR GARY HAAKENSON

ATTEST/AUTHENTICATED:

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CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY \_\_\_\_\_  
W. SCOTT SNYDER

FILED WITH THE CITY CLERK:	09/14/2007
PASSED BY THE CITY COUNCIL:	09/18/2007
PUBLISHED:	09/23/2007
EFFECTIVE DATE:	09/28/2007
ORDINANCE NO. <u>3664</u>	

**SUMMARY OF ORDINANCE NO. 3664**

of the City of Edmonds, Washington

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On the 18th day of September, 2007, the City Council of the City of Edmonds, passed Ordinance No. 3664. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF ECC 10.25.030 RELATING TO THE SCOPE OF THE CIVIL SERVICE SYSTEM, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

The full text of this Ordinance will be mailed upon request.

DATED this 19th day of September, 2007.

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CITY CLERK, SANDRA S. CHASE