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CITY OF SAN LUIS  
P.O. BOX 1170  
SAN LUIS, ARIZONA 85349  
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**FEE #: 2007 - 06102**

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REQ BY: CITY OF SAN LUIS  
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**CAPTION HEADING:**

**Ordinance No. 248**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY  
OF SAN LUIS, ARIZONA, MANDATING CRIMINAL  
BACKGROUND CHECKS FOR MUNICIPAL EMPLOYEES AND  
EMPLOYEES OF CONTRACTORS PROVIDING PUBLIC SAFETY  
SERVICES TO THE CITY OF SAN LUIS; REPEALING ANY  
CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY;  
AND DECLARING AN EMERGENCY**



OFFICE OF THE  
MAYOR  
CITY OF SAN LUIS

# *Ordinance*

## **ORDINANCE NO. 248**

### **AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, MANDATING CRIMINAL BACKGROUND CHECKS FOR MUNICIPAL EMPLOYEES AND EMPLOYEES OF CONTRACTORS PROVIDING PUBLIC SAFETY SERVICES TO THE CITY OF SAN LUIS; REPEALING ANY CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY**

Whereas the City desires to ensure that the public is served by employees of good background and especially desires that employees performing public safety related services be of good character and of appropriate background:

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of San Luis as follows:

Section 1: That all employees and public safety volunteers of the City of San Luis, either prior to employment or as a condition of employment, shall be required to undergo a criminal background check, to be performed by or through the Police Department of the City of San Luis as provided herein.

Section 2: That all employees and volunteers of service providers to the City who are performing public safety related services, including jail and detention services, shall be required to undergo a criminal background check, to be performed by or through the Police Department of the City of San Luis as provided herein.

Section 3: Each prospective and current employee of the City as well as service providers performing public safety related services, including jail and detention services, and each current and prospective public safety volunteer of the city, or such service provider, shall submit a full set of fingerprints to the City of San Luis' Police Department. These fingerprints shall be used to conduct a state and federal criminal records check pursuant to the provisions in A.R.S. 41-1750 and Public Law (PL) 92-544. The Arizona

Department of Public Safety is authorized to exchange this fingerprint data with the Federal Bureau of Investigation.

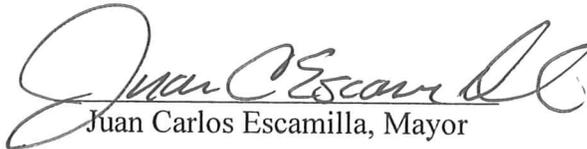
Section 4: In addition the provisions of Sections One through Three above, the Police Department is authorized to perform criminal background checks in the administration of criminal justice for providers of public safety services, including detention services, provided that said criminal background checks are fully compliant with State and Federal law.

Section 5: In the event of a conflict between the provisions of this Ordinance and any other ordinance, resolution, regulation, or policy of the City of San Luis, the conflicting provisions are hereby repealed, superseded, and replaced, and the provisions of this Ordinance shall govern.

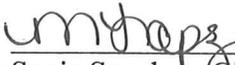
Section 6: If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 7: Whereas, it is necessary for the preservation of the peace, health, safety and welfare of the City of San Luis, Arizona, and for further reason that employees of the City and of providers of public safety related services that are presently being hired be of appropriate character and background so that the public is provided with the best quality service; that the administration of criminal justice occurs in a proper manner; and the best interests of the City require these provisions to go into immediate effect, an emergency is declared to exist, and this ordinance shall become immediately operative and in force from and after the date of posting hereof.

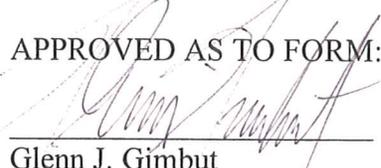
PASSED AND ADOPTED by the Mayor and Council of the City of San Luis, Arizona, this 14<sup>th</sup> day of February, 2007.

  
Juan Carlos Escamilla, Mayor

ATTEST:

  
For Sonia Sanchez, City Clerk

APPROVED AS TO FORM:

  
Glenn J. Gimbut  
City Attorney