

ORDINANCE NO. 2009-032

Adopted by the Sacramento City Council

July 14, 2009

AN ORDINANCE ADDING CHAPTER 3.82 TO THE SACRAMENTO CITY CODE RELATING TO DISPOSITION OF WEAPONS, BADGES AND CANINES

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

BACKGROUND

Section 1.

Chapter 3.82 is added to the Sacramento City Code to read as follows:

Chapter 3.82

Disposition of Weapons, Badges and Canines

3.82.010 Scope of Chapter

Notwithstanding any other provision of this code, this chapter shall control the disposition of the personal property covered by this chapter.

3.82.020 Disposition of Weapons

The chief of police may allow a police officer to purchase the officer's duty handgun at the time of his or her separation from city service, at the fair market value of the handgun. The chief of police shall determine an officer's standing with the city at the time of the officer's separation and will not permit the sale upon circumstances other than honorable separation. No portion of this section shall supersede the officer's need to meet all legal requirements to possess a firearm. At the time of sale, the officer shall sign a waiver of legal liability, releasing the city and its employees and agents from all liability or responsibility for anything that concerns the handgun.

3.82.030 Disposition of Badges

- a. The chief of police may allow the disposition of a police officer's badge to the officer at the time of his or her separation from city service, or upon the police officer's promotion to a higher rank.
- b. The fire chief may allow the disposition of a firefighter's badge to the firefighter at the time of his or her separation from city service.
- c. The city attorney may allow the disposition of a prosecutor's badge to the attorney at the time of his or her separation from city service.

- d. Any person receiving a badge under this section shall take reasonable measures to ensure against inappropriate or illegal use of the badge.

3.82.040 Disposition of Canines

The chief of police may allow the disposition of a police canine to a canine handler in a manner consistent with the terms in the labor agreement between the city and the recognized peace officers' union. If there are no relevant terms in the labor agreement, the chief of police shall have discretion regarding disposition of a police canine. At the time of disposition, the new owner shall sign a waiver of legal liability, releasing the city and its employees and agents from all liability or responsibility for anything that concerns the canine.

3.82.050 Property Not Disposed Pursuant to this Chapter

Any item subject to disposition under this chapter, but not disposed of pursuant to this chapter, shall be subject to disposition pursuant to Chapter 3.80.

3.83.060 Accrual of Rights Only Upon Transfer

The provisions of this chapter do not grant to any employee any rights or interests until such time as the ownership of the subject property has been transferred according to this chapter.

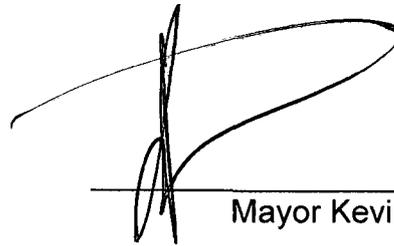
Adopted by the City of Sacramento City Council on July 14, 2009 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Johnson.

Noes: None.

Abstain: None.

Absent: None.



Mayor Kevin Johnson

Attest:



Dawn Bullwinkel, Assistant City Clerk

Passed for Publication: June 23, 2009

Published: June 26, 2009

Effective: July 14, 2009