

ORDINANCE 2009-14

ORIGINAL

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF SUNNYSIDE, WASHINGTON, AMENDING
SUPERSEDING AND REPLACING CHAPTER 3.24
OF THE SUNNYSIDE MUNICIPAL CODE PERTAINING
TO INVESTIGATIVE FUND AND INVESTIGATIVE
REVOLVING FUND**

WHEREAS, the City Council of the City of Sunnyside has previously adopted an ordinance codified at Chapter 3.24 of the Sunnyside Municipal Code creating the Police Department Narcotics Fund; and

WHEREAS, in order to properly affirm the fund and to document establishment of a revolving imprest fund within such fund, it is necessary to amend Chapter 3.24 of the Sunnyside Municipal Code setting forth the purposes and regulations governing use of such funds; and

WHEREAS, the City Council finds and determines that such amendment is in the best interests of residents of the City of Sunnyside and will promote the general health, safety and welfare.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON, as follows:

Section 1. Chapter 3.24 of the Sunnyside Municipal Code is hereby amended to read as set forth in Exhibit "A" attached hereto and incorporated herein by this reference, which amendment supersedes and replaces former Chapter 3.24 of the Sunnyside Municipal Code.

Section 2. The Police Department Narcotics Fund shall be renamed the Investigative Fund as set forth in Section 1 above, and funds currently held and used within the Police Department Narcotics fund are transferred to the Investigative Fund for the uses and purposes thereof.

Section 3. The use and administration of such funds in the revolving fund pursuant to the Police Department Narcotics Fund are hereby ratified and approved.

Section 4. Except as amended herein, Title 3 of the Sunnyside Municipal Code shall remain unchanged.

Section 5. This Ordinance shall be effective five days after passage, approval and publication as required by law.

PASSED this 22nd day of June, 2009.



PABLO GARCIA, MAYOR

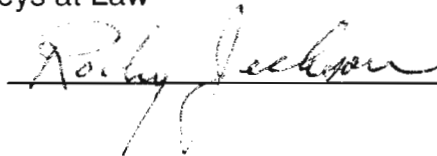
ATTEST:



DEBORAH A. ESTRADA, CITY CLERK

APPROVED AS TO FORM:

MENKE JACKSON BEYER EHLIS & HARPER LLP
Attorneys at Law

By: 

Chapter 3.24
INVESTIGATIVE FUND – INVESTIGATIVE REVOLVING FUND

Sections:

- 3.24.010 Creation – Purpose
- 3.24.020 Operation Standards – Investigative Revolving Fund
- 3.24.030 Maintenance and Replenishment
- 3.24.040 Transfer of Moneys

3.24.010 Creation – Purpose.

A. Investigative Fund. There is created in the city a fund to be known as the Investigative Fund, which supersedes and replaces the Police Department Narcotics Fund. Funds deposited in this fund shall be used exclusively for the purpose of investigation and prosecution of criminal violations and the uses and purposes set forth in subsection B below.

B. Investigative Revolving Fund. There is created in the city a fund to be known as the Investigative Revolving Fund of the Investigative Fund. The purpose of the revolving fund shall be to provide confidential funds for the following three types of law enforcement undercover operations:

(1) Confidential investigative expenses for the purchase of services and incidental goods for the exclusive purpose of investigation and prosecution of criminal violations;

(2) Confidential funds for the purchase of evidence would include the purchase of evidence and/or contraband such as drugs, firearms, stolen property, etc., required to determine the existence of a crime or to establish the identity of a participant in a crime;

(3) Confidential funds for the purchase of specific information from informants.

3.24.020 Operation Standards – Investigative Revolving Fund.

The Investigative Revolving Fund shall be operated in accordance with Chapter 3, Section C, on Petty Cash and Chapter 12, Section 7, on Confidential Investigations in accordance with the Manual of Accounting Procedures as established by the Budgeting, Accounting and Reporting Systems for the state of Washington as presently constituted or hereinafter amended.

3.24.030 Maintenance and Replenishment.

The Investigative Revolving Fund will be maintained in a qualified public depository as a checking account or accounts and advances to employees will be by check. The fund will be replenished by check of the Investigative Fund in the manner of replenishing an imprest petty cash fund.

3.24.040 Transfer of Moneys.

There is authorized the transfer of \$10,000 from the moneys of the Investigative Fund to the Investigative Revolving Fund. Funds held in the former Police Department Narcotics Fund are hereby authorized for transfer to the Investigative Fund.