

1 **BILL NO. G-19-01-04**

2 **GENERAL ORDINANCE NO. G-3-19**

3 **AN ORDINANCE AMENDING CHAPTER 34: POLICE**  
4 **DEPARTMENT – “MERIT SYSTEM” SECTION 34.02 (A)**  
5 **OF THE CITY OF FORT WAYNE, INDIANA CODE OF**  
6 **ORDINANCES.**

7 **NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL**  
8 **OF THE CITY OF FORT WAYNE, INDIANA:**

9 **SECTION 1.** That Chapter 34: POLICE DEPARTMENT – “MERIT  
10 SYSTEM” Section 34.02 (A) of the City of Fort Wayne, Indiana Code of  
11 Ordinances entitled “ESTABLISHMENT OF RULES AND REGULATIONS,  
12 PUBLIC HEARING, PUBLICATION OF NOTICE” be amended as follows:

13 **CHAPTER 34: POLICE DEPARTMENT**  
14 **MERIT SYSTEM**

15 **§ 34.02 ESTABLISHMENT OF RULES AND REGULATIONS; PUBLIC**  
16 **HEARING; PUBLICATION OF NOTICE.**


17 (A) Such Commission shall establish rules and regulations to implement the  
18 provisions of this subchapter affecting rating and promotion of all Police Officers  
19 below the rank of Captain, but which shall not in any way limit or circumscribe  
20 the power and duties delegated to the Board of Public Safety relating to any  
21 matters other than the rating and promotion of such police officers pursuant to  
22 Indiana Code 36-8-3-4. Indiana Code 36-8-3-3 and I.C. 36-8-3-4 are specifically  
23 incorporated herein.

24 **SECTION 2.** This ordinance shall be in full force and effect from and after  
25 its passage and any and all necessary approval by the Mayor of the City of Fort  
26 Wayne.

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29 Council Member  
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APPROVED AS TO FORM AND LEGALITY

  
\_\_\_\_\_  
Carol Helton, City Attorney

(G) Any Commission member may be removed for cause in the same manner that Police Officers are removed.

(H) Three members of the Commission shall constitute a quorum for the transaction of official business; all official business may be transacted only formally and after each member of the Commission has been notified of the time and place of the meeting by certified mail.

('74 Code, § 20-131)

(I) The Commission shall be authorized to elect from its members a President, Vice-President, and Secretary for a period of one year.

(J) The secretary of the Commission shall make and keep a permanent record of its proceedings. The Commission shall be authorized and directed to prepare and adopt rules and regulations governing the rating of persons employed as members of the Police Department, and promoting members of the Police Department up to and including Lieutenant from the next lower rank.

('74 Code, § 20-132)

(Ord. S-233-82, passed 12-28-82)

**§ 34.02 ESTABLISHMENT OF RULES AND REGULATIONS; PUBLIC HEARING; PUBLICATION OF NOTICE.**

(A) Such Commission shall establish rules and regulations to implement the provisions of this subchapter affecting rating and promotion of all Police Officers below the rank of Captain, but which shall not in any way limit or circumscribe the power and duties delegated to the Board of Public Safety relating to any matters other than the rating and promotion of such police officers pursuant to Indiana Code 36-8-3-4. Indiana Code 36-8-3-3 and I.C. 36-8-3-4 are specifically incorporated herein.

(B) Before any rules and regulations, as provided in this section, shall be adopted by the Commission, the Commission shall provide for a public hearing to consider the adoption of the proposed rules and regulations.

(C) The Commission, at least 10 days prior to the fixed date for such public hearing, shall cause a notice of the hearing to be published in two newspapers of general circulation in said city. The notice shall contain an announcement of the time and place of the hearing, and a resume of the subject matter of the proposed rules and regulations. At least 10 days prior to the hearing, one copy of the proposed rules and regulations shall be placed on file in the office of the City Clerk and shall be open to inspection to any citizen of such city, and three copies of the proposed rules and regulations shall be forwarded to the Chief of Police and retained by him on file in the Police Department.

(D) At the hearing, any legal resident of said city, including any member of the Police Department, shall be afforded the opportunity to be heard on any matter relative to the adoption of proposed rules and regulations, and shall be allowed to present either written or oral testimony. All testimony so presented shall be given due consideration by the Commission in

**BILL NO. G-19-01-04**

**REPORT OF COMMITTEE ON REGULATIONS**

**January 15, 2019**

**Michael Barranda Chair**

**Tom Freistroffer Co-Chair**

**All Council Members**

An Ordinance amending Chapter 34: Police Department – “Merit System” section 34.02 (A) of the City of Fort Wayne, Indiana Code of Ordinances





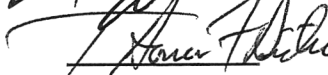
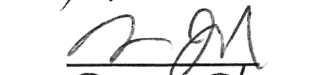

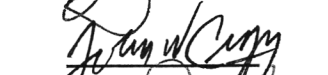
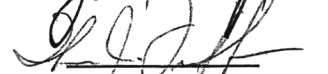
COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

DO PASS

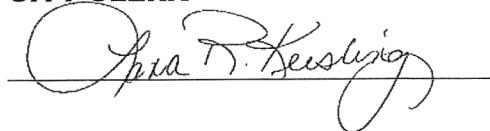
DO NOT PASS

ABSTAIN

NO REC

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**LANA R. KEESLING  
CITY CLERK**



Public Hearing Date: N/A

Read the first time in full and on motion by Councilman Barranda.

Read the second time by title and referred to the Regulations Committee.


Read the third time in full and on motion by Councilman Barranda, placed on passage by the following vote:


<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARRANDA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRAWFORD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DIDIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: January 22, 2019

  
LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
General Ordinance No. G-19-01-04 on the 22nd day of January, 2019

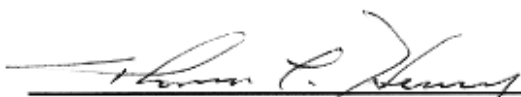
  
LANA R. KEESLING  
CITY CLERK

  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd  
of January 2019, at the hour of 9:00 o'clock A.M. E.S.T.

  
LANA R. KEESLING, CITY CLERK

Approved and signed by me this 23<sup>RD</sup> day of JANUARY  
2019, at the hour of 1:00 o'clock PM E.S.T.

  
THOMAS C. HENRY, MAYOR

