

TOWN OF PINETOP-LAKESIDE

ORDINANCE NO. 09-324

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA RELATING TO FINGERPRINTING AND CRIMINAL HISTORY RECORDS CHECK OF PROSPECTIVE AND CURRENT EMPLOYEES, VOLUNTEERS AND ASSIGNED BUSINESS LICENSE/PERMIT APPLICANTS.

WHEREAS, the State Legislature has demonstrated, by its amendment to A.R.S. § 41-1750, that it is in the best interest of the Town to receive criminal history record information for the purpose of evaluating the fitness, character and past criminal conduct of current or prospective employees, volunteers and business license/permit applicants; and

WHEREAS, the Arizona Department of Public Safety maintains a Central State Repository of fingerprints pursuant to A.R.S. § 41-1750 for the purpose of procuring and maintaining information concerning arrests and convictions of persons for public offenses in Arizona; and

WHEREAS, noncriminal justice agencies of the State may receive criminal history record information from the Arizona Department of Public Safety pursuant to A.R.S. § 41-1750 only by specific authority granted to that agency by statute, ordinance or executive order, and subject to the rules of the Arizona Department of Public Safety; and

WHEREAS, the Town of Pinetop-Lakeside is considered a noncriminal justice agency of the State; and

WHEREAS, each applicant for prospective employment by the Town, all volunteers of the Town and all current Town employees shall submit a full set of fingerprints to the Town for the purpose of obtaining a state and national criminal records check. In addition, all applicants for the following listed Town licenses or Town permits shall submit a full set of fingerprints to the Town for the purpose of obtaining a state and national criminal records check:

1. Peddler/Transient Merchant's Permits
2. Solicitor's Permits
3. Sexually-Oriented Business License
4. Special Event Permits
5. Tattoo/Massage Parlor License

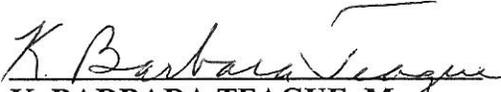
The Arizona Department of Public Safety is authorized to exchange this fingerprint data with the Federal Bureau of Investigation. All of the required fingerprints will be processed pursuant to A.R.S. § 41-1750 and Public Law 92-544.

NOW THEREFORE BE IT ORDAINED that the Mayor and Town Council of the Town of Pinetop-Lakeside, Arizona under the authority provided by A.R.S. § 41-1750, hereby authorize the Central State Repository of the Arizona Department of Public Safety to provide (upon receipt

of applicant fingerprint cards and fees), and the applicable personnel of the Town of Pinetop-Lakeside to receive, criminal history record information for the purpose of evaluating the fitness of all specified current and prospective employees, volunteers and business license/permit applicants in accordance with those rules issued by the Arizona Department of Public Safety.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Pinetop-Lakeside, Arizona, this 15th day of January 2009.

TOWN OF PINETOP-LAKESIDE


K. BARBARA TEAGUE, Mayor

ATTEST:


LU ANNE FROST, Town Clerk

APPROVED:


ROSEMARY H. ROSALES, Town Attorney