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ORDINANCE NO. 0-50-15

An ordinance relating to Chapter 19 Licenses, Permits and Miscellaneous Business Regulations, Article V, Private Security Businesses and Private Security Officers, amending Sections 19-108, 19-111, 19-115, 19-123, and 19-126 and repealing Section 19-118 of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. That Chapter 19, Licenses, Permits and Miscellaneous Business Regulations, Article V., Sections 19-108, 19-111, 19-115, 19-123, and 19-126 of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas, be amended to read as follows:

ARTICLE I. - IN GENERAL

Sec. 19-108 Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Chief of police means the chief of police of the city or the designated representative of the chief of police.

Firearm means:

- (1) A pistol or revolver which is designed to be fired by the use of a single hand and which is designed to fire or is capable of firing fixed cartridges; or
- (2) Any other weapon which will or is designed to expel a projectile by the action of any explosive and which is designed to be fired by the use of a single hand.

Law enforcement officer means a law enforcement officer as defined by K.S.A. 21-3110.

Offense of moral turpitude means those crimes involving prostitution, pimping, lewd and lascivious behavior, indecent exposure, illegal use, possession or sale of narcotics, marijuana, and any and all "controlled substances" as that term is defined at K.S.A. 65-4101 et seq., incest, gambling, the offenses listed in chapter 22, article VI of this Code and similar violations in other jurisdictions and forfeiture of bond to appear in court to answer charges for any of these crimes.

Permit means the permit to act as a private security officer, issued by the chief of police to the individuals employed by a security agency or business as private watchmen, private security officers, or private security guards.

Police department means the city police department.

Private detective means any person who engages in detective business as defined by K.S.A. 75-7b01.

Private security business means the business of furnishing private watchmen, officers, guards, or other persons to protect persons or property or to prevent the theft and unlawful taking, loss, embezzlement, misappropriation or concealment of any goods, wares, merchandise, money, bonds, stocks, notes, documents, papers or property of any kind. This term shall not include a business that furnishes state licensed private investigative services, as defined in K.S.A. 75-7b01. This term shall not include a business that employs private security officers to patrol only the premises of that business.

Private security officer means an individual who agrees to perform services as a watchman, guard, officer, or patrolman to protect persons or property or to prevent the theft, unlawful taking, loss, embezzlement, misappropriation or concealment of any goods, wares, merchandise, money, bonds, stocks, notes, documents, papers or property of any kind.

Sec. 19-111. - Application for permit to operate as private security officer.

Application for a permit to operate as a private security officer shall be made to the chief of police and shall include the following:

- (1) Name, age, all residences within the last five years, all employment for the last five years, and social security number;
- (2) Whether the person signing the application is a citizen of the United States;
- (3) A statement as to the general nature of the business in which the applicant intends to engage;
- (4) A list of the applicant's record of arrests and convictions in this or any other state, including violations under the Uniform Code Of Military Justice that would be equivalent to a misdemeanor or felony conviction in a state court;
- (5) A list of any aliases or nicknames used by the applicant, whether at present or in the past;

Sec. 19-115. - Standards for issuance of permit to act as private security officer.

No permit to act as a private security officer will be issued unless each applicant shall meet the following standards:

- (1) The applicant is at least 18 years of age. No applicant under 21 years of age may conceal carry a firearm.
- (2) The applicant has not been convicted of a felony or of an offense of moral turpitude.
- (3) The applicant has not been convicted of a crime of carrying or possessing a dangerous weapon during the ten-year period immediately prior to the date of application.
- (4) The applicant has not been refused a license under this article, has not been refused a license under a similar law of any other jurisdiction, or has not had a license revoked or suspended under a similar law of any other jurisdiction.
- (5) The applicant has not been convicted of the offense of impersonating or permitting or aiding and abetting a person to impersonate a law enforcement officer.
- (6) The applicant does not have active warrants filed against him in any jurisdiction.
- (7) The applicant has not been denied a permit or had a permit revoked or suspended under this chapter during the five-year period immediately before the date of application.
- (8) The applicant has not provided false information on the application.
- (9) The applicant has not been convicted of a misdemeanor assault or battery during the five-year period immediately before the date of application.
- (10) If the applicant is not a resident of the state, the application has appointed in writing as his agent a resident of the state.

Sec. 19-123. - Private security officer identification card.

Each private security officer granted a permit shall be issued an identification card by the chief of police. The card will identify the permit holder and will include a recent photograph. The card shall be carried by the permit holder whenever he is engaged as a private security officer and shall be presented for inspection to any law enforcement officer upon demand.

Sec. 19-126. - Duties of permit holders and license holders.

- (a) Any private security business hiring a security officer shall furnish the name of that officer and his permit number to the chief of police within 24 hours of hiring.
- (b) Private security businesses shall notify the chief of police in writing of the termination of employment of any private security officers.

- (c) All private security businesses shall maintain a current list of employees with the chief of police.
- (d) All private security officers shall immediately notify the chief of police in writing of any change of residence or employment.
- (e) All permit holders and all license holders under this article shall advise the chief of police of the type, color, and description of the uniform to be worn during the course of any duty authorized by the permit or license. Uniforms must be approved by the chief of police. No uniform identical to or bearing a close resemblance to the uniform used by the police department will be approved.
- (f) All permit holders under this article shall advise the chief of police of any conviction for crimes specified in section 19-130(a)(5). All permit holders under this article shall advise the chief of police of any felony charges filed against the permit holder.
- (g) It shall be unlawful for any permit holder to fail to follow the notice requirements of subsection (f) of this section.

Section 2. That said original Sections 19-108, 19-111, 19-115, 19-118, 19-123, and 19-126 of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas are hereby repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication in the official Unified Government newspaper.

PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,

THIS 13 DAY OF August, 2015.



Mark Holland, Mayor/CEO

Attest:



Deputy

Unified Government Clerk

Approved As To Form:

Jennifer Myers, Assistant Counsel