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Ordinance No. 2014-06-02

CAMDEN COUNTY
CRIMINAL HISTORY CHECK ORDINANCE

This Ordinance adopted by the Camden County Board of Commissioners is to provide a policy and procedures for conducting criminal history checks through SBI/DCI on final applicants for employment with Camden County. This ordinance is adopted pursuant to the authority vested in Camden County by the General Assembly of the State of North Carolina in Sections 153A-II and 153A-12 of the North Carolina General Statutes.

1. In order to protect the citizens of the county and their properties, the procedures herein are established to provide for fingerprinting and criminal history checks on all final applicants for regular full and part-time positions in the county government. Subject to Division (C) of this section, employment with the county may be denied for those persons convicted of any crime against a person, or crimes against property where intent is an element, or any drug or gambling related offense.
 - A. The County Manager, or designee, may conduct an investigation of any final candidate for a permanent full-time or part-time position with the county government and it shall be a precondition of employment that an applicant for such a position shall, upon request, provide fingerprints and all other necessary personal identification including a birth certificate, social security number and driver's license, if available, so that the County Manager, or designee, may cause a thorough search to be made of local and state criminal records to determine if the applicant has a history of criminal convictions or the crimes enumerated above by use of the Division of Criminal Information Network (DCI).
 - B. The Camden County Sheriffs' Office shall provide the findings from the use of the DCI to the County Manager, or designee, provided that all necessary agreements with the State Bureau of Investigations Division of Criminal information have been executed.
 - C. At evaluation of any crime for purposes of employment will take into account the nature and the circumstances of the offense and the time frame of the offense as it relates to the essential job functions or the position applied.

2. Any act constituting a violation of the provisions of this Ordinance or a failure to comply with any of its requirements, including violations of any conditions and safeguards established in connection with the grants of variances or Special Use or Conditional Use Permits, shall also subject the offender to a civil penalty of one-hundred (\$100) dollars for each day the violation continues. If the offender fails to pay the penalty within ten (10) days after being cited for a violation, the penalty may be recovered by the county in a civil action in the nature of debt. A civil penalty may not be appealed to the Board of Adjustment if the offender was sent a final notice of violation in accordance with Article 151.568 and did not take an appeal to the Board of Adjustment within the prescribed time.
3. This Ordinance may also be enforced by any appropriate equitable action.
4. Each day that any violation continues after notification by the administrator that such violation exists shall be considered a separate offense for purposes of the penalties and remedies specified in this section.
5. Any one, all or any combination of the foregoing penalties and remedies may be used to enforce this Ordinance.

Article IV. Severability

If any language in this Ordinance is found to be invalid by a court of competent jurisdiction or other entity having such legal authority, then only the specific language held to be invalid shall be affected and all other language shall be in full force and effect.

Article V. Effective Date

This Ordinance is effective upon adoption.

Adopted by the Board of Commissioners for the County of Camden this 2nd day of December 2013.

County of Camden
Garry W. Meiggs
Garry Meiggs, Chairman
Camden County Board of Commissioners

ATTEST:

Angela Wooten
Angela Wooten
Clerk to the Board

