



Ordinance Authorizing Criminal History Check

This Ordinance is adopted by the Chowan County Board of Commissioners to provide a policy and procedures for conducting criminal history checks through SBI/DCI on final applicants for employment with Chowan County. This is adopted pursuant to the authority vested in Chowan County by the General Assembly of the State of North Carolina in Sections 153A-11 and 153A-12 of the North Carolina General Statutes.

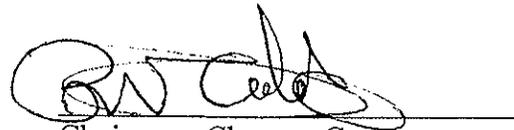
1. In order to protect the citizens of the county and their properties, these procedures are established to provide for fingerprinting and criminal history checks on all final applicants for regular full and part time positions with Chowan County. Subject to 1.(D) below and to the existing Chowan County Personnel Policy, 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 drivers 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 the use of the Division of Criminal Information Network (DCI).
 - (B) An 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.

- (C) Prior to denial or termination of employment based upon criminal history record information (CHRI) received, the County Manager or his designee, shall verify the existence of a record by either obtaining a certified public record or by submitting a fingerprint card of the individual to the criminal information and identification section for verification that the CHRI record belongs to the individual.
- (D) The Chowan County Sheriff's Office shall facilitate such a search and record request, and shall report all findings and CHRI received from the DCI to the County Manager or his designee.
2. If policies established by this Ordinance are held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given separate effect.
 3. Any Ordinance or other policy, or any part of an Ordinance or policy in conflict with this Ordinance, to the extent of such conflict, is hereby repealed or cancelled.
 4. This Ordinance is adopted in the interest of public health, safety and general welfare of the inhabitants of Chowan County, North Carolina, and shall be in full force and effect from and after its adoption.

ADOPTED this 3 day of March, 2008.

ATTEST:


Clerk to the Board


Chairman, Chowan County
Board of Commissioners