

TO: John McDonough, City Manager

FROM: Terry Sult, Chief of Police

DATE: December 13, 2010, for Submission onto the Agenda of the December 21, 2010, City Council Regular Meeting

ITEM: Background Check Fee for Fulton County Firearm Permit

Background:

The City of Sandy Springs has reached an agreement with Fulton County Probate Court to provide the service of conducting Background Checks for Firearms Permits. Fulton County Probate Court presently sends the citizens of North Fulton County to the City of Atlanta in order to obtain Background Checks for Firearm Permits. The City of Sandy Springs will be offering this service to Fulton County residents.

Discussion:

The City of Sandy Springs charges \$50.00 dollars for Pouring Permits Background Checks. The city is charged \$44.95 by the Georgia Bureau of Investigation for this type of Background Check. The information needed for this service is similar to the Pouring Permit Background Check. Fulton County Probate Court charges an application fee and sends the applicant to the Fulton County Police Department for the Background Check. Fulton County Police charges \$45.00 dollars for the background check. The City of Sandy Springs Police Department is requesting the charge for the permit to be \$50.00 dollars in order to cover the manpower cost of conducting the background check.

Alternatives:

N/A

Financial Impact:

No Financial Impact for this service.

*Public
Works*

Probate of Wills Administration/ Minor Guardianships Mental Health/ Adult Guardianships Bookkeeping Licensing/Marriage Firearms Estate Information	404-612-4694 404-612-4697 404-612-4693 404-613-4689 404-613-4583 404-612-4693
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PINKIE T. TOOMER, JUDGE
FULTON COUNTY PROBATE COURT
 185 Central Avenue, S.W.
 Suite T-2705
 Atlanta, Georgia 30303

NORTH SERVICE CENTER
 404-613-7638
 7741 Roswell Road

SOUTH SERVICE CENTER
 404-612-3048
 5600 Stonewall Tell Road

AGREEMENT

WHEREAS, the Fulton County Probate Court and the Sandy Springs Police Department desire to enter into an Agreement for the Sandy Springs Police Department to provide background checks for Georgia Weapons Carry License applicants who reside in Fulton County:

NOW THEREFORE, in consideration of the following mutual obligations, the Fulton County Probate Court and Sandy Springs Police Department agree as follows:

Article 1 Purpose of Intent

- 1.1 The parties agree that the Sandy Springs Police Department shall conduct background checks for applicants who have applied to the Fulton County Probate Court for a Georgia Weapons Carry License and who appear at the fingerprinting offices of the Sandy Springs Police Department.
- 1.2 The Sandy Springs Police Department shall provide the same service to the Fulton County Probate Court as is now provided by the Fulton County Police Department. Such services include IAFIS fingerprinting transmitted to the Georgia Crime Information Center (GCIC) and the National Crime Information Center (NCIC) for criminal background checks using the Fulton County Probate Court's ORI number with a Purpose Code "F" in order to obtain: (a) criminal records for the State of Georgia, (b) mental health hospitalization records of applicants, (c) NCIC checks reflecting alien status, dishonorable discharge, renunciation of citizenships, drug convictions, persons declared mentally defective, (d) persons subject to a protective order and person convicted of domestic violence, (e) III (triple I) checks which reflect criminal records in states other than Georgia, and (f) NCIC checks which provide additional information such as fugitives from justice.
- 1.3 After all of the information is collected, the Sandy Springs Police Department agrees to review the information and complete the Law Enforcement Affidavit which the applicant will bring to the police department at the time of fingerprinting. When the police department has completed the Affidavit, it will return the completed affidavits and any accompanying documents which adversely affect the applicant's eligibility to receive a license to the Fulton County Probate Court.

Article 2 Compensation and Consideration

- 2.1 During the term of this Agreement, the Sandy Springs Police Department shall provide the service at no cost to Fulton County; provided, however, that the Sandy Springs Police Department shall be allowed to retain any and all fees allowed by Georgia law related to the fingerprinting and background checks of Georgia Weapons Carry License applicants.

Article 3 Record Keeping and Reporting

- 3.1 The Sandy Springs Police Department agrees to provide the County with all reports stipulated in this Agreement (Article 1) and access to the records required to maintain accurate account of such.

**Article 4
Termination**

- 4.1 The parties agree that, upon thirty (30) days written notice, either party may terminate this Agreement without further obligation.

**Article 5
Entire Agreement**

- 5.1 It is understood that the terms of this Agreement include all of the agreements made by the Fulton County Probate Court and the Sandy Springs Police Department without regard to any oral conversations which may have taken place prior to the execution or subsequent thereto and that any changes shall be made in writing agreed to by both parties.

**Article 6
Document Delivery**

- 6.1 The Law Enforcement Affidavit and any accompanying documents which adversely affect the applicant's eligibility to receive a license shall be delivered to the Fulton County Probate Court by mail, regular, certified or registered, by hand delivery or by facsimile transmission. The Sandy Springs Police Department will provide an alphabetical list of the accompanying Law Enforcement Affidavits and shall confirm with the Fulton County Probate Court by telephone or e-mail that each batch of documents transmitted to the Fulton County Probate Court was received.
- 6.2 Either party may, at any time, change its respective address or facsimile number by sending written notice to the other party of the change.
- 6.3 For all written communications, the addresses will be as noted:

Sandy Springs Police Department
5995 Barfield Road
Sandy Springs, Georgia 30328

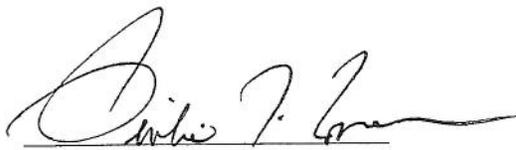
and

Fulton County Probate Court
136 Pryor Street, SW
Suite C230
Atlanta, Georgia 30303

In Witness Whereof, the Fulton County Probate Court and the Sandy Springs Police Department have executed this Agreement through their duly authorized officers.

Signed this the 14th day of October, 2010.

Signed this the 15th day of October, 2010.


Pinkie T. Toomer, Judge
Probate Court of Fulton County


Terry L. Sult, Chief of Police
Sandy Springs Police Department