

**CITY OF LYNDON
ORDINANCE # 6-27-22A, SERIES 2022**

**AN ORDINANCE REPEALING AND REPLACING CITY ORDINANCES
RELATING TO THE ESTABLISHMENT OF THE POLICE DEPARTMENT
IN THE CITY OF LYNDON**

WHEREAS, the City of Lyndon (the "City Council") has had an interlocal agreement with the City of Graymoor-Devondale to provide police services,

AND WHEREAS, the City of Lyndon has entered into an agreement with the City of Graymoor-Devondale for the purchase of all the assets of its police department, to enable Lyndon to establish its own police department,

AND WHEREAS, the City of Lyndon Council wishes to repeal and replace all its ordinance relating to the establishment of a police department with a more detailed and modern organizational structure for the new police department,

NOW THEREFORE, be it ordained by the City of Lyndon:

Section 1: Chapter 36: Departments, of the City of Lyndon Codified Ordinances, be and hereby is, repealed in its entirety.

Section 2: The City Council does hereby adopt a new Chapter 36 of the Codified Ordinances relating to the establishment of a police department, as follows:

36.01 ESTABLISHMENT.

1. The Lyndon Police Department is hereby established for the purpose of protecting the health, welfare, and property of all persons in the city. The Lyndon Police Department is not subject to any civil service plan under Kentucky Revised Statutes.
2. The Office of Police Chief is hereby created. The Chief shall, plan, organize, direct, coordinate, and evaluate all activities, programs and personnel of the Police Department to provide police services for the city and enforce laws, formulate and implement departmental policies, procedures and rules and regulations, be the direct supervisor over all police personnel, create and submit to the City the annual budget allocation for the police department and administer that budget, insure that all department reports, citations and other documents are accurately prepared and maintained on all police activities, insure the proper use of police cruisers and other departmental equipment, prepare and authorize work schedules, receive complaints from the public; patrol the city on regular scheduled shifts, maintain proper record system pertaining to all reports, correspondence and citations, participate in re-certification courses and schedule subordinates for training, assist outside agencies in emergency situations, make sure that all filings and certifications for the department and all officers are kept current and up to date, the Chief of Police shall

provide for order at all city council meetings. The Chief of police shall possess those powers granted by KRS 95.019.

3. The Police Department shall consist of the number of police officers as the city determines is necessary to accomplish the department's purpose. Officers shall have and possess all powers conferred upon them by statute of the Commonwealth, including KRS 95.19, or by ordinance of the City of Lyndon.
4. Primary jurisdiction of the department shall be the incorporated area of the City of Lyndon, but countywide jurisdiction is conferred by Kentucky Revised Statutes. The primary jurisdiction may be expanded to include the incorporated area of another city that shares police services with the city, pursuant to the Interlocal Cooperation Act.

36.02 OFFICER DUTIES, COMPENSATION, APPOINTMENT.

1. Duties. Police officers shall enforce the provisions of all statutes and ordinances, arrest and/or issue citations to violators thereof, maintain records, prepare necessary reports, serve writs, summonses, and other processes, function as conservators of the peace and comply with all standards set out in the Standard Operating Procedures Manual.
2. Police operations shall be conducted by properly trained and certified police officers only and it shall be the continuing duty of the Police Chief to ensure that a full background check has been done of all potential new hires to insure they have the required training, qualifications, and certification to be police officers under Kentucky law and that they are additionally certified under the Peace Officers Professional Standards Act (POPS).
3. No routine, regular police operations shall be conducted outside the city boundaries of the city without the approval of the Police Chief, except, city officers may assist/backup other police or law enforcement agencies outside the city limits in the event of an emergency. Jurisdiction may be expanded to include the incorporated area of another city that shares police services with the city, pursuant to the Interlocal Cooperation Act.
4. No outside patrols or security services may be performed by any member of the Police Department unless and until a prior written authorization for such work is approved at least 24 hours in advance of said event by the Chief of Police. The mayor must approve any off-duty work of the Chief of Police. The mayor may also reverse any off-duty approval he or she believes to be detrimental to the city.
5. Compensation. Police officers shall be compensated at the rate set forth by the city's pay classification ordinance.

6. Appointment. Appointment to the office of Chief of Police shall be on the recommendation of the mayor with the consent and approval of the City Council. Police officers shall be appointed by the Police Chief with the consent and approval of the mayor. If the Police Chief and Mayor are not able to agree on an appointment, the matter will be decided by the City Council. The following shall apply to all police hires:
 - a. Applicants are required to fill out an application for employment, providing prescribed background information which will be verified by the Chief of Police or his or her designated representative.
 - b. Applicants will undergo an evaluation to determine their psychological and physical fitness for employment as a police officer.
 - c. Criminal history background investigations will be conducted on all prospective officers to ensure that there are no previous felony convictions.
 - d. Driver's license history will be checked to ensure that all prospective officers have a valid Kentucky Operators License.
 - e. Upon Appointment and before the commencement of service each police officer shall be administered an oath of office consistent with Section 228 of the Constitution of the Commonwealth of Kentucky; and shall pledge to faithfully discharge the duties of his or her office.
 - f. Newly hired police officers will be hired on a probationary basis, for a period of six months. During this period, officers may be terminated without cause or with cause.
 - g. Newly hired police officers with no prior police certification will be required to attend the Kentucky Department of Criminal Justice Training Police Academy to be certified as a police officer.

36.03 OVERSIGHT AND OPERATIONAL CONTROL.

1. The executive authority of the city is vested in and excised solely by the mayor. The City of Lyndon personnel policies shall also apply to all members of the Police Department, in addition to the Standard Operating Procedure Manual (SOP).
2. Chief of Police shall promulgate Standard Operating Procedures to ensure the orderly administration of the functions of the City Police Department, but these standard operating procedures must be approved by with the advice and consent of the mayor, as well as any changes or revisions thereto.
3. The Police Chief shall require each officer to complete and submit to the Chief a daily activity sheet. Each month, the Police Chief shall make a written report to the Council and the Mayor at the regular Council meeting concerning the activities of the Police Department, the budget and operation of the Police Department. This report shall include the information concerning all citations and warnings issued and runs made by the Police Department in the last month. The Chief shall also inform the mayor as soon as possible of any significant issues in the past month concerning the actions of any member of the police force which may be the basis of a complaint against any member of the Police Department. If there is any matter in

the Chief's report which by its nature involves personnel or pending litigation, the Chief shall report this matter in a properly called executive session of the Council. The Chief shall also report to the Council and Mayor on any other matter including, but not limited to the police budget, facilities, or management, which the Chief deems important for the Council and Mayor to know for them to perform their oversight function.

4. The Chief of Police of the Lyndon Police Department is responsible for the day-to-day operation of the Police Department and the scheduling of officers assigned to the Police Department, subject to the direction of the mayor as to what must be covered, whether it is a specific event, or whether it is a specific time. The mayor is fully within his or her executive authority to make directives about specific areas and times for which police coverage is required. The mayor has full supervisory authority concerning the actions of the Chief of Police. The Chief of Police answers to the mayor.
5. The Chief of Police has the authority and responsibility for the allocation, care, and maintenance of the equipment of the Lyndon Police Department, according to city ordinance, state law and the city's standard operating procedures. The Chief of Police must keep and maintain an updated full inventory of all equipment of the Police Department, which shall be reviewed at least annually through the police budget approval process. The mayor has the authority to require immediate submittal of any documentary evidence showing the current inventory of all Police Department assets and equipment.
6. Prior to May 1 of each year, the Chief of Police will submit to the mayor a proposed budget to fund all aspects of the Police Department for the fiscal year starting July 1 and ending June 31. The proposed police budget will include specific, line-item requests for each resource necessary to run the Police Department, including a request for man-hours for each officer for the upcoming year and each member's rate of pay (including the Chief). The Police Chief's entire budget proposal will then be submitted to the City Council for its consideration, modification, approval, or rejection according to its authority under Kentucky law.
7. The police department cannot spend any more City of Lyndon funds than were allocated for the police department in the City of Lyndon yearly budget ordinance without specific authorization from the City Council. It is the responsibility of the Chief of Police to make sure the police department stays within its budget.

36.04 DISCIPLINE.


1. The Policeman's Bill of Rights contained in KRS 15.520 will only apply to a member of the Police Department if the city participates in the Kentucky Law Enforcement Foundation Program (KLEFPF) and the other prerequisites of KRS 15.520 are met. Each new hire is on probation for six months following his or her hire and is an at-will employee during that probationary period.

36.05 SAFETY DIRECTOR OFFICE ESTABLISHED.

1. The city has established the office of Safety Director. The Safety Director's primary function is to review the activities, personnel, and spending of the police department to better inform the mayor and council of the activities and spending of the department. The Safety Director shall report to the mayor and city council any potential liability, personnel issues or possible disciplinary issues relating to the police department. The Safety Director shall participate and review the police budget, staffing, and future planning. The Safety Director does not have supervisory or executive power and instead gathers information and make recommendations to the mayor and council. The position is appointed by the mayor with the consent and approval of the city council.

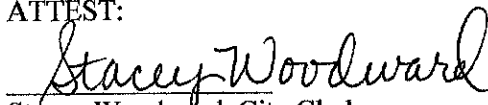
Section 3: This ordinance shall take effect upon its passage, approval, and publication according to law.

First Reading June 27, 2022
Second Reading July 25, 2022
Passed and approved this the 25th day of July, 2022



Brent Hagan, Mayor

ATTEST:



Stacey Woodward, City Clerk

Those in Favor: 7

Those Opposed: 0