

CITY OF ELSMERE, KENTUCKY  
ORDINANCE NO. 1756-2018

AN ORDINANCE OF THE CITY OF ELSMERE, KENTUCKY AMENDING CHAPTER  
31 OF THE ELSMERE, KENTUCKY CODE OF ORDINANCES

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE  
CITY OF ELSMERE, KENTUCKY AS FOLLOWS:

SECTION I

Section 31.42 of the City of Elsmere Code of Ordinances is hereby amended as follows:

**§31.42 POLICE CHIEF**

A. **Establishment of Office.** The City hereby establishes the non-elected office of Police Chief.

(B) **Vacancy and appointment.** In the event that a vacancy in the office of Police Chief occurs, notice of a vacancy in the position of Police Chief, and a request for applications to fill said vacancy, together with a statement of the necessary qualifications of any applicants, shall be given by public notice, in accordance with the publication requirements of KRS Chapter 424. The position of Police Chief shall be filled by the Mayor, with approval from City Council, within ninety (90) days of the occurrence of said vacancy. Any appointment on a temporary basis to fill the position of Police Chief shall be for a term not to exceed ninety (90) days, and shall be made by the Mayor, said appointment not being made subject to the approval of Council.

(C) **Qualifications.** The Police Chief shall have at least a high school diploma or equivalency pertaining to law enforcement, and shall have graduated from the basic training course at the Kentucky Bureau of Training, supplemented by ~~fifteen (15)~~ ten (10) years of active law enforcement experience, combined with five (5) years in a command position of sergeant or higher, or any combination of training and experience which provides the desired knowledge, skills and abilities. The Police Chief shall be at least twenty-one (21) years of age, able to read and write the English language intelligibly, be sober, moral, and sagacious, and shall not have been convicted of a felony. The Police Chief may be dismissed, suspended, or reduced in pay or grade only as provided by Chapter 35. The Police Chief shall have a Kentucky POPS Certificate at the time of appointment. The Police Chief must have executive level training conducted by the Kentucky Department of Criminal Justice Training, Southern Police Institute, FBI Academy, Northwestern, or other accredited executive level police training academy. The Police Chief must have attended prior to appointment or be enrolled to attend within 1 year of appointment. Successful completion is required to retain the position. The Police Chief must have a minimum of 10 years active law enforcement experience with a local, state or federal law enforcement agency and prior police supervisory or management experience. The Police Chief must have a valid Kentucky Driver's License. The Police Chief will also be required to undergo a background check, drug screening, and psychological testing.

(D) **Duties and powers.** The Police Chief shall have and exercise all powers and duties assigned by statute, ordinance, and such other municipal responsibilities delegated from time to time. [~~The Police Chief shall be responsible for supervising and participating in the daily law enforcement activities of patrolmen, sergeants and clerks for the Elsmere Police Department, and shall oversee the administrative activities of the Police Department, such as scheduling, budgeting and training.~~].

The duties and responsibilities are intended to give general guidelines for the Police Chief. It is not intended to be a complete list of all duties and responsibilities that may pertain to this position and any items omitted can be delegated to the Police Chief by the Mayor:

Ensures that all ordinances, laws, and statutes from local to Federal levels are enforced and the public peace and safety is maintained.

Assumes responsibility for all departmental services and activities, including enforcement of laws, statutes, and ordinances, crime prevention, criminal investigations, emergency communications, and other related law enforcement activities

Directs, oversees and participates in the development of the Police Department's goals, objectives and work plan.

Oversees establishment, planning, and supervision of the police training and skill evaluation programs.

Provides timely, accurate and thorough Performance Reviews for department employees.

Reviews performance of the department and formulates programs and procedures to alleviate deficiencies.

Handles grievances, maintains Departmental discipline and oversees the conduct and general behavior of personnel and initiates internal investigations when appropriate and directs corrective action as needed.

Directs the development and maintenance of records and legal documents that provides for the proper evaluation control and documentation of Departmental operations.

Prepares and presents an annual budget for the department; directs the implementation of department's budget; plans for and reviews specifications for new or replacement equipment, and purchase requests.

Responsible for reviewing and authorizing invoice and statement for the payment by the City Clerk.

Prepares and submits periodic reports to the Mayor regarding the Department's activities and prepares a variety of reports as appropriate or requested.

Attends the first regular monthly meeting of City Council and any other meeting as requested by the Mayor.

Works with outside agencies and other departments to explain, justify and coordinate Police Department policies and activities and to negotiate and resolve any sensitive issues.

Works with a variety of boards and commissions, including attending and participating in professional groups and committees, and keeps abreast of new trends and innovations in the law enforcement field.

(E) **Oath and bond.** No person shall be appointed or act as the Police Chief unless such person has taken the oath required by Section 228 of the Constitution of the Commonwealth of Kentucky and has provided any bond as same may be required by the Council.

(F) **Compensation.** Compensation shall be in an amount established by the City Council pursuant to ordinance.

## **SECTION II**

This Ordinance shall take effect and be in full force after its enactment and publication as required by law

## **SECTION III**

All Ordinances or parts of any Ordinances in conflict herewith, to the extent of the conflict, if any, are hereby repealed.

## **SECTION IV**

If any sentence, clause, section or part of this ordinance or the application thereof to any particular situation is, for any reason, found to be unconstitutional, illegal or invalid, the invalidity of any provision of this Ordinance shall not affect the validity of any other provisions hereof, and such other provisions shall remain in full force and effect as long as they remain valid in the absence of that provision determined to be invalid.

## **SECTION V**

Publication of this Ordinance is hereby authorized to be by summary publication in accordance with Kentucky Law.

***PASSED AND APPROVED ON FIRST READING this the 12th day of June, 2018.***

***PASSED AND APPROVED ON SECOND READING this the 10th day of July, 2018.***

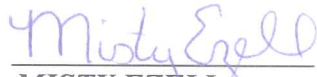
**APPROVED:**

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**HON. MARTY LENHOF, MAYOR**

**ATTEST:**

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**MISTY EZELL**  
**CITY CLERK**

**DATE OF PUBLICATION:** \_\_\_\_\_