

CHAPTER 2

ADMINISTRATION

ARTICLE I. MAYOR AND COUNCIL

- Section 201. Compensation.
- Section 202. Town Manager.
- Section 203. Police Department.
- Section 204. Mutual Aid & Reciprocal Enforcement Agreements.

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Section 201 Compensation

See O-02-05

The Mayor shall receive as compensation one hundred dollars (\$100.00) per month as salary, payable on a monthly basis. Each Councilmember holding office shall receive as compensation fifty dollars (\$50.00) per month as salary, payable on a monthly basis. Provided, however, that the monthly compensation of the three persons elected to the Council of Landover Hills in May, 1997 or subsequently appointed to the Council to fill the seats which are subject to election in May, 1997 shall be increased to one hundred dollars (\$100.00) effective July 1, 1997. The monthly compensation of the Mayor and the three persons elected to the Council in May, 1999 or subsequently appointed to the Council to fill the seats which are subject to election in May, 1999 shall be increased to one hundred seventy-five dollars (\$175.00) and one hundred dollars (\$100.00) respectively commencing July 1, 1999. No change in the amount of compensation may be enacted by the Council of Landover Hills to be effective during their current term of office.

(Ordinance 97-0-01; Effective March 10, 1997)

Section 202 Town Manager

The Town Manager shall perform the following functions:

- (A) Recommend to the Mayor and Council the classification of positions and compensations therefore and administer any classification system, rate of compensation for employees and disciplinary system
- (B) Establish qualifications for all employment positions prior to the creation thereof.
- (C) Supervise the personnel systems pursuant to the personnel regulations of the Town.
- (D) Recommend measures calculated to increase efficiency and to promote the interests and welfare of the employees.
- (E) Devise necessary administrative procedures to execute the policies of the Mayor and Council.
- (F) Administer such rules, regulations and procedures as may be set forth by the Mayor and Council.

(G) Supervise the recruiting, examining, investigating and determining the qualifications of all positions in the personnel system.

(H) Maintain personnel records as may be necessary.

(I) Amend and update the personnel regulations initially enacted by the Mayor and Council and promulgate such changes among all employees of the Town, provided such amendments and updates are in keeping with the policies of the Mayor and Council.

(J) Serve as department head of the administrative offices of the Town.

(K) Be the supervisor of the other department heads.

(L) Perform such other duties as assigned by the Mayor and Council.

(added 2-20-2000)

Section 203                      Police Department

(A) Authorization of police department.

(1) There is hereby established and confirmed a Landover Hills police department headed by a Chief of Police.

(2) Subject to specific delegations of authority herein made or hereafter enacted by ordinance or regulation, and further subject to the procedures outlined in the personnel regulations of the Town, the Mayor and Council shall retain all authority necessary to oversee the police department and may, if they so choose, appoint and terminate police officers. However, unless specifically directed otherwise by the council, the chief of police shall report to and be responsible to the Town Manager regarding the administration of the police department.

(3) The police department shall consist of an Office of the Chief of Police who shall be the department head of the police department and such other patrol officers or investigative units as the Mayor and Council deem appropriate.

(B) Establishment of General Orders. The Chief of Police shall promulgate general orders of the police department to govern the conduct of police officers. Such general orders may be approved by the Mayor and Council. However, the Chief of Police has the authority to issue new general orders or to amend existing general orders with the approval of the Town Manager so long as such general orders or amendments thereto are in keeping with the policies of the Mayor and Council. The General Orders currently in effect within the police department are hereby ratified and affirmed.

(C) The Chief of Police is hereby delegated the authority to issue such additional instructions, orders, rules and regulations and to take such actions as are authorized, directed or implied which are necessary for the effective and efficient management of the police department and supervision of the police force. Nothing in this delegation shall be deemed to supercede or amend the powers granted to the Town Manager or the Mayor and Council.

(D) Appointment of officers, their removal and suspension.

(1) The Chief of Police shall be appointed by and serve at the pleasure of the Mayor and Council and may be removed or suspended from office for any reason by the Mayor and Council at any public meeting, unless otherwise provided by the Mayor and Town Council. When the Chief is on leave of absence, suspension, or the position is vacant, the Mayor and Council may name an acting Chief of Police, who will assume the responsibilities of the Chief during such temporary absence or vacancy.

(2) All other police officers shall be appointed by the Chief of Police with the approval of the Town Manager. Such officers may be removed from office under state law or under the personnel regulations of the Town, or as a result of a reduction in force ordered by the Mayor and Council.

(3) Police officers may be suspended from duty with or without pay by the police chief at any time for violation, or pending investigation for possible violation of any law or any of the laws or regulations governing the conduct of employees.

(E) Line of command. The Chief of Police shall maintain a roster of officers by rank and seniority in rank and publish it for knowledge of all officers. All police officers shall promptly obey any order emanating from any superior officer in the line of command. In emergencies, in the absence of the Chief of Police from the jurisdiction, or if the officer in charge is unable for any reason to carry out that officer's duties, the police shall call in a county supervisor for guidance. The Chief of Police, in his temporary absence, may appoint an officer in charge of the department.

(F) General police policies, objectives and functions.

(1) Police protection for the Town of Landover Hills is based on a cooperative arrangement between the Prince George's County Police Department. The Landover Hills police department provides within the Town limits of Landover Hills:

(A). All police services normally expected of the county-uniformed police division;

(B) More frequent and intensive patrol and faster response to trouble calls than would normally be expected from the county;

(C) Limited investigation and follow-up of crimes committed and other criminal activity to supplement and complement county investigation programs;

(D) Enforcement of Town ordinances; and

(E) Programs to meet the special needs of Landover Hills for police service, crime prevention and public safety.

(2) The Landover Hills Police Department's primary objectives are to assure peace, good order and safety for the public throughout its jurisdiction and to achieve adherence to Town and County ordinances and state laws. Primary responsibilities include the diligent protection of life and property, public and private, and surveillance of and responsive action with respect to violation of Town and county ordinances and state laws. In addition, the Landover

Hills police are expected to provide prompt response to citizens requests for assistance, to the extent that circumstances permit.

(3) To the maximum extent practicable and limited only by the resources available at the time, the Landover Hills Police Department will handle all requirements within the Town for police patrol, initial response to requests for police assistance, preliminary investigation of crimes reported or suspected and other responsibilities normally expected of uniformed police officers.

(4) To the extent practicable, Landover Hills police will rely on a friendly persuasion and programs to encourage compliance, rather than on punitive action, as a deterrent to law and ordinance violations. Special emphasis must be made to establish a friendly and cooperative attitude toward all residents under all circumstances. In those instances where these attitudes are not returned, the Landover Hills police are charged with maintaining a professional calm and, under no circumstances will the Landover Hills police engage in abusive verbal exchanges.

(G) Duties and Responsibilities.

(1) Police officers are considered at all times to be on duty, or subject to call for duty by proper authority or, when in the Town limits, by citizens in trouble. The fact that they may be temporarily off duty or on leave does not preclude them from the responsibility of taking proper police action in any matter coming to their attention requiring such action.

(2) Responsibilities of Chief of Police: the Chief of Police is the general executive and administrative officer of the Landover Hills Police Department and shall:

(a) be fully responsible for its operations, including efficient conduct, control and discipline of the force, subject to the policies, orders, rules and regulations approved by the Mayor and Council, or the Town Manager.

(b) shall take measures as will insure prompt and vigorous enforcement of all criminal statutes, laws, regulations and ordinances applicable to the Town of Landover Hills.

(c) issue orders, rules and regulations necessary to administer the department and not inconsistent with policies, orders, rules and regulations approved by the Mayor and Council or Town Manager.

(d) establish standards of performance and efficiency for all police operations, and will take steps to assure that such standards are maintained through periodic personal observation, and reports of performance and efficiency which will be made available to the Town Manager and the Mayor and Council upon request.

(e) be responsible for the training and refresher training of officers so as to develop and maintain their professional competence. The chief shall provide for specialized training and improvement of probationary officers, and shall report to the Town Manager on the performance evaluation of each probationary officer.

(f) be responsible for exacting from all members of the department strict obedience to the rules of conduct laid down for officers, and for taking prompt action in administering the discipline prescribed for violations of such rules.

(g) proceed immediately to the scene of any riot, tumultuous assembly, dangerous barricade, police officer in trouble, firearms discharge by a police officer, or other unusual occurrence indicating danger to the community, and take command of the police force.

(h) be the custodian of all property coming into the possession of the department and shall be accountable for the same, including safekeeping, proper disposition and maintenance of appropriate property records. The chief shall see that all property used for evidence is returned to its lawful owner when no longer needed as evidence.

(i) periodically inspect all public places within the Town, including public rights-of-way, parks and alleys; the means of entrance and exit to schools and churches; and the quantity, flow and control of traffic for the purpose of assuring public safety. The chief shall develop programs for and shall promote public safety throughout the Town, including meeting with the public, private, business, school and other community groups and individuals to advance community confidence and support in police and public safety programs.

(j) analyze data concerning crime, traffic accidents and other incidents, and otherwise keep abreast of needs and opportunities for new or improved police programs to meet the Town's policies and objectives, and on the basis of such analysis shall recommend to the Town Manager and the council plans and programs to meet such needs and opportunities.

(k) be responsible for developing and supervising the execution of safety programs within the department for the purpose of reducing hazards and accidents to persons and equipment.

(l) not less than once a month, at irregular and unannounced times, visit all components of the command, inspecting them for the efficiency and effectiveness of their operations and conformity with regulations and orders, initiating corrective action or disciplinary measures where indicated.

(m) assign personnel and hours of duty to most effectively meet the Town's requirements for police service. The Town Manager shall be kept advised of duty hours and assignments, and consulted where unusual variations and requirements appear necessary.

(n) be alert to grievances of personnel within the department and to complaints concerning the operations of the department, and shall assure that all grievances and complaints are handled promptly with due regard to the rights of all parties concerned and the Town. Grievances and complaints which cannot be resolved within the department will be forwarded to the Town Manager for resolution.

(o) be responsible for devising and administering a system of daily, weekly and monthly reports from which a full record of all police activity in the Town can be made available to the Town Manager and the Mayor and Council.

(p) perform patrol duty and all other police duties as are necessary to maintain close familiarity with the Town, its residents and regular visitors and their activities, and to supplement the regular patrol, particularly at times of special need or emergency, or in the absence of other officers or as directed by the mayor or Town Manager.

(added 2-20-2000)

Section 204 Mutual Aid and Reciprocal Enforcement Agreements

(A) Authority. The Town shall have the authority to enter into Mutual Aid and Reciprocal Enforcement Agreements with other police agencies in and outside of the State of Maryland. Such agreements shall enable Town police officers to enforce state law and the laws of such other jurisdiction(s) within the territory of such other jurisdiction(s) with the protections/immunities granted by law to police officers and/or to allow the police officers of such other jurisdiction(s) to enforce the Town=s Code and laws within the Town.

(B) Procedures. All such agreements shall be entered into as follows:

(1) Any mutual aid and/or Reciprocal Enforcement Agreement with an indefinite duration or a duration of more than sixty (60) days must be approved by the Town Council by motion or resolution after consultation with its Police Department, the Town Manager or designee and the Town Attorney.

(2) Any Mutual Aid and/or Reciprocal Enforcement Agreement with a stated duration of sixty (60) days or less may be approved by the Town Manager after consultation with the Police Department and the Town Attorney.

(C) Required Terms. Every Agreement pursuant to this Section shall provide the following:

(1) Each party to the Agreement must waive any and all claims it may have against the other parties to the Agreement that may arise out of activities outside that party=s respective jurisdiction; and

(2) Each party shall indemnify and hold harmless the other parties to the agreement from all claims that are made by third parties for property damage or personal injury and that may arise out of the activities of the other parties to the agreement outside their respective jurisdictions under the Agreement.

(D) Existing Agreements. At the time of enactment of this Ordinance, which date is January 1, 2005, any mutual aid and/or reciprocal enforcement agreement entered into by the Town Manager or the Chief of Police, be and hereby is declared to be valid provided it conforms to Subsection (C) immediately above.

Ordinance O-01-05, effective