

CITY OF ST. MATTHEWS
ORDINANCE # 01, SERIES 2024
AN ORDINANCE RELATING TO THE STRUCTURE AND MANAGEMENT OF
THE ST. MATTHEWS POLICE DEPARTMENT

WHEREAS, the City Council believes that it is in the best interest of the city to enact a detailed ordinance that establishes the organizational structure and management of its city police department,

NOW THEREFORE, be it ordained by the City of St. Matthews:

Section 1: The City Council does hereby adopt a new Chapter 32 of the Codified Ordinances relating to the establishment of a police department, as follows:

32.01 ESTABLISHMENT.

1. The St. Matthews Police Department is established for the purpose of protecting the health, welfare, and property of all persons in the city. The St. Matthews 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 St. Matthews.

4. Primary jurisdiction of the department shall be the incorporated area of the City of St. Matthews, 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.
5. In accordance with the provisions of KRS 189.920(3), the Police Department motor vehicles shall be equipped with a combination of red and blue flashing, rotating or oscillating lights.

32.02 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. If time constraints preclude the 24-hour notice, the Chief of Police or an Assistant Chief may approve such work verbally, but written authorization must still be completed per the Standard Operating Procedures. The Mayor may also reverse any off-duty approval they believe 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. The Chief of Police shall appoint police officers with the consent and approval of the Police Steering Committee and Mayor. 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 their designated representative.
 - b. Applicants will meet the hiring requirements in accordance with Kentucky Law, the Department of Criminal Justice Training standards, and certified under the Peace Office Professional Standards (POPS).
 - 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 their office.
 - f. Newly hired police officers will be hired on a probationary basis, for a period of 1 year. 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.

32.03 OVERSIGHT AND OPERATIONAL CONTROL.

1. The executive authority of the city is vested in and exercised by the Mayor, with the exception that the Chief of Police is the direct supervisor of all police personnel under his command. Police personnel are subject to the Standard Operating Procedure Manual (SOP), and where not in conflict, the City of St. Matthews personnel policies shall also apply to police personnel.
2. The Chief of Police shall promulgate Standard Operating Procedures (SOP) to ensure the orderly administration of the functions of the City Police Department.

The Chief of Police will bring any significant SOP changes to the Police Steering Committee for its consent and approval.

3. The Chief shall inform the Police Steering Committee of information relating to police operations to include, but not limited to police projects, policy changes, budget issues, current crime trends, personnel issues, possible or actual complaints on officers and other pertinent information regarding the Police Department. If there is any matter in the Chief's report which by its nature involves a serious matter of personnel or pending litigation, the Police Steering Committee Chairman, City Attorney or Mayor shall report this matter in a properly called Executive Session of the City Council.
4. The Chief of Police of the St. Matthews 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 their 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 reports directly to the Mayor.
5. The Chief of Police has the authority and responsibility for the allocation, care, and maintenance of the equipment of the St. Matthews 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. 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 funds than were allocated for the Police Department in the city's annual budget ordinance without specific authorization from the Police Steering Committee upon approval by the City Council. It is the responsibility of the Police Chief to make sure the Police Department stays within its budget per the Steering Committee recommendations and approval of the City Council.

32.04 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 1 year following their and is an at-will employee during that probationary period.

32.05 POLICE STEERING COMMITTEE ESTABLISHED.

1. There is hereby established the Police Steering Committee, which is a standing committee of the City Council. The Police Steering Committee shall be comprised of the Executive Command Staff (Chief of Police and Assistant Chiefs), the Mayor, and two current members of the City Council. The City Council members shall be appointed by the Mayor with the consent and approval of the City Council.
2. The Police Steering Committee's primary function is to participate in reviewing the activities, personnel, discipline, future planning, and spending of the Police Department to better inform the City Council on these matters.
3. The Police Steering Committee reports to the City Council any potential liability, personnel issues or possible disciplinary issues relating to the Police Department.
4. The Police Steering Committee serves as the first appeals process in any disciplinary hearing as outlined by the Standard Operating Procedures and Policeman's Bill of Rights.
5. The Police Steering Committee does not have supervisory or executive power and instead gathers information and makes recommendations to the City Council.

Section 2: This ordinance shall take effect upon its passage, approval, and publication according to law,

First Reading February 13, 2024
Second Reading February 27, 2024
Passed and approved this the 27 day of February 2024

Richard J. Tonini
Richard J. Tonini, Mayor

ATTEST:

Susan Clark
Susan Clark, City Clerk

Those in Favor: 17

Those Opposed: 0