



Town of Berwyn Heights

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ORDINANCE 116 - DEPARTMENT OF POLICE

This revised Ordinance supersedes all previous Ordinances pertaining to the Department of Police.

Section 1. Authority

We, the Mayor and Council, by virtue of the power and authority vested by Sections 401 and 706.5 of the Town of Berwyn heights Charter, do hereby create and establish the following rules, regulations and procedures for the Department of Police for the Town of Berwyn heights, Prince George's County, Maryland.

Section 2. Definitions

The following words and phrases as used in this Ordinance and as may be used from time to time with reference to the Police Department, shall have or include the following meanings:

- A. "Town" shall mean - That area within the corporate limits of the Town of Berwyn Heights, Prince George's County, Maryland.
- B. "Department" shall mean - The Department of Police for the Town.
- C. "Councilman" shall mean - The Councilman for Public Safety and Health for the Town.
- D. "Mayor and Council" shall mean - The Elected Mayor and Council of the Town.
- E. "Chief" shall mean - Any person who is duly sworn in, charged with, and assigned to police work as a Peace Officer of the Department.
- F. "The Law" shall mean - All applicable laws of the USA, State of Maryland, Prince George's County, and the Town.

The singular shall include the plural; the masculine shall include the feminine.

Section 3. Lines of Authority, Duties, and Responsibilities

- A. The Mayor and Council shall be responsible for the efficient operation of the Police Department. The Councilman in charge of Public Safety and Health shall establish orders, rules and regulations which the Chief of Police shall be subject to. The Chief of Police shall be the Administrative Head of the Police Department.
- B. The Councilman shall take such measures as will insure prompt and vigorous enforcement of all criminal statues, laws, regulations, and ordinances, he enforcement of

which comes properly within the scope of the police function and power.

- C. The Councilman shall promulgate all orders, rules and regulations of the Mayor and Council which pertain to the work of the Police Department and shall issue such departmental instructions and promulgate such orders, rules and regulations, not inconsistent with the law.
- D. The Councilman shall, within the limits of any appropriation made for such purpose, appoint such police officers to the Department as are deemed necessary by him for the efficient administration of the Department.
- E. The Chief of Police, with the approval of the Mayor and Council, shall establish a Police Operations Manual relating to the appearance, decorum, method of dealing with the public, use of firearms, tour of duty, and other matters relating to police functions.
- F. The Chief of Police may act within the provisions of laws and Town policy in all matters regarding discipline. Before any final action is taken on a police employee, after proper Trial Board procedure by the Chief of Police, in writing, of his intention. The Councilman shall advise the Mayor and Council of the proposed action. The Mayor and Council shall advise, in writing, the Chief of Police if the dismissal is unacceptable to them, and make recommendations for alternative action.
- G. The Town shall provide the police officers of the Department the uniforms and equipment necessary for the performance of their respective duties, but all such uniforms and equipment shall remain the property of the Town. The Councilman shall have authority to destroy such uniforms and sell or dispose of such equipment as shall have become unfit for use and all monies received therefrom shall be paid into the Town treasury.
- H. The Councilman shall have full power and authority to delegate to the Chief such authority as he may deem necessary and proper for the efficient operation of the Department, provided such authority shall not be inconsistent with this Ordinance or the law.

Section 4. Employees

The Police Department of the Town shall consist of a Chief of Police and such number of officers as provided for by the Council. The Police force shall include one full-time employee.

Section 5. Eligibility

To be eligible for appointment as a Police Officer of the Town, the applicant must meet all the requirements as prescribed by the Maryland Police Training Commission.

Section 6. Appointments

Applications for appointment to the Police Department shall be made on forms furnished by the Department. Appointments to the Police Department are for a probationary period of one year.

Adopted: 9/9/1981
Effective: 9/29/1981