

STAFF REPORT**Fee Schedule Amendments**

To: **Members of the City Council**

Date: **January 13, 2011**

From: **Debbie L. Mahler, Director of Finance/City Clerk**

Meeting Date: **January 18, 2011**

Subject: **First reading of new chapter in LMC regarding law enforcement**

This staff report presents an Ordinance adopting a new chapter in the Langley Municipal Code regarding law enforcement. The ordinance is scheduled for first reading and discussion at the January 18th meeting.

BACKGROUND/ANALYSIS

In preparation for the coming retirement of Chief Herzberg, the administration has been looking at job descriptions, civil service rules and other regulations regarding the appointment of an interim Police Chief. We have realized that currently, the Municipal Code does not have a section on law enforcement. Each department head has a code section with the exception of the Chief. Therefore, we have drafted an ordinance establishing the duties and function of the PD and the duties and eligibility criteria for the Chief's position.

RECOMMENDED ACTION

Motion to approve a first reading of the ordinance.

CITY OF LANGLEY

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LANGLEY, WASHINGTON, RELATING TO LAW ENFORCEMENT; ADDING A NEW CHAPTER 2.18 POLICE DEPARTMENT TO THE LANGLEY MUNICIPAL CODE PROVIDING A GENERAL DESCRIPTION OF THE DUTIES AND FUNCTIONS OF THE POLICE DEPARTMENT AND THE APPOINTMENT AND DUTIES OF THE POSITION OF POLICE CHIEF.

WHEREAS, the current Langley Municipal Code lacks a description of the duties and functions of the City of Langley Police Department; and

WHEREAS, the current Langley Municipal Code also lacks a description of the duties and eligibility criteria for the position of Police Chief; and

WHEREAS, the City Council finds it is in the best interests of the community to enact legislation to provide a general description of the duties and functions of the Police Department and to set forth the duties and eligibility criteria for the position of Police Chief;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LANGLEY, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. A new Chapter 2.18 Police Department is hereby added to the Langley Municipal Code and shall read as follows:

**Chapter 2.18
Police Department**

2.18.010 Police department.

The police department of the city of Langley shall be the law enforcement agency of the jurisdiction. Its primary functions shall be the detection and apprehension of persons committing infractions or violating traffic or criminal laws duly enacted by the city, state and federal governments. The department shall further perform such other duties and functions as may be delegated to it by the mayor and city council.

2.18.020 Police chief – Appointment and confirmation.

There is hereby created the position of police chief. The mayor shall appoint the police chief, subject to confirmation by a majority of the city

council, in conformity with the civil service laws of the state and the rules and regulations of the Langley civil service commission.

2.18.030 Police chief -- Duties.

A. The police chief shall have those powers and duties as provided by duly enacted city, state and federal laws.

B. The police chief is the commander and administrative head of the police department, and shall be subject to the general supervision of the mayor. The police chief is responsible for the planning, organizing and directing of the department in such matters as planning, coordinating, and supervision of patrol, investigation, crime prevention, training and all other programs and services of the police department.

C. The police chief shall be responsible for and have the duty to see that violations of duly enacted city, state and federal laws are investigated and appropriate enforcement action taken.

2.18.040 Police chief – Eligibility and qualifications.

Eligibility and qualification requirements for the position of police chief shall be consistent with RCW 35.21.333.

2.18.050 Police chief – Compensation.

The compensation for the position of police chief shall be as fixed by the city council annually at the time that the annual city budget is adopted.

Section 2. Severability. If any section, paragraph, subsection, clause or phrase of this ordinance is held invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. Effective Date. This ordinance shall take effect five (5) days after publication of an approved summary thereof, consisting of the title.

PASSED by the City Council of the City of Langley and **APPROVED** by the Mayor at a regularly scheduled public meeting held this ____ day of _____, 2011.

ATTEST:

PAUL O. SAMUELSON, MAYOR

DEBBIE L. MAHLER, DIRECTOR OF FINANCE/CLERK

APPROVED AS TO FORM:

GRANT K. WEED, CITY ATTORNEY

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