

CHAPTER 40: POLICE DEPARTMENT AND FIRE DEPARTMENT

(Unofficial Copy; includes amendments through January 1, 2013)

40.01 PROCEDURE FOR COMPLAINTS AGAINST DEPARTMENTS.

(A) Complaints made to any members of the Police Department or Fire Department by citizens against other members thereof shall be taken down in writing by the officer and shall by him or her be turned over to the Chief of Police or Chief of the Fire Department who shall cause the charges to be transmitted to the City Manager, together with any other information that he or she shall possess or have knowledge of.

(B) Complaint made against a superior officer may be made by a member or members of the Police or Fire Department in writing directed to the City Manager.

(C) Sworn complaints or preferred charges made against members of the Police Department and Fire Department shall be administered in accordance with the provisions of KRS 15.520 and KRS 95.450, as applicable.

40.02 PROCEDURE FOR DEPARTMENTAL COMPLAINTS.

To resolve complaints and issues at the lowest appropriate management levels for employment related matters through their supervisors, department heads, and the City Manager. employees may appear before the Board of Commissioners only after following established grievance procedures. Employment related matters will not be addressed during the citizen comment portion of the agenda. This does not prohibit employees from commenting on non-employment related matters.

40.03 UNIFORMS AND EQUIPMENT.

(A) All members of the Police or Fire Department while on duty shall be dressed in uniform and shall keep themselves in a neat and presentable appearance. Members of the respective departments may be authorized by the Police Chief or Fire Chief to wear civilian clothing.

(B) Upon retirement, a sworn full-time officer of the Police Department may request to purchase the service handgun issued by the department at a price equivalent to the weapon's fair market value on the date of the officer's retirement. The employee must notify the Police Chief in a timely manner of the desire to purchase the service handgun in order for the property to be declared as surplus. Fair market value may be determined by reference to a recognized pricing guide. Transfer of service handgun to the retiree will be completed by recording the transaction on a form developed by the Police Department and retained in the employee's personnel file.

40.04 DUTIES OF CHIEFS.

The Chief of Police shall be the chief officer of the Police Department and the Chief of the Fire Department shall be the chief officer of the Fire Department. They shall see that all rules and regulations, laws and orders of the City Manager and Board of Commissioners are carried out in full and shall have the power and authority to issue and enforce the policies, procedures, rules and regulations they consider necessary for the purpose of improving or carrying on and regulating the Police Department and Fire Department. The Chief of Police and the Chief of the Fire Department shall have no regular office hours but for the purpose of looking after and regulating its force in proper function shall be deemed on duty at all hours. It shall be the duty of the Chief of Police to look after and visit the various routes assigned to each police officer as often as practicable at any and all hours of the day and night and it is likewise the duty of the Chief of the Fire Department to see and inspect the respective members thereof, to see that they properly perform their duties. It shall be the duty of the Chief of Police and the Chief of the Fire Department to properly inform the City Manager and/or Board of Commissioners of all matters of interest pertaining to the Police or Fire Departments.

40.05 STATUTORY PENSION SYSTEM ADOPTED; EXPENSES.

(A) The city hereby adopts the provisions of KRS 95.881 to 95.885 by reference into the ordinances of the city and henceforth shall operate the pension fund for employees of the Police and Fire Departments pursuant thereto who were participating prior to August 1, 1988. A new account is created to be known as the Police and Firefighters Retirement Fund.

(B) (1) The trustees of the Police and Firefighters Retirement Fund of the city shall not incur an indebtedness for any administrative expense without the prior express approval of the Board of Commissioners of the city.

(2) The trustees of the Police and Firefighters Retirement Fund shall make every contract for supplies or services expressly subject to the approval of the Board of Commissioners. Whether expressly made so subject or not, every contract shall be construed as subject to the approval of the Board of Commissioners and shall be submitted to the Board of Commissioners by the City Manager with a statement of the liability incurred and of his or her recommendation, for its approval or disapproval.

40.06 SAFETY EMPLOYEE FITNESS FOR DUTY REQUIREMENTS.

(A) Safety employee histories indicate a significant occurrence level of injuries, many resulting from strain, coronary disease and spinal degeneration producing pain, loss of work time, disability situations, excessive demands for sick leave, workers compensation benefits and disability retirements. Safety service requires a high degree of physical stamina. Fitness training has been shown to increase and maintain work capacity, improve and maintain general health and reduce the potential for personal suffering and loss of life. It is believed to be in the public interest, and in the best interest of employees in the Police and Fire Departments and their families that fitness standards be established and enforced.

(B) Mandatory physical fitness standards are hereby established for all sworn members of the Police and Fire departments employed after January 1, 1987, and they shall be required to meet these standards as a condition of employment. These standards shall be approved by the Board of Civil Service to fit job related physical standards and to comply with all federal and state

requirements.

(C) Employees shall be required to pass a job-related physical agility test at time of hire and annually thereafter. In lieu of the annual job-related physical agility test required at the time of hire and annually thereafter, the employee may enroll in a department-approved Fit for Duty program designed to promote physical and mental fitness. The employees must annually achieve the minimum standards established by the job-related physical agility test or the department-approved Fit for Duty program.

(D) A physical and/or psychological evaluation may be required for safety employees at the discretion of the chief at any time during the course of his or her employment.

(E) The physical agility test shall be administered by the division annually, or, if the employee elects to participate in the department-approved Fit for Duty program, the employee shall at all times meet the physical evaluation requirements of the program. The only basis for not participating in either program is a valid written medical exemption from a physician. An employee who does not participate due to medical exemption must test immediately upon expiration of the medical exemption.

(F) Failure of an employee to pass the physical agility test or to meet the requirements of the department-approved Fit for Duty program shall result in disciplinary action. Employees failing to pass the physical agility test or failing to meet the requirements of the department-approved Fit for Duty program shall be given a 60-day extension from the date of the failed test to comply with the standards. At the end of 60 days, employees unable to meet requirements shall be subject to suspension without pay for up to six months by charges being filed with the Board of Commissioners. During the period of suspension, an employee may be tested again on no more than three occasions, and shall be reinstated upon passage. At the end of the designated suspension period, the employee shall be re-examined. If the employee passes, the employee shall be reinstated. If the employee fails, charges shall be brought for dismissal.

(G) While fitness shall be a mandatory requirement, the means to obtain fitness will be at the employee's discretion. However, in order to assist the employee, the city will provide access to an exercise or recreational facility.

CIVIL SERVICE

40.15 BOARD OF CIVIL SERVICE.

(A) There shall be, and there hereby is created the Board of Civil Service for police and fire, by which name it shall be known. It shall consist of five members, who shall be selected and appointed by the Mayor, subject to the approval of the Board of Commissioners.

(B) (1) Each appointee and member of the Board of Civil Service for police and fire shall be a qualified voter of the city; shall have resided herein for at least two years prior to appointment; shall be at least 30 years of age; and shall not be related by either blood or marriage to the Mayor or any member of the Board of Commissioners. If, at any time during the term of office, any member of the body becomes a candidate for or is elected or appointed to any public office the member of the Board shall immediately vacate the office on the Board. These are four year terms which commence as of March 1 and expire on the last day of February four years later and

until a successor is appointed and qualified.

(2) Any and all vacancies shall be filled for the unexpired term only in the same manner as the original appointment.

(3) (a) The Board of Civil Service shall elect its Chair at the first meeting of each year.

(b) A majority of the Board of Civil Service for police and fire shall constitute a quorum. All certifications of applicants shall be signed by the quorum present.

(4) The Board of Civil Service for police and fire shall hold regular or stated periodical meetings at the times as it may prescribe by resolution, and shall hold the special meetings as its Chairperson, or any three members, may call, upon written notice.

(5) The Human Resources Director or designee, acting as Clerk of the Board of Civil Service for police and fire shall attend its meetings and keep in the personnel office a record of its proceedings.

(C) It shall be the duty of the Board of Civil Service to examine applicants for original or promotional appointment in the Police and Fire Departments, and to certify the results of each examination to the City Manager in writing signed by the quorum of the Board present within five days after completion of the examination.

(D) Terms of office.

(1) The term of office for Board of Civil Service shall be four year terms which commence as of March 1.

(2) The mayor may replace a member of the Board of Civil Service that has not participated in a meeting for twelve consecutive months.

(E) Members of the Board of Civil Service shall be compensated at a rate of \$100.00 per day for attending meetings, whether evaluating candidates or conducting Board business.

40.18 POLITICAL ACTIVITY.

Employees under the terms and provisions of the chapter shall not violate applicable law as relates to political activity.

40.21 POLICE DEPARTMENT ORIGINAL APPOINTMENTS

(A) THE APPLICATION PROCESS

(1) An applicant for original appointment in the Police Department shall submit a completed application on a form to be prescribed by the City Manager and file same with the Human Resources Director, as Clerk of the Board of Civil Service, prior to the advertised application filing deadline.

(2) Whenever sufficient applications are on file, or whenever in the discretion of the City Manager an examination should be held, the Human Resources Director shall, after consultation with the Board of Civil Service, designate in writing to the Board of Civil Service a date of an

examination, and shall notify each applicant whose application is on file, of the time and place of examination. No applicant for original appointment shall be entitled to take an examination unless:

(a) The applicant is a person of sobriety and integrity and is and has been an orderly, law-abiding citizen;

(b) The applicant is a high school graduate and a copy of the high school diploma or GED report certified by proper school authority is provided with the application;

(c) The applicant's age is not less than 21 years upon date of appointment, which means that the applicant shall have reached or passed his or her 21st birthday. In accordance with KRS 95.440(2), no person may be appointed as a Patrol Officer after the candidate is 50 years of age. A copy of the applicant's birth certificate issued by the state and signed by the registrar of the state in which the applicant was born must accompany the application.

(d) The applicant shall furnish evidence of possession of a valid motor vehicle operator's license and must possess a valid state operator's license as prescribed by state law.

(3) (a) All applicants shall by virtue of having made application consent to a department background investigation.

(b) Each applicant shall be responsible to notify the Human Resources Department of any change of address or contact information. Any notice sent to an applicant at the address provided shall be deemed sufficient notice.

(c) Any applicant who in any way falsifies information shall be disqualified from participating in the examination process by the City Manager.

(B) THE EXAMINATION PROCESS AND ELIGIBILITY LIST

(1) All applicants shall be examined by the Board of Civil Service or its designee as to qualifications and fitness to fill the position of Patrol Officer in the following respects:

(a) The Police Chief shall recommend job-related physical agility standards through the Human Resources Director to the City Manager. Upon approval of the City Manager, the physical agility standards shall be included in the Department's policies or standard operating procedures. A summary of the test and/or these standards will be documented and may be made available to interested applicants.

(b) The applicant shall be required to submit to a uniform written test to be prescribed by the Police Chief, in order to test the applicant's general knowledge, aptitudes, specific skills and ability to communicate clearly. Tests shall be fairly administered and job-related to the extent that qualifying abilities may be objectively measured. Test selection and security shall be the responsibility of the Police Chief. The written test, regardless of the number of questions, shall have a total value of 100%. Each applicant shall achieve a minimum written test score of 70%, or the minimum score set by the provider of a validated test, in order to continue in the process.

(c) The applicant shall satisfy the Board of Civil Service by oral interview that the applicant knows in general the duties of the position applied for and is prepared to make the necessary personal commitment as a Patrol Officer. Oral interviews may be held by the Civil

Service Board with a quorum of the Board members present. With the approval of the Board of Civil Service, the Police Chief or his designee may be allowed to participate in the interviews and score each candidate.

(d) Should the number of candidates eligible for the oral interview exceed 26 candidates, the Police Chief may determine that the interviews be conducted using the following Banding Procedure. Rather than interview and score all eligible candidates prior to creating the eligibility list, the candidate pool may be divided into multiple pools based upon written test scores, and only candidates in the pool/band with the highest written scores advance to oral interviews. The pool/band with the highest scores shall consist of at least 26 candidates. After these candidates are interviewed an Eligibility List may be created using only this pool of candidates. After more than 67% of the candidates on the Eligibility List have either been hired, have declined employment offers, have had contingent job offers withdrawn, or been removed from the eligibility list due to suitability issues, the Police Chief will determine whether to schedule additional oral interviews for candidates not in the original band of applicants or to begin a new recruitment process. If additional candidates are scheduled for oral interviews, the Eligibility List will be reconstituted and their total scores will be integrated into the new Eligibility List.

(2) Upon completion of the examination process described above, the Clerk of the Board of Civil Service shall gather each candidate's scores and create an eligibility list of candidates with total passing scores. An applicant will be deemed to have passed the examination process if his or her total score is a minimum of 70%.

(a) The relative weight to be given to the components of the examination process shall be as follows:

1. Physical agility: pass/fail.
2. Written test: 50%.
3. Preliminary background investigation: pass/fail.
4. Oral interview: 50%.
5. Total: 100%.

(b) The passing applicant's names and total scores shall be placed, in rank order, on a Patrol Officer Recruit eligibility list. When a majority of members of the Board of Civil Service that participated in the oral interviews have signed the eligibility list, it shall be forwarded through the Human Resources Director to the City Manager. The eligibility list shall be valid and remain in full force and effect until such time as another examination is held and a new eligibility list is certified by the Board of Civil Service to the City Manager.

(c) The name of any applicant on an eligibility list who fails to report for an interview with the appointing authority or to make a satisfactory response to the notice, or any applicant who declines an appointment without a reason satisfactory to the City Manager, may be removed from the eligibility list. Notice of the removal shall be furnished to the applicant; and the applicant's name shall not be reinstated to the list without providing an explanation satisfactory to the City Manager.

(d) In case the Board of Civil Service or the City Manager has reason to believe that any applicant whose name is on an eligibility list should be removed therefrom on account of

incapacity developed subsequent to examination, or for fraud or false statement on the applicant's part in connection with the application or examination, or misconduct of any kind evidencing unfitness or lack of loyalty, or lack of capacity for proper discipline, the City Manager may before appointing the applicant give the applicant notice to show cause before the Board of Civil Service why the applicant should not be dropped from the list, and on the notice the applicant shall be given an opportunity to be heard before the Board of Civil Service. If the applicant fails to appear for hearing, or fails to convince the Board of Civil Service that the applicant should remain on the eligibility list, the applicant shall be removed from the eligibility list.

(3) Separate from the application process described above, applicants that have already been certified as Peace Officers by the Kentucky Law Enforcement Council may be considered for appointment at any time under an Accelerated Candidate Process. Applicants under this process must possess a minimum of two years of full time law enforcement experience and be employed with a law enforcement agency at the time of application. The applicant must be in good standing at the agency where employed and must sign a waiver that authorizes the City to contact his employer to obtain employment records. Candidates that are reviewed for potential appointment under this process must be able to pass the Peace Officer Professional Standards (POPS) physical fitness standards, and must successfully complete polygraph testing, psychological testing, physical examination and drug screen, and a background investigation. Time worked in other law enforcement agencies will not count toward Police Department seniority, and accrued leave from the other agency will not transfer to City employment.

(C) THE APPOINTMENT PROCESS

(1) When a vacant Patrol Officer position needs to be filled, the Police Chief and the City Manager will seek the approval of the Board of Commissioners to extend contingent job offers to fill the position(s). Upon the approval of the Board of Commissioners, the Police Chief may make a contingent offer of employment to an applicant on the eligibility list having one of the highest five scores, or to a KLEC certified applicant pursuant to the Accelerated Candidate Process described above. The contingent employment requirements may include in depth background checks, psychological examination, polygraph examination, drug/alcohol screening and/or medical examination to assure fitness for duty. If the applicant successfully meets all of the requirements of an approved conditional offer of employment, the candidate may be immediately appointed and begin work. If the candidate fails to meet all requirements, the Police Chief may withdraw the contingent offer of employment and seek another suitable candidate from the eligibility list. Applicants who have been given a conditional offer of employment, and subsequently are denied employment due to unsatisfactory background, polygraph or drug screen examination results shall not be eligible to be placed upon a subsequent eligibility list for a period of five years from the date the conditional offer is withdrawn.

(2) Prior to a final offer of appointment an applicant for the Police Department shall receive a job-related examination by a medical doctor of the city's choice to determine ability to perform the essential functions and required tasks of Patrol Officer.

(3) All original appointments from the eligibility list shall be for an initial probationary period of 12 months after receiving POPS certification and no original appointment shall be deemed finally made until the appointee has satisfactorily served the initial probationary period. For candidates that possess the POPS certification the initial probationary period shall be for 12 months from the date hired. The probationary period may be extended for an additional six months upon the recommendation of the Police Chief and with the approval of the City Manager. The appointee during the probationary period may be terminated with or without cause by the

Board of Commissioners upon the written recommendation of the Police Chief and/or the City Manager,

(4) If the preliminary or in-depth background investigation reveals that an applicant has provided false information or does not meet the qualifications for employment as stated in state statutes or city ordinance, the City Manager shall remove the applicant from the employment process. If the applicant is on the eligibility list the City Manager shall remove the applicant from the eligibility list. If the applicant has been made a contingent job offer, the City Manager may withdraw that offer. The applicant shall be notified in writing of the decision and the reason for removal or withdrawal. The applicant may appeal the decision of the City Manager to the Board of Civil Service, which may choose to conduct a hearing for the applicant to show cause as to why the City Manager's decision should be changed. In the event the information does not come to the attention of the proper officials until after the applicant has been appointed in the Police Department, the applicant shall, notwithstanding the appointment, be subject to removal from any appointed position as the result of providing false information during the employment process.

40.22 FIRE DEPARTMENT ORIGINAL APPOINTMENTS

(A) THE APPLICATION PROCESS

(1) An applicant for original appointment in the Fire Department shall submit a completed application on a form to be prescribed by the City Manager and file same with the Human Resources Director, as Clerk of the Board of Civil Service, prior to the advertised application filing deadline.

(2) Whenever sufficient applications are on file, or whenever in the discretion of the City Manager an examination should be held, the Human Resources Director shall, after consultation with the Board of Civil Service, designate in writing to the Board of Civil Service a date of an examination, and shall notify each applicant whose application is on file, of the time and place of examination. No applicant for original appointment shall be entitled to take an examination unless:

(a) The applicant is a person of sobriety and integrity and is and has been an orderly, law-abiding citizen;

(b) The applicant is a high school graduate and a copy of the high school diploma or GED report certified by proper school authority is provided with the application;

(c) The applicant's age is not less than 21 years upon date of appointment, which means that the applicant shall have reached or passed his or her 21st birthday. In accordance with KRS 95.440(2), no person may be appointed as a Firefighter after the candidate is 50 years of age. A copy of the applicant's birth certificate issued by the state and signed by the registrar of the state in which the applicant was born must accompany the application.

(d) The applicant shall furnish evidence of possession of a valid motor vehicle operator's license and must possess a valid state operator's license as prescribed by state law.

(3) (a) All applicants shall by virtue of having made application consent to a department background investigation.

(b) Each applicant shall be responsible to notify the Human Resources Department of any change of address or contact information. Any notice sent to an applicant at the address provided shall be deemed sufficient notice.

(c) Any applicant who in any way falsifies information shall be disqualified from participating in the examination process by the City Manager.

(B) THE EXAMINATION PROCESS AND ELIGIBILITY LIST

(1) All applicants shall be examined by the Board of Civil Service or its designee as to qualifications and fitness to fill the position of Firefighter in the following respects:

(a) The Fire Chief shall recommend job-related physical agility standards through the Human Resources Director to the City Manager. Upon approval of the City Manager, the physical agility standards shall be incorporated in the department's policies and/or standard operating procedures. A summary of the test and/or these standards will be documented and may be made available to interested applicants. The physical agility standard shall be the Candidate Physical Agility Test (CPAT), or meet the standards required pursuant to KRS 95A.040. A valid unexpired CPAT card may be required of applicants who remain on an eligibility list more than 12 months as a condition of employment.

(b) The applicant shall be required to submit to a uniform written test to be prescribed by the Fire Chief, in order to test the applicant's general knowledge, aptitudes, specific skills and ability to communicate clearly. Tests shall be fairly administered and job-related to the extent that qualifying abilities may be objectively measured. Test selection and security shall be the responsibility of the Fire Chief. The written test, regardless of the number of questions, shall have a total value of 100%. Each applicant shall achieve a minimum written test score of 70%, or the minimum score set by the provider of a validated test, in order to continue in the process.

(c) The applicant shall satisfy the Board of Civil Service by oral interview that the applicant knows in general the duties of the position applied for and is prepared to make the necessary personal commitment as a Firefighter. Oral interviews may be held by the Civil Service Board with a quorum of the Board members present. With the approval of the Board of Civil Service, the Fire Chief or his designee may be allowed to participate in the interviews and score each candidate.

(d) Should the number of candidates eligible for the oral interview exceed 26 candidates, the Fire Chief may determine that the interviews be conducted using the following Banding Procedure. Rather than interview and score all eligible candidates prior to creating the eligibility list, the candidate pool may be divided into multiple pools based upon written test scores, and only candidates in the pool/band with the highest written scores advance to oral interviews. The pool/band with the highest scores shall consist of at least 26 candidates. After these candidates are interviewed an Eligibility List may be created using only this pool of candidates. After more than 67% of the candidates on the Eligibility List have either been hired, have declined employment offers, have had contingent job offers withdrawn, or been removed from the eligibility list due to suitability issues, the Fire Chief will determine whether to schedule additional oral interviews for candidates not in the original band of applicants or to begin a new recruitment process. If additional candidates are scheduled for oral interviews, the Eligibility List will be reconstituted and their total scores will be integrated into the new Eligibility List.

(2) Upon completion of the examination process described above, the Clerk of the Board of Civil Service shall gather each candidate's scores and create an eligibility list of candidates with total passing scores.

(a) An applicant will be deemed to have passed the examination process if his or her total score is a minimum of 70%, prior to the addition of additional credit points as specified in paragraph (c) below.

(b) The relative weight to be given to the components of the examination process shall be as follows:

1. Physical agility: pass/fail.
2. Written test: 50%.
3. Preliminary background investigation: pass/fail.
4. Oral interview: 50%.
5. Total: 100%.

(c) Upon receiving a passing score, additional credit for current certifications shall be applied to the applicant's total score prior to ranking the score on the eligibility list as follows:

1. Kentucky Certified Firefighter: 1 point.
2. Kentucky or National EMT-B: 1 point.
3. Kentucky or National EMT-P: 2 points.

(d) The passing applicant's names and total scores shall be placed, in rank order, on a Firefighter Recruit eligibility list. When a majority of members of the Board of Civil Service that participated in the oral interviews have signed the eligibility list, it shall be forwarded through the Human Resources Director to the City Manager. The eligibility list shall be valid and remain in full force and effect or until such time as another examination is held and a new eligibility list is certified by the Board of Civil Service to the City Manager.

(e) The name of any applicant on an eligibility list who fails to report for an interview with the appointing authority or to make a satisfactory response to the notice, or any applicant who declines an appointment without a reason satisfactory to the City Manager, may be removed from the eligibility list. Notice of the removal shall be furnished to the applicant; and the applicant's name shall not be reinstated to the list without providing an explanation satisfactory to the City Manager.

(f) In case the Board of Civil Service or the City Manager has reason to believe that any applicant whose name is on an eligibility list should be removed therefrom on account of incapacity developed subsequent to examination, or for fraud or false statement on the applicant's part in connection with the application or examination, or misconduct of any kind evidencing unfitness or lack of loyalty, or lack of capacity for proper discipline, the City Manager may before appointing the applicant give the applicant notice to show cause before the Board of Civil Service why the applicant should not be dropped from the list, and on the notice shall be given an opportunity to be heard before the Board of Civil Service. If the applicant fails to appear for hearing, or fails to convince the Board of Civil Service that the applicant should remain on the eligibility list, the applicant shall be removed from the eligibility list.

(C) THE APPOINTMENT PROCESS

(1) When a vacant Firefighter position needs to be filled, the Fire Chief and the City Manager will seek the approval of the Board of Commissioners to extend contingent job offers to fill the position(s). Upon the approval of the Board of Commissioners, the Fire Chief may make a contingent offer of employment to an applicant on the eligibility list having one of the highest five scores. The contingent employment requirements may include in depth background checks, psychological examination, polygraph examination, drug/alcohol screening and/or medical examination to assure fitness for duty. If the applicant successfully meets all of the requirements of an approved conditional offer of employment, the candidate may be immediately appointed and begin work. If the candidate fails to meet all requirements, the Fire Chief may withdraw the contingent offer of employment and seek another suitable candidate from the eligibility list. Applicants who have been given a conditional offer of employment, and subsequently are denied employment due to unsatisfactory background, polygraph or drug screen examination results shall not be eligible to be placed upon a subsequent eligibility list for a period of five years from the date the conditional offer is withdrawn.

(2) Prior to a final offer of appointment an applicant for the Fire Department shall receive a job-related examination by a medical doctor of the city's choice to determine ability to perform the essential functions and required tasks of Firefighter.

(3) All original appointments from the eligibility list shall be for an initial probationary period of 12 months and no original appointment shall be deemed finally made until the appointee has satisfactorily served the 12-month probationary period. The probationary period may be extended for up to an additional six months by recommendation of the Fire Chief and with the approval of the City Manager. The appointee during the probationary period may be terminated with or without cause by the Board of Commissioners upon the written recommendation of the Fire Chief and/or the City Manager.

(4) If the preliminary or in-depth background investigation reveals that an applicant has provided false information or does not meet the qualifications for employment as stated in state statutes or city ordinance, the City Manager shall remove the applicant from the employment process. If the applicant is on the eligibility list the City Manager shall remove the applicant from the eligibility list. If the applicant has been made a contingent job offer, the City Manager may withdraw that offer. The applicant shall be notified in writing of the decision and the reason for removal or withdrawal. The applicant may appeal the decision of the City Manager to the Board of Civil Service, which may choose to conduct a hearing for the applicant to show cause as to why the City Manager's decision should be changed. In the event the information does not come to the attention of the proper officials until after the applicant has been appointed in the Police Department, the applicant shall, notwithstanding the appointment, be subject to removal from any appointed position as the result of providing false information during the employment process.

40.23 POLICE DEPARTMENT PROMOTIONS

(A) (1) Upon the request of the City Manager, the Board of Civil Service shall hold competitive examinations for those members of the Police Department for the purpose of establishing an eligibility list for potential promotion to the ranks of Police Sergeant, Police Lieutenant, Police Captain and Police Major. Employees that will become eligible for promotion

within one year following the testing date shall be eligible to take the promotional exam.

(2) A member of the Police Department must serve one year in the next lower rank before he or she will be deemed eligible for promotion, with the exception of patrol officer who must serve a total of forty-eight (48) months before being eligible for promotion. No employee who has received disciplinary action in the form of a suspension of more than five days during the 24 months prior to testing will be eligible for examination for promotion. No member who received an unsatisfactory performance evaluation the prior year will be eligible for promotional examination.

(3) Vacancies in rank shall be filled as far as is practicable, within 90 days of occurrence. Promotions will be made from the eligibility list certified by the Board of Civil Service. Notwithstanding the above provisions, the position of Police Chief may be filled by appointment/promotion of a member of the Police Department holding one of the next two lower ranks (Police Major or Police Captain), or by the appointment of a qualified applicant of similar rank who is not a member of the Frankfort Police Department.

(B) An applicant for promotional appointment in the Police Department shall sign a completed application on a form to be prescribed by the Human Resources Director and file same with the Human Resources Director as Clerk of the Board of Civil Service at least fifteen (15) days prior to the date set for examination, provided that said deadline may be waived by the Civil Service Board for good cause. Notice of promotional examinations shall be by bulletins posted on the bulletin board in the Police Department. All applicants who filed their applications at least fifteen days prior to the time set for the examination and who will, one year from the date set for the examination, be eligible for promotion, shall be eligible to participate in the examination.

(C) Promotional Process Components.

(1) There shall be four separate components/examinations to determine each candidate's qualifications and fitness for promotion. Scores from the four components shall be combined to create a total score, and the components shall be weighted as follows:

Written test:	50 points
Departmental input:	20 points
Longevity:	10 points
Oral interview:	20 points
Total	100 points

(2) Written test: Test material shall be those prescribed by the Police Chief, shall be pertinent to the duties and responsibilities of the rank being tested, and shall be administered according to accepted standards of public practice. Employees must score at least 70% on the written exam to continue participating in the promotional process.

(3) Departmental Input: The department shall establish the procedures, factors, and relative weight of each factor to be used in determining departmental input. The procedures shall include a meeting with all personnel in the next higher rank who will jointly assign numerical value to each of the factors established for each rank; either the police chief or major shall be present as a nonvoting member of the meeting, except that the majors shall evaluate the captains and the Police Chief shall evaluate the majors. Each employee shall have the results of

his/her departmental input rating explained to him or her by the immediate supervisor. Each employee has the right to appeal the departmental input rating through the city's grievance procedure. Each employee of the Police Division shall be evaluated at least annually with regard to overall job performance and skills development and attainment of personal and departmental objectives. Performance evaluations shall be completed on forms specifically developed for this purpose and approved by the Police Chief. The Police Chief shall be responsible for ensuring that evaluations are performed and that each employee receives one copy of his or her evaluation, one copy is filed in police administration, and one copy is forwarded to the Human Resources Office. Employee evaluation procedure: Each employee shall be evaluated as described in this section by his or her immediate supervisor, starting with the rank of sergeant, and all evaluations shall be reviewed by the Majors and Police Chief. Each employee shall have the results of the evaluation explained to him or her by the rating officer, during which time the supervisor and employee will establish goals and objectives for increased and/or continued performance levels. Each employee shall have the right to appeal a performance evaluation through the city's grievance procedure.

(4) Longevity: One-half point for each year of unbroken service up to a maximum of 20 years shall be added to the cumulative score of all candidates passing the written test as described under this section.

(5) Oral interview

(a) Candidates will be interviewed and scored by a quorum of the Board of Civil Service. If the Board has difficulty convening a quorum, two members of the Board and a police professional chosen by the Police Chief may conduct and score the interviews. The applicant shall satisfy the Board that he or she knows and understands the duties of the position applied for and the rules and regulations pertaining thereto. The applicant may be questioned to determine general intelligence and to ascertain any education, special character traits or aptitudes. The Police Chief, or his designee, may be interviewed concerning qualifications of each applicant and shall furnish the information as the Board of Civil Service may require.

(b) Any reports as may be required by the Board of Civil Service shall be made available to the Board through the Clerk of the Board. The Board may take into consideration any disciplinary actions or recognitions of performance received by any candidate during the twenty-four (24) months prior to the interview.

(6) The applicant shall be scored on each of the four components, and the total score then determined by the Human Resources Director, taking into consideration the relative weight of each of the components. Promotional candidates will be deemed to have passed the promotional process if his or her total score of all test components totals a minimum of 70%. Applicants with a total score of less than 70% will not be placed on the eligibility list. A promotional eligibility list for each rank, including the applicant's names and total score shall be certified by a majority of the Board of Civil Service that participated in the oral interviews to the City Manager as being eligible for promotional appointment to a position in the Police Department. The eligibility list shall include the final total scores of all applicants.

(7) Promotional eligibility lists shall be valid and remain in full force and effect for one year or until such time as another examination is held and a new eligibility list is certified by the Board of Civil Service to the City Manager.

(D) In case the Board of Civil Service or the City Manager has reason to believe that any applicant whose name is on an eligible list should be removed therefrom on account of incapacity

developed subsequent to his examination, or for fraud or false statement on his or her part in connection with his application or examination, or misconduct of any kind evidencing unfitness, or lack of capacity for proper discipline, the City Manager may before promoting the applicant give him or her notice to show cause before the Board of Civil Service why his or her name should not be dropped from the list, and on the notice he or she shall be given an opportunity to be heard before the Board of Civil Service. If the applicant fails to appear for hearing, or fails to convince the Board of Civil Service that his or her name should be retained on the list, his or her name shall be removed from the eligible list.

(E) The Police Chief, with the approval of the City Manager, shall select the candidate to be promoted from those candidates on the promotional eligibility list with the three highest scores. A candidate who has been passed over (a lower ranking candidate is promoted) shall be provided a written notice which includes the reasons for the selection that was made. The City Manager will place the promotion of the candidate on the Board of Commissioner's agenda for their approval.

(F) All employees promoted from the eligibility list shall serve a probationary period of six months; and no promotion shall be deemed finally made until the appointee has satisfactorily served said six months probationary period. During the promotional probationary period the employee may be demoted back to his or her previous rank only for good cause, and only upon written recommendation by the Police Chief and approval by the City Manager and Board of Commissioners.

40.24 FIRE DEPARTMENT PROMOTIONS

(A) (1) Upon the request of the City Manager, the Board of Civil Service shall hold competitive examinations for those employees of the Fire Department for the purpose of establishing an eligibility list for potential promotion to the ranks of Fire Sergeant, Fire Lieutenant, Fire Captain, Fire Battalion Chief and Assistant Fire Chief. Employees that will become eligible for promotion within one year following the testing date shall be eligible to take the promotional exam.

(2) Effective July 1, 2012, with the exception of individuals listed on the eligibility list existing as of that date, a candidate for promotion must serve a minimum period of time in the next lower rank with the City Fire Department before the candidate may be promoted to the next higher rank. The minimum periods of service are as follows:

Fire Sergeant – at least 36 months as a Firefighter/EMT II and/or Firefighter/EMT III

Fire Lieutenant – at least 24 months as a Fire Sergeant

Fire Captain – at least 24 months as a Fire Lieutenant

Fire Battalion Chief – at least 12 months as a Fire Captain

Assistant Fire Chief – at least 12 months as a Fire Battalion Chief

(3) No employee that has been suspended for three or more consecutive or nonconsecutive days (shifts) within 24 months prior to testing will be eligible to participate in the promotional process. No candidate who has received an evaluation with an overall rating of Unsatisfactory or Needs Improvement within the prior twelve months will be eligible to participate in the promotional process.

(4) Satisfying professional standards and/or receipt of professional certifications may be required as prerequisites for promotion provided that adequate notice is provided to promotional

candidates.

(5) Vacancies in rank shall be filled as far as is practicable, within 90 days of occurrence. Promotions will be made from the eligibility list certified by the Board of Civil Service. Notwithstanding the above provisions, the position of Fire Chief may be filled by appointment/promotion of a member of the Fire Department holding one of the next two lower ranks (Assistant Chief or Battalion Chief), or by the appointment of a qualified applicant of similar rank who is not a member of the Frankfort Fire Department.

(B) An applicant for promotional appointment in the Fire Department shall sign a completed application on a form to be prescribed by the Human Resources Director and file same with the Human Resources Director as Clerk of the Board of Civil Service at least fifteen (15) days prior to the date set for examination, provided that said deadline may be waived by the Civil Service Board for good cause. Notice of promotional examinations shall be by bulletins posted on the bulletin board in the Fire Department. All applicants who filed their applications at least fifteen days prior to the time set for the examination and who will, one year from the date set for the examination, be eligible for promotion, shall be eligible to participate in the examination.

(C) Promotional Process Components

(1) There shall be four separate components/examinations to determine each candidate's qualifications and fitness for promotion. Scores from the four components shall be combined to create a total score, and the components shall be weighted as follows:

- (a) Written Test: 45%.
- (b) Performance Assessment: 35%.
- (c) Longevity: 10%.
- (d) Oral interviews: 10%.

Total: 100%

(2) Written test: Test materials shall be those prescribed by the Fire Chief, shall be pertinent to the duties and responsibilities of the rank being tested, and shall be administered according to accepted standards of public practice. Applicants must score a minimum of 70% on the written exam to continue participating in the promotional process.

(3) Performance assessment: Assessment scenarios shall be designed to measure the applicant's interpersonal skills and judgment. They shall be standardized, realistic, job relevant situations designed to provide valid predictions of future work behavior. The scoring criteria may emphasize competencies involving both technical and nontechnical skills (including common sense, judgment, tactical knowledge and interpersonal behavior). The scoring criteria of the situational responses shall focus on competence as measured by two content scales: task orientation (a measure of the applicant's problem solving ability) and interpersonal skills (a measure of the behaviors used by applicants to relate appropriately to the situations presented).

(4) Longevity: One-half point for each year of unbroken service up to a maximum of 20 years shall be added to the cumulative score of all candidates passing the written test as described under this section.

(5) Oral interviews.

(a) Candidates will be interviewed and scored by a quorum of the Board of Civil Service. If the Board has difficulty convening a quorum, two members of the Board and a fire professional chosen by the Fire Chief may conduct and score the interviews. The applicant shall satisfy the Board that he or she knows and understands the duties of the position applied for and the rules and regulations pertaining thereto. The applicant may be questioned to determine general intelligence and to ascertain any special character traits or aptitudes. The Fire Chief, or his designee, may be interviewed concerning qualifications of each applicant and shall furnish the information as the Board of Civil Service may require.

(b) Any reports as may be required by the Board of Civil Service shall be made available to the Board through the Clerk of the Board. The Board may take into consideration any disciplinary actions or recognitions of performance received by any candidate during the twenty-four (24) months prior to the interview.

(6) The applicant shall be scored on each of the four components, and the total score then determined by the Human Resources Director, taking into consideration the relative weight of each of the components. Promotional candidates will be deemed to have passed the promotional process if his or her total score of all test components totals a minimum of 70%. Applicants with a total score of less than 70% will not be placed on the eligibility list. A promotional eligibility list for each rank, including the applicant's names and total scores shall be certified by a majority of the Board of Civil Service that participated in the oral interviews to the City Manager as being eligible for promotional appointment to a position in the Fire Department. The eligibility list shall include the final total scores of all applicants.

(7) Promotional eligibility lists shall be valid and remain in full force and effect for one year or until such time as another examination is held and a new eligibility list is certified by the Board of Civil Service to the City Manager.

(D) In case the Board of Civil Service or the City Manager has reason to believe that any applicant whose name is on an eligible list should be removed therefrom on account of incapacity developed subsequent to his examination, or for fraud or false statement on his or her part in connection with his application or examination, or misconduct of any kind evidencing unfitness, or lack of capacity for proper discipline, the City Manager may before promoting the applicant give him or her notice to show cause before the Board of Civil Service why his or her name should not be dropped from the list, and on the notice he or she shall be given an opportunity to be heard before the Board of Civil Service. If the applicant fails to appear for hearing, or fails to convince the Board of Civil Service that his or her name should be retained on the list, his or her name shall be removed from the eligible list.

(E) The Fire Chief, with the approval of the City Manager, shall select the candidate to be promoted from those candidates on the promotional eligibility list with the three highest scores. A candidate who has been passed over (a lower ranking candidate is promoted) shall be provided a written notice which includes the reasons for the selection that was made. The City Manager will place the promotion of the candidate on the Board of Commissioner's agenda for their approval.

(F) Notwithstanding the personnel ordinance (FCO 37) for non-civil service positions, all employees promoted from the eligibility list shall serve a probationary period of twelve months; and no promotion shall be deemed finally made until the employee has satisfactorily served this twelve month probationary period. During the probationary period the employee may be

demoted back to his or her previous rank only for good cause, and only upon written recommendation by the Fire Chief and approval by the City Manager and Board of Commissioners.

FIRE DEPARTMENT

40.30 DEPARTMENT CREATED.

(A) The Fire Department shall consist of a Chief and such number of Assistant Chiefs, Battalion Chiefs, Captains, Lieutenants, Sergeants, Firefighters and other employees as may be provided for in the annual appropriation ordinance and the budget, or any emergency appropriation ordinance.

(B) The Chief of the Fire Department shall command and supervise the Fire Department of the city and see that their duties are properly performed. In addition, the Chief of the Fire Department shall be authorized and empowered, and it shall be his or her duty, to do and perform all acts and things required by general law, and/or ordinances of the city, to be performed by the Chief of the Fire Department and he or she shall perform other duties as may be required of him or her by the Board of Commissioners or by the ordinances.

(C) There shall be appointed Assistant Chiefs, Battalion Chiefs, Captains, Lieutenants, Sergeants, Firefighters and other employees as is provided in the annual appropriation ordinance or by any emergency appropriation ordinance. Each firefighter shall be authorized and empowered, and it shall be his or her duty to do and perform all acts and things required by general law, and/or ordinances of the city, to be performed by firefighters and they shall perform other duties as may be required of them by the Fire Chief or City Manager, or by the ordinances.

40.31 DEFINITION.

For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

FIREFIGHTER. Any member of the Fire Department, except wherein the term designates rank.

40.32 NUMBER OF FIRE PERSONNEL; GRADES AND RATINGS.

(A) The number of individuals comprising the Frankfort Fire Division shall be provided in the annual budget and appropriation ordinance or through any interim appropriation ordinance. The grades and ratings of the personnel comprising the Fire Division shall be divided into the following ranks as hereinafter provided:

- (1) Fire Chief:
- (2) Assistant Chief;
- (3) Battalion Chief;
- (4) Fire Marshal, Fire Training Officer, Emergency Medical Services Director and Fire

Public Education Officer as set forth in ' 40.36:

- (5) Captain;
- (6) Lieutenant;
- (7) Sergeant;
- (8) Firefighter;
- (9) Firefighter/EMT;
- (10) Civilian personnel as established by annual budget and appropriation ordinance.

40.33 RANK; OBEDIENCE TO ORDERS.

Under the rank system a firefighter with the higher rank shall be in charge of firefighters of lower rank on any assigned duty. A failure to obey a lawful order, given in the line of duty, by a firefighter in charge of firefighters of lower rank, shall be immediately reported to the Chief of the Fire Department for consideration of disciplinary action.

40.34 ATTENDANCE AT FIRES OUTSIDE CITY LIMITS.

The Fire Chief or his designee may, in his or her discretion, order the firefighting apparatus of the city to attend the fires outside of the city limits as he or she deems necessary.

40.35 DISPATCHING TO AID OTHER MUNICIPALITIES OR AGENCIES.

(A) Upon proper request by a municipality or other government agency through its duly authorized representative, the Board of Commissioners hereby authorizes the Fire Chief or his or her duly authorized representatives to dispatch the Fire Department, including persons and equipment, to go to the aid of the requesting municipality or governmental agency, except that the dispatches must not seriously deplete the fire and/or emergency medical resources for the city.

(B) Outside assistance dispatches shall be in accordance with established city policy set forth in Fire Department Standard Operating Procedure 300.1, "Outside Assistance Dispatching Procedures", on file in the Office of the Fire Chief and as may be amended from time to time.

40.36 FIRE MARSHAL; FIRE TRAINING OFFICER; EMERGENCY MEDICAL SERVICES DIRECTOR; FIRE PUBLIC EDUCATION OFFICER.

(A) (1) There are hereby created the positions of Fire Marshal, Fire Training Officer, and Emergency Medical Services Director, and Fire Public Education Officer with duties as outlined in job descriptions.

(2) These positions, which are established by ordinance and budgetary authority, are duty assignments with temporary status only and those serving in the positions shall retain their permanent rank. At the discretion of the Fire Chief, these positions may be filled from applicants

meeting the qualifications as required by the job description, from within or outside the Fire Department ranks. Non-civil service appointees will be classified as civilian personnel and will be subject to all applicable civilian city personnel policies and procedures. The persons shall serve under the direction of the Fire Chief, shall perform duties as may be assigned to them, and are subject to the policies, procedures, rules and regulations of the Fire Department where applicable.

(B) The Fire Marshal, Fire Training Officer, Emergency Medical Services Director, and Fire Public Education Officer shall be compensated at their regular civil service rank grade established by salary ordinance and shall in addition thereto receive 9% above grade. The differential work hour pay is provided in exchange for duty performance on a 37.5-hour workweek (five 7.5-hour workweek days) in lieu of the fire duty hours, as outlined in KRS 95.500. Vacation and sick leave shall accrue on the basis of a 37.5 workweek.

(C) Effective June 1, 2012 employees newly assigned to these positions shall be compensated at the pay grades as follows:

Fire Marshal – Equivalent to Fire Captain

Fire Training Officer – Equivalent to Fire Captain

Emergency Medical Services Director – Equivalent to Fire Battalion Chief

Fire Public Education Officer – Equivalent to Fire Lieutenant

(D) Employees assigned to these positions may at any time be reassigned to platoon positions. Upon such reassignment the employee shall be reoriented to the position he or she formerly held prior to being assigned to the 37.5 hour work week staff position. Employees reassigned to platoon positions shall not be eligible for promotion for a minimum of six months after such reassignment. While serving in the staff/duty assignment position an employee shall not be eligible to participate in the promotional process, but shall retain the rank he or she held when initially assigned.

POLICE DEPARTMENT

40.45 DEPARTMENT CREATED; MEMBERS.

(A) The Police Department shall consist of the Chief and a number of division commanders, captains, lieutenants, detectives, sergeants and patrol persons and other employees as may be provided for in the annual appropriation ordinance and the budget, or any emergency appropriation ordinance.

(B) The Chief of Police's duty shall be to command and supervise the Police Department of the city, and to see that their duties as defined by law and ordinances of the city are properly performed. The Chief of Police shall be authorized and empowered, and it shall be his or her duty, to do and perform all acts and things required by general law and/or ordinances of the city, to be performed by the Chief of Police. He or she shall perform other duties as may be required of him or her by the Board of Commissioners or by ordinances.

(C) There shall be appointed assistant chiefs, captains, lieutenants, sergeants and patrol persons, as is provided in the annual appropriation ordinance or by any emergency appropriation ordinance. It shall be the duty of each member of the Police Department to acquire and have a

general knowledge of the criminal laws of the state and the ordinances and regulations of the city, which he or she may be called upon to enforce, and to use his or her best exertions to prevent the commission, within the police jurisdiction of the city, of offenses against the laws of the state and the ordinances and regulations of the city, to observe and enforce all laws, ordinances and regulations, to detect and arrest offenders, to observe the good order of the city, and to secure the inhabitants thereof and persons within the city from violence and property from injury. Each police officer shall be authorized and empowered, and it shall be his or her duty, to do and perform all acts and things required by general law and/or ordinances of the city, to be performed by police officers, and they shall perform other duties as may be required of them by the Police Chief or City Manager, or by the ordinances.

40.46 TRAFFIC GUARDS.

(A) A corps of traffic guards not to exceed seven members for the protection of school children at street crossings in coming to and from school is hereby created in the Department of Public Safety.

(B) The Chief of Police shall cause traffic guards to be given necessary training for their work, shall assign them to their posts, shall fix their hours of duty and supervise their work.

(C) Each traffic guard shall receive compensation at the rate as set by the Board of Commissioners and shall be furnished his or her uniform which shall remain the property of the city.

40.47 NUMBER OF POLICE OFFICERS.

The number of police officers comprising the Police Department shall be provided in the annual budget and appropriation ordinance.

40.48 NUMBER OF OFFICERS AND CIVILIAN POSITIONS.

(A) Grades and rates of the persons comprising the Police Department shall be divided into the following grades and rates as hereinafter provided:

- (1) Chief of Police;
- (2) Division Commander, Major;
- (3) Shift Commander, Captain;
- (4) Assistant Shift Commander, Lieutenant;
- (5) Sergeants; and

(6) The number of patrol officers, as established by the annual budget and appropriation ordinance.

- (7) Civilian personnel as established by annual budget and appropriation ordinance.

(8) Part-time temporary positions including traffic guards or as otherwise provided for in the annual appropriation ordinance.

(B) Any ordinances referring to rank as previously designated are hereby amended to reflect these newly created designations.

40.49 RANK AND SENIORITY.

(A) For the purposes of this chapter, the Chief of Police shall be in charge of all police officers serving with the Department; the position(s) of Division Commander shall be subordinate only to the Chief of Police; police captains shall be subordinate only to the Chief and Division Commander; police lieutenants shall be subordinate only to the Chief, Division Commander and police captains; police sergeants shall be subordinate to the Chief, Division Commander, police captains and police lieutenants; patrol persons shall be subordinate to all the above named police officers; probationary patrol officers shall be subordinate to all officers in the Department that have completed their initial probationary period.

(B) In the absence of designation by the Chief or Division Commander to persons assigned to details in the Department who hold the same rank, the officer with earliest date of appointment in that rank shall be in charge of men with a later date of rank.

(C) Under the rank system, as hereinabove set out, the police officer with the higher rank shall be in charge of persons of lower rank on any assigned duty. A failure to obey a lawful order, given in the line of duty, by a police officer in charge of police officers of a lower rank, shall immediately be reported to the Chief of Police for consideration of disciplinary action.

(D) Effective June 1, 2012, an employee's seniority shall be determined by the length of continuous, full-time service with the Department from the most recent appointment or reinstatement date. When two or more employees were appointed on the same date, seniority is determined by their position on the eligibility list. Rank seniority is determined by an employee's most recent date of promotion in the present rank. If two or more supervisors are promoted on the same date, rank seniority is determined by position on the eligibility list. In this case, the employee with the higher rank on the eligibility list is senior to an employee that was lower on the list. In the case of original appointments or promotions, a tie in the total score on the eligibility list will be broken by the highest score on the written exam.

40.50 DEFINITION.

For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

POLICE OFFICER. Any member of the Police Department, except as used to designate rank.

40.51 [RESERVED.]

40.52 DETECTIVES.

(A) The position of detective in the Police Department is a duty assignment with temporary status only and those serving in this position shall retain their permanent rank as established by civil service procedures.

(B) The position of detective shall be filled from the ranks with members having a minimum of two years total continuous service subject to established competitive qualifying procedures. The members shall serve under the direction of the Chief of Police and shall perform other duties as may be assigned to them.

40.53 TRAINING, EDUCATION AND OTHER PROGRAMS.

(A) The city hereby declares its intention to participate in the Law Enforcement Foundation Program Fund established by KRS 15.410 through 15.510.

(B) Each officer of the Police Department shall be paid from city funds an annual salary as set from time to time by the Board of Commissioners.

(C) Each officer employed on or after July 1, 1973, shall have as a minimum educational attainment a high school degree, or its equivalent as determined by the State Law Enforcement Council. Each officer employed on or after July 1, 1972, shall within one year of his or her date of employment complete a basic training course at a school certified or recognized by the State Law Enforcement Council.

(D) Each officer, whether originally employed before or after July 1, 1972, shall successfully complete each year an in-service training course of 40 hours duration appropriate to his or her rank and responsibility at a school certified or recognized by the State Law Enforcement Council. Each officer shall receive in each calendar year five days time off with pay for the purpose of taking the required in-service training.

(E) No officer shall have his or her base salary reduced or be denied a normal salary increase to which he or she is otherwise entitled because of the salary incentive payments provided by the Law Enforcement Foundation Program Fund under KRS 15.410 through 15.510.

(F) The Police Department and each officer thereof shall comply with all provisions of law applicable to local police, including the transmission of data to the Kentucky Unified Criminal Justice Information System as required by KRS 17.150.

(G) The Chief of the Police Department shall prepare or cause to be prepared quarterly and other reports as may be reasonably required by the Law Enforcement Foundation Program Fund to facilitate administration of the fund and further the purposes of KRS 15.410 through 15.510.

(H) The Police Department and each officer thereof shall further comply with all reasonable rules and regulations, appropriate to the size and location of the local Police Department, issued by the Law Enforcement Foundation Program Fund to facilitate the administration of the fund and further the purposes of KRS 15.410 through 15.510.

(I) (1) The Finance Director of the city shall deposit in an appropriate account which can be identified separately from all other sources, all monies received under KRS 15.410 through 15.510.

(2) Forthwith upon receipt of any monies under KRS 15.410 through 15.510, the Human

Resources Department shall pay to each police officer the full amount received on behalf of that officer, giving to each officer a check stub or receipt on which the gross amount of monies paid to him or her under KRS 15.410 through 15.510 is included and identified.

(3) All financial records relating to monies received under KRS 15.410 through 15.510 shall be retained for a period of three years and until the completion of an audit approved by the Law Enforcement Foundation Program Fund and the U.S. Law Enforcement Assistance Administration.

40.54 CARRYING CONCEALED WEAPONS.

(A) All members of the Police Department that carry deadly weapons on or about their persons in their regularly scheduled duties as police officers may carry concealed deadly weapons on or about their persons at all times within the commonwealth.

(B) This section is enacted for the express purpose of protecting the police officers from prosecution under the provisions of KRS 435.230(1) when they may be outside the corporate limits of the city and for no other purpose.

40.55 IMPERSONATION OF OFFICERS.

No person, whether employed as a merchant police officer, guard or private detective, or not, shall in any way impersonate a city police or represent himself or herself to any person as being an officer, nor shall he or she wear any uniform, or any part or insignia thereof, of the same or similar color as the official uniform of the Police Department, nor shall he or she use any motor vehicle decorated so as to resemble an official Police Department vehicle.

40.56 MANUAL OF RULES OF CONDUCT AND PERFORMANCE.

The Police Department Manual of Rules of Conduct and Performance dated October 1995, which amends the January 1982 Manual of Rules and Regulations is hereby adopted by reference as an ordinance of the city and copy of which is on file in the Office of the City Clerk.

40.57 EMERGENCY PREPAREDNESS COORDINATOR.

(A) There is hereby created the position of Emergency Preparedness Coordinator with duties as outlined in job description.

(B) This position, which is established by ordinance and budgetary authority, is a full time staff position under the Police Department. The position shall be filled from applicants meeting the qualifications as required by job description, from within or outside the civil service ranks. The position shall serve under the direction of the Police Chief and shall perform such duties as may be assigned.

(C) The position of Emergency Preparedness Coordinator shall be compensated at the regular grade established by salary ordinance for the position.