

ORDINANCE NO. 770

**AN ORDINANCE CONCERNING POLICE DEPARTMENT POLICIES,
RULES AND REGULATIONS**

WHEREAS, Section 7-4 of the City's Home Rule Charter makes the Police Chief responsible to the City Council for proper administration of the Police Department; and

WHEREAS, the City Council recognizes that an important aspect of proper administration of the Police Department is the ability to establish and maintain policies, rules and regulations governing the operation of the Police Department; and

WHEREAS, the City Council desires to facilitate contemporary, up-to-date policies, rules and regulations in order to promote the most efficient operation of the Police Department; and

WHEREAS, the Chief of Police is appointed by and is responsible to the City Council for the proper administration of the Police Department, and in accordance with Section 2-73(7) of the Dacono Municipal Code communicates police matters to the City Administrator, who serves as a conduit for such matters to the City Council; and

WHEREAS, the City Council finds that authorizing the Police Chief to adopt and update policies, rules and regulations for the Police Department as set forth herein is in the best interest of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DACONO, COLORADO:

Section 1. Section 2-72 of the Dacono Municipal Code is hereby amended to read as follows (words to be added underlined; words to be deleted ~~stricken~~):

Sec. 2-72. Policies, Rules rules and regulations.

(a) The police department shall be operated and managed in accordance with such departmental policies, rules and regulations as may from time to time be adopted in writing by a ~~majority vote of the full City Council~~, after ~~preparation by the Chief of Police, or as designated by City Council policy~~.

(b) Quarterly, the Chief of Police shall provide a summary report to the City Administrator, for submission to the City Council, of any changes made to departmental policies, rules and regulations.

(c) The policies, rules and regulations shall be made available in written or electronic form to all police officers in the City's employ, and all police

officers of the City shall be instructed in their meaning.

Section 2. Section 2-73 of the Dacono Municipal Code is hereby amended by the addition of a new subsection (8) to read as follows:

Sec. 2-73. Chief – Powers and duties.

It shall be the duty of the Chief of Police to do the following:

(8) The Chief of Police shall prepare and adopt policies, rules and regulations to govern and guide the activities of the Police Department

Section 3. If any article, section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 4. The repeal or modification of any provision of any prior ordinance by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 5. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, ADOPTED ON FIRST READING, AND ORDERED PUBLISHED AND POSTED BY TITLE this 26th day of November, 2012.

PUBLIC HEARING AND SECOND HEARING WILL BE THE 10th DAY OF DECEMBER, AT 6:00 P.M. AT DACONO CITY HALL, 512 CHERRY STREET, DACONO, CO.

READ, ADOPTED ON SECOND READING, APPROVED, SIGNED, AND ORDERED PUBLISHED BY TITLE this 10th day of December, 2012.

CITY OF DACONO, COLORADO

Charles Sigman, Mayor

ATTEST:

Valerie Taylor, City Clerk

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Summary of Ordinance No. 770, “AN ORDINANCE CONCERNING POLICE DEPARTMENT POLICIES, RULES AND REGULATIONS”: Authorizes the Chief of Police to draft and amend polices, rules and regulations to govern the activities of the police department.