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SUBJECT: PERSONNEL AND ADMINISTRATIVE POLICIES

PURPOSE: To establish and update Personnel and Administrative Policies and define responsibilities.

STATEMENT OF POLICY: These policies are enacted by resolution effective April 1, 1998, as amended, by the Town of Laurel Park, under the authority of Chapter 160A-Article 7 of the General Statutes of North Carolina, in order to further the following goals:

- a) To provide a uniform system of personnel administration throughout the Town, by which all matters relating to personnel shall be administered.
- b) To ensure that recruitment, selection, placement, promotion, retention and separation, evaluation, and counseling of Town employees are based upon employee qualifications and fitness and are in compliance with federal and state laws.
- c) To assist the manager and department heads in the development of sound management practices and procedures, and to make effective consistent use of human resources throughout the Town.
- d) To promote two-way communication between the Town Council, Town Manager, Department Heads, employees, and citizens.
- e) To ensure, protect, and clarify the rights and responsibilities of the employer and employees.

In the event of the amendment of any rule or law incorporated in this document or upon which these provisions rely, these rules shall be deemed amended in conformance with those changes and updated within 45 days of said amendment.

THE TOWN SPECIFICALLY RESERVES THE RIGHT TO REPEAL, MODIFY, OR AMEND THESE POLICIES AT ANY TIME, WITH OR WITHOUT NOTICE. NONE OF THESE PROVISIONS SHALL BE DEEMED TO CREATE A VESTED CONTRACTUAL RIGHT IN ANY EMPLOYEE OR TO LIMIT THE POWER OF THE TOWN MANAGER OR COUNCIL TO REPEAL OR MODIFY THESE RULES. THE POLICIES ARE NOT TO BE INTERPRETED AS PROMISES OR SPECIFIC TREATMENT.

1. At Will Employment

The Town of Laurel Park is an “at will” employer. Nothing in this policy creates an employment contract or term between the Town and its employees. No person has the authority to grant any employee any contractual rights of employment.

2. Merit Principle

All appointments and promotions shall be made solely on the basis of merit. All positions requiring the performance of the same duties and fulfillment of the same responsibilities shall be assigned to the same class and the same salary range. No applicant for employment or employee shall be deprived of employment opportunities or otherwise adversely affected as an employee

because of such individual's race, color, religion, sex, national origin, political affiliation, non-disqualifying disability, or age.

3. Responsibilities of the Town Council

The Town Council shall be responsible for establishing and approving personnel policies, the position classification plan, and the pay plan and may change the policies and benefits as necessary. Council also shall make and confirm appointments when so specified by the general statutes.

4. Responsibilities of the Town Manager

The Town Manager shall be responsible to the Town Council for the administration and technical direction of the personnel program. The Town Manager shall appoint, suspend, and remove all Town employees except those whose appointment is otherwise provided for by law. The Town Manger shall make appointments, dismissals, and suspensions in accordance with the Town Charter and other policies and procedures spelled out in other Articles in this Policy.

The Town Manager shall supervise or participate in:

- a) recommending rules and revisions to the personnel system to the Town Council for consideration;
- b) making changes as necessary to maintain an up-to-date and accurate position classification plan;
- c) preparing and recommending necessary revisions to the pay plan;
- d) determining which employees shall be subject to the overtime provisions of Fair Labor Standards Act;
- e) establishing and maintaining a roster of all persons and authorized positions in the Town service and setting forth for each employee the position, class title of position, salary, any changes in class title and status, and such data as may be desirable or useful;
- f) developing and administering such recruiting programs as may be necessary to obtain an adequate supply of competent applicants to meet the needs of the Town;
- g) developing and coordinating training and educational programs for Town employees;
- h) investigating periodically the operation and effect of the personnel provisions of this policy; and
- i) performing such other duties as may be assigned by the Town Council not inconsistent with this Policy.

5. Responsibilities of Town Department Heads

Under the direction of the Town Manager, the Town Department Heads shall apply and carry out the provisions of this article and the policies adopted thereunder. The Town Department Heads shall perform such duties in connection with a modern personnel program as the Town Manager may require, such as:

- a) assisting the Town Manager in the preparation and maintenance of the Town's Safety Program;
- b) establishing and maintaining a complete centralized system of personnel files and records;
- c) fostering and developing programs for the improvement of employee effectiveness; and
- d) investigating from time to time the operation and effect of this article and policies made thereunder and reporting findings and recommendations to the Town Manager.

6. Application of Policies, Plans, Rules, and Regulations

The personnel policy and all rules and regulations adopted pursuant thereto shall be binding on all Town employees. The Town Manager, Town Attorney, members of the Town Council, and advisory boards and commissions are exempt except in sections where specifically included. An employee violating any of the provisions of this policy shall be subject to appropriate disciplinary action, as well as prosecution under any civil or criminal laws which have been violated.

7. Definitions

For the purposes of this policy, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Full-time employee. An employee who is in a position for which an average work week equals at least 35 hours, and continuous employment of at least 12 months, as required by the Town.

Part-time employee. An employee who is in a position for which an average work week of at least 20 hours and less than 35 hours and continuous employment of at least 12 months are required by the Town.

Regular employee. An employee appointed to a full- or part-time position that has successfully completed the designated probationary period.

Probationary employee. An employee appointed to a full- or part-time position that has not yet successfully completed the designated probationary period.

Temporary employee. An employee appointed to a position for which either the average work week required by the Town over the course of a year is less than 20 hours, or continuous employment required by the Town is less than 12 months.

Trainee. An employee status when an applicant is hired (or employee promoted) who does not meet all of the requirements for the position. During the duration of a trainee appointment, the employee is on probationary status.

Permanent position. A position authorized for the budget year for a full twelve months and budgeted for twenty or more hours per week. All Town positions are subject to budget review and approval each year by the Town Council, and all employees' work and conduct must meet

Town standards. Therefore, reference to “permanent” positions or employment should not be construed as a contract or right to perpetual funding or employment.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: ADMINISTRATION OF EMPLOYEE PERSONNEL RECORDS

PURPOSE: To establish procedures and responsibilities for the administration of employee Personnel Records.

STATEMENT OF POLICY: It is the policy of the Town to administer personnel records in accordance with applicable state and federal guidelines.

1. Public Information

In compliance with GS 160A-168, the following information with respect to each Town employee is a matter of public record:

- a) name;
- b) age;
- c) date of original employment or appointment to the service;
- d) the terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the Town has the written contract or a record of the oral contract in its possession;
- e) current position title;
- f) current salary;
- g) date and amount of each increase or decrease in salary with the Town;
- h) date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification with the Town;
- i) date and general description of the reasons for each promotion with the Town;
- j) date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the municipality. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the municipality setting forth the specific acts or omissions that are the basis of the dismissal; and
- k) the office to which the employee is currently assigned.

Any person may have access to this information for the purpose of inspection, examination, and copying, during regular business hours, subject only to such rules and regulations for the safekeeping of public records as the Town may adopt.

For the purposes of this subsection, the term “salary” includes pay, benefits, incentives, bonuses, and deferred and all other forms of compensation paid by the Town.

2. Access to Confidential Records

All information contained in a Town employee’s personnel file, other than the information mentioned above, is confidential and shall be open to inspection only in the following instances:

- a) The employee or his /her duly authorized agent may examine all portions of his/her personnel file except letters of reference solicited prior to employment and

information concerning a medical disability, mental or physical, that a prudent physician would not divulge to the patient.

- b) A licensed physician designated in writing by the employee may examine the employee's medical record.
- c) A Town employee having supervisory authority over the employee may examine all material in the employee's personnel file.
- d) By order of a court of competent jurisdiction, any person may examine all material in the employee's personnel file.
- e) An official of any agency of the State or Federal Government, or any political subdivision of the State, may inspect any portion of a personnel file when such inspection is deemed by the Town Manager to be necessary and essential to the pursuit of a proper function of the inspecting agency, but no information shall be divulged for the purpose of assisting in a criminal prosecution of the employee, or for the purpose of assisting in an investigation of the employee's tax liability. However, the official having custody of the personnel records may release the name, address, and telephone number from a personnel file for the purpose of assisting in a criminal investigation.
- f) An employee may sign a written release to be placed in his/her personnel file that permits the record custodian to provide, either in person, by telephone, or by mail, information specified in the release to prospective employers, educational institutions, or other persons specified in the release.
- g) The Town Manager, with the concurrence of the Town Council, may inform any person of the following personnel actions concerning a Town employee: employment, nonemployment, promotion, demotion, suspension or other disciplinary action, reinstatement, transfer, or termination (and the reasons for that action). Before releasing that information, the Town Manager shall determine in writing that the release is essential to maintaining the level and quality of Town services. The written determination shall be retained in the Town Manager's office, in a record for public inspection, and shall become a part of the employee's personnel file.

3. Personnel Actions

The Town Manager will prescribe necessary forms and reports for all personnel actions and will retain records necessary for the proper administration of the personnel system. There shall be one set of official personnel files, centrally located as designated by the Town Manager. Any document not located there is not an official part of that employee's personnel record.

4. Records of Former Employees

The provisions for access to records apply to former employees as they apply to current employees.

5. Remedies of Employees Objecting to Material in File

An employee who objects to material in his/her file may place a statement in the file relating to the material considered being inaccurate or misleading. The employee may seek removal of such material in accordance with established grievance procedures.

6. Penalties for Permitting Access to Confidential Records

Section 160A-168 of the General Statutes provides that any public official or employee who knowingly and willfully permits any person to have access to any confidential information contained in an employee personnel file, except as expressly-authorized by the designated custodian, is guilty of a misdemeanor and upon conviction shall be fined in an amount consistent with the General Statutes.

7. Examining and/or Copying Confidential Material without Authorization

Section 160A-168 of the General Statutes of North Carolina provides that any person, not specifically-authorized to have access to a personnel file designated as confidential, who shall knowingly and willfully examine in its official filing place, remove or copy any portion of a confidential personnel file shall be guilty of a misdemeanor and upon conviction shall be fined consistent with the General Statutes.

8. Destruction of Records Regulated

No public official may destroy, sell, loan, or otherwise dispose of any public record, except in accordance with GS 121.5, without the consent of the State Department of Cultural Resources. Whoever unlawfully removes a public record from the office where it is usually kept, or whoever alters, defaces, mutilates, or destroys it will be guilty of a misdemeanor and upon conviction will be fined in an amount provided in Policy 132.3 of the General Statutes.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: TECHNOLOGY APPROPRIATE USE POLICY

PURPOSE: This Policy covers the use of all Town technology resources (systems) belonging to the Town of Laurel Park in a manner consistent with Town policies, applicable laws and job responsibilities. Because technology systems are constantly evolving, the Town requires its employees and officials to use a common sense approach to the rules set forth below, complying not only with the letter, but also the spirit, of this policy and North Carolina laws and regulations regarding public records.

STATEMENT OF POLICY: This Policy is intended to illustrate the range of acceptable, unacceptable and prohibited uses of Town technology resources. This Policy applies to any user of Town technology resources and applies at all times and all places, whether the user is on or off the job. All technology resources and all information transmitted by, received from, or stored on Town systems are the property of the Town and are subject to inspection by Town officials at any time for any business purpose, including but not limited to investigations, monitoring workflow and productivity, and personal abuse of a resource. Town business conducted on personal devices is also considered the property of the Town. Public records, whether e-mails or other files, created or maintained on personal devices, are the property of the Town of Laurel Park. Retention is determined by record content, not format.

1. Definitions

- a. Town Technology Resources: Includes, but is not limited to, radios, all computer systems, phones (including mobile phones), fax machines, voice messaging systems, Internet and e-mails.
- b. E-mail: The distribution of messages, documents, files, software, or images by electronic means.
- c. Employee: All Town employees, including temporary and part-time employees. Volunteers and persons working for a temporary employment service are also subject to this Policy.
- d. Internet: A worldwide network of computer servers connected electronically that allows access to the public.
- e. Officials: All Town of Laurel Park elected/appointed Town Council members and appointed board, committee and task force members.
- f. Text-Messages: electronic communication sent by phone or instant messaging services.

2. Appropriate Use In General

Employees and officials are representing the Town any time they use Town technology resources and should use good judgment. Employees and officials who have questions about Town technology resources should contact the Manager. Employees and officials are expected to use Town technology resources responsibly and professionally and with respect to others. Unless otherwise authorized in the performance of a particular job duty, Town technology resources prohibited uses include, but are not limited to:

- a. Uses that violate or infringe on the rights of others, including the right to privacy, and uses that defame others;
- b. Conducting business that compromises the integrity of the Town and its business;
- c. Uses that constitute illegal activities or encourage illegal activities.

3. Security

Employees and officials are required to follow the security steps listed below:

- a. Anyone who uses Town technology must have a user ID and password whenever required and keep password secure.
- b. Employees and officials shall not modify, copy, or delete files and/or data belonging to other employees without their prior consent or permission from the Manager.
- c. Employees and officials may not install or upgrade any software from any source either external or internal without the prior approval of the Manager.

3. E-Mail and Other Messaging Appropriate Use

In general, each employee and official is the custodian of any e-mail he creates, sends and receives, as the primary recipient and is responsible for managing these records. Employees and officials should evaluate the content of each e-mail to determine its value and whether or not it should be kept for archival purposes. Officials who are provided a Town e-mail address are strongly encouraged to use the e-mail for all Town business.

Text-Messages sent and received pertaining to Town business can be subject to records requests. It is highly recommended that Town business be restricted to the Town-provided e-mail address. Text-messages containing Town business should be saved or forwarded to Town property to ensure easy access in the event of a records request.

Employees and officials who maintain Town related e-mails or other electronic records on personal devices must be able to make these records available in response to a records request.

Use the following chart as a guide to determine the proper actions to take regarding the storage of e-mail and other messages:

If the record is...	*Keep it	**Do not keep it
From You	X	
Sent to you from someone outside the Town of Laurel Park (not a Town official or employee)	X	
Sent from someone outside the Town of Laurel Park (not a Town official or employee) and you are cc'd	X	
Sent from someone outside the Town of Laurel Park (not a Town official or employee) and you are bcc'd	X	
Sent to you from an official/employee of the Town		X
Sent from an official/employee of the Town and you are bcc'd		X
Sent to you from an official/employee of the Town and you are cc'd		X

** Or designate a file custodian*

*** After the record's administrative value to you ends. Questions about administrative value may be directed to the Town Manager or Town Clerk.*

4. Departing Employees & Officials

Departing employees and officials with Town e-mail accounts must ensure that electronic messages and files are filed properly in appropriate folders to ensure easy access to records. The departing person must forward any Town related public record e-mails or other electronic records stored on any personal accounts to a Town account.

Departing employees who do not have Town e-mail accounts must provide any Town business related e-mails to the supervisor prior to the employee's last day of employment. The Town will work with all officials to ensure all public e-mails are copied and provided to the Town Clerk.

5. Personal Use of Town Technology Resources

Personal use of Town resources is allowed with the following restrictions:

- a. There must be no cost to the Town.
- b. Town technology resources may not be used to operate a personal business, for political activity or for solicitation of any kind.
- c. No unauthorized individual is allowed to use Town technology at any time.
- d. Use must be conducted on an employee's own time. However, personal use of a phone or e-mail on an occasional basis may be permitted providing that it does not interfere with an employee's obligation to carry out Town duties in a timely and effective manner.

6. Accuracy of Information

Town employees have a responsibility to make sure that all public information disseminated via the Internet is accurate. Employees shall provide, in association with such information, its source and the date at which it was current and an e-mail address allowing the recipient to contact the staff responsible for making the information available in its current form.

If the Town determines that an employee has used Town technology in a manner that violates this policy or other Town policies, the Town will take appropriate disciplinary action up to and including dismissal.

EFFECTIVE: 11/01/99

LAST REVISED: 06/21/16

APPROVAL: _____

Town Manager

Mayor

SUBJECT: AMERICANS WITH DISABILITIES ACT (ADA)

PURPOSE: To provide a reasonable policy and procedure that will ensure: (1) equal opportunities for disabled persons to participate in and benefit from services, programs, or activities sponsored by the Town; (2) a bias-free environment for disabled employees or for disabled persons who seek employment with the Town; and (3) prompt and equitable resolution of complaints alleging discrimination on the basis of a disability.

STATEMENT OF POLICY: The Town of Laurel Park does not discriminate on the basis of age, sex, race, color, religion, national origin, disability, pregnancy, political affiliation, sexual preference or orientation, or marital status in employment or the provision of services. It is the intent of the Town to guarantee disabled persons equal opportunity to participate in or enjoy the benefits of Town services, programs, or activities, and to allow disabled employees a bias-free work environment. The Town, upon request, will provide reasonable accommodation in compliance with the Americans With Disabilities Act (ADA).

In the event citizens, employees, or other participants in the Town's programs, services, and activities feel the Town has violated their rights under the ADA, this policy provides a grievance procedure for handling such complaints.

Grievance Procedure

The Town of Laurel Park adopts the following internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the Equal Employment Opportunity Commission (EEOC) regulations implementing Title I of the ADA and the U.S. Department of Justice regulations implementing Title II of the ADA. Title I of the ADA states that "no covered entity shall discriminate against a qualified individual with a disability because of the disability of such individual in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training, and other terms, conditions, and privileges of employment." Title II of the ADA states that "no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity."

- a) A complaint will be filed in writing. It shall consist of the name and address of the person filing it, or on whose behalf it is filed, and a brief description of the alleged violation of the ADA regulations. A complaint shall be filed within twenty (20) calendar days after the complainant becomes aware of the alleged violation.
- b) An investigation, as may be appropriate, shall follow a filing of a complaint. The Town Manager, or his/her designee, shall commence the investigation, within ten (10) calendar days following the filing of complaint. The investigation will be informal but thorough, affording all interested persons and their representatives, if any, an opportunity to submit information relevant to such investigation.

- c) A written determination as to the validity of the complaint and a resolution of the complaint, if any, shall be issued and a written copy mailed to the complainant within thirty (30) calendar days following the filing of the complaint.
- d) The complainant may request a reconsideration of the case determination in instances where he/she is dissatisfied with the decision. The request for reconsideration should be made within ten (10) calendar days following the date the complainant receives the determination. The request for reconsideration shall be made to the Town Council through the Town Clerk. The Town Council shall review the records of said complaint and may conduct further investigation when necessary to obtain additional relevant information and shall issue its decision thereon within thirty (30) calendar days of the filing of the request for reconsideration. A copy of said decision shall be mailed to the complainant. The decision of the Town Council is final.
- e) The complainant's right to prompt and equitable resolution of the complaint must not be impaired by his or her pursuit of other remedies, such as the filing of a complaint with the U.S. Department of Justice or any other appropriate federal agency. Furthermore, the filing of a lawsuit in state or federal district court can occur at any time. The use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- f) These rules shall be construed to: (1) protect the substantive rights of interested persons, (2) meet appropriate due process standards, and (3) comply with the ADA and implementing regulations.

Complaints should be addressed to: Town of Laurel Park, 441 White Pine Drive, Laurel Park, 28739-0910, (828) 693-4840. The Town shall maintain the files and records relating to any complaints filed and ensuing investigations.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: POSITION CLASSIFICATION PLAN

PURPOSE: The position classification plan provides a complete inventory of all authorized and permanent positions in the Town service and an accurate description and specification for each class of employment. The plan standardizes job titles, each of which is indicative of a definite range of duties and responsibilities.

STATEMENT OF POLICY: It is the policy of the Town to maintain an inventory of all authorized and permanent positions in the Town service.

1. Composition of the Position Classification Plan

The classification plan shall consist of:

- a) a grouping of positions in classes which are approximately equal in difficulty and responsibility, which call for the same general qualifications, and which can be equitably compensated within the same range of pay under similar working conditions;
- b) class titles descriptive of the work of the class;
- c) written specifications for each class of positions; and
- d) an allocation list showing the class title of each position in the classified service.

2. Use of the Position Classification Plan

The classification plan is to be used:

- a) as a guide in recruiting and examining applicants for employment;
- b) in determining lines of promotion and in developing employee training programs;
- c) in determining salary to be paid for various types of work;
- d) in determining personnel service items in departmental budgets; and
- e) in providing uniform job terminology.

3. Administration of the Position Classification Plan

The Town Manager shall allocate each position covered by the classification plan to its appropriate class and shall be responsible for the administration of the position classification plan. The Town Manager shall periodically review portions of the classification plan and allocate or re-allocate positions to the proper classes. The Manager shall report all reclassifications to the Town Council at the first meeting following the effective date of the reclassification of existing positions or allocation of new positions.

4. Adoption of the Position Classification Plan

The position classification plan shall be adopted by the Town Council and shall be on file with the Town Clerk. Copies will be available to all Town employees for review upon request. New

positions shall be established upon recommendation of the Town Manager and approval of the Town Council, after which the Town Manager shall either allocate the new position into the appropriate existing class or revise the position classification plan to establish a new class to which the new position may be allocated.

5. Request for Reclassification

Any employee who considers the position in which he/she is classified to be improper shall submit a request in writing for reclassification to such employee's Department Head, who shall immediately transmit the request to the Town Manager. Upon receipt of such request, the Town Manager shall study the request, determine the merit of the reclassification, and make a decision to revise the classification and pay plan when necessary.

EFFECTIVE: 01/01/05

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: IDENTITY THEFT PREVENTION PROGRAM

PURPOSE: To establish procedures and responsibilities for the administration of an Identity Theft Program.

STATEMENT OF POLICY: This program has been developed and implemented to combat identity theft and satisfy the requirements of the Fair and Accurate Credit Transactions Act of 2003 (FACT).

1. Background

Identity theft has become a serious problem in the United States. To combat the problem, as part of the Fair and Accurate Credit Transactions Act of 2003 (FACT), the Federal Trade Commission and several other federal agencies have issued rules requiring creditors to develop, adopt, and implement written Identity Theft Prevention Programs, as more fully described in the Federal Register at 72 Fed. Reg. 63771 (codified at 16 C.F.R. Part 681). These programs are required to be in place by November 1, 2008.

2. Objective

The objective of the Program is the identification, detection, and response to “Red Flags.” Under the FACT rules, “Red Flags” are a pattern, practice, or specific activity that indicates the possible existence of identity theft, such as receipt of a warning from consumer reporting agencies, presentation of suspicious documents or personal identifying information, or the unusual use of a utility account. The Program has four basic elements: to identify relevant Red Flags within the Town’s utility accounts and incorporate them into the Program; to detect Red Flags that have been incorporated into the Program; to respond appropriately to any Red Flags that are detected to prevent and mitigate identify theft; and to ensure the Program is updated periodically to reflect changes in risks to customers or to the safety and soundness of the Town from identify theft.

3. Responsibility and Administration

The Town Manager is responsible for the oversight, implementation, and administration of the Program. The Manager is also responsible for providing training to Town Staff – specifically, the Administrative Assistant/Utility Billing Clerk – in order to effectively implement the Program.

4. Categories of Red Flags

- a) Alerts, Notifications, or Warnings from a Consumer Reporting Agency
 - (1) A fraud or active duty alert is included with a consumer report.
 - (2) A consumer reporting agency provides a notice of credit freeze in response to a request for a consumer report.
 - (3) A consumer reporting agency provides a notice of address discrepancy, as defined in § 571.82(b) of FACT.

- (4) A consumer report indicates a pattern of activity that is inconsistent with the history and usual pattern of activity of an applicant or customer, such as:
 - (a) A recent and significant increase in the volume of inquiries;
 - (b) An unusual number of recently established credit relationships;
 - (c) A material change in the use of credit, especially with respect to recently established credit relationships; or
 - (d) An account that was closed for cause or identified for abuse of account privileges.
- b) Suspicious Documents
 - (1) Documents provided for identification appear to have been altered or forged.
 - (2) The photograph or physical description on the identification is not consistent with the appearance of the applicant or customer presenting the identification.
 - (3) Other information on the identification is not consistent with information provided by the person opening a new account or customer presenting the identification.
 - (4) Other information on the identification is not consistent with readily accessible information that is on file with the Town.
 - (5) An application appears to have been altered or forged, or gives the appearance of having been destroyed and reassembled.
- c) Suspicious Personal Identifying Information
 - (1) Personal identifying information provided is inconsistent when compared against external information sources used by the Town. For example:
 - (a) The address does not match any address in the consumer report; or
 - (b) The Social Security Number (SSN) has not been issued, or is listed on the Social Security Administration's Death Master File.
 - (2) Personal identifying information provided by the customer is not consistent with other personal identifying information provided by the customer. For example, there is a lack of correlation between the SSN range and date of birth.
 - (3) Personal identifying information provided is associated with known fraudulent activity as indicated by internal or third-party sources used by the Town. For example:
 - (a) The address on an application is the same as the address provided on a fraudulent application; or
 - (b) The phone number on an application is the same as the number provided on a fraudulent application.
 - (4) Personal identifying information provided is of a type commonly associated with fraudulent activity as indicated by internal or third-party sources used by the Town. For example:
 - (a) The address on an application is fictitious, a mail drop, or a prison; or
 - (b) The phone number is invalid, or is associated with a pager or answering service.
 - (5) The SSN provided is the same as that submitted by other persons opening an account or other customers.

- (6) The address or telephone number provided is the same as or similar to the account number or telephone number submitted by an unusually large number of other persons opening accounts or other customers.
- (7) The person opening the account or the customer fails to provide all required personal identifying information on an application or in response to notification that the application is incomplete.
- (8) Personal identifying information provided is not consistent with personal identifying information that is on file with the Town.
- d) Unusual Use of, or Suspicious Activity Related to, the Account
 - (1) Shortly following the notice of a change of address for an account, the Town receives a request for the addition of authorized users on the account.
 - (2) An account is used in a manner that is not consistent with established patterns of activity on the account. There is, for example:
 - (a) Nonpayment when there is no history of late or missed payments;
 - (b) A material increase in the use of available credit;
 - (c) A material change in purchasing or spending patterns.
 - (3) An account that has been inactive for a reasonably lengthy period of time is used (taking into consideration the type of account, the expected pattern of usage and other relevant factors).
 - (4) Mail sent to the customer is returned repeatedly as undeliverable although transactions continue to be conducted in connection with the customer's account.
 - (5) The Town is notified that the customer is not receiving paper account statements.
 - (6) The Town is notified of unauthorized charges or transactions in connection with a customer's account.
- e) Notice from Customers, Victims of Identity Theft, Law Enforcement Authorities, or Other Persons Regarding Possible Identity Theft in Connection With Accounts Held by the Financial Institution or Creditor

The Town is notified by a customer, a victim of identity theft, a law enforcement authority, or any other person that it has opened a fraudulent account for a person engaged in identity theft.

5. Responses to Red Flags

When the Utility Billing Clerk or the Administrative Assistant has identified a Red Flag for any of its utility accounts, the appropriate response is commensurate with the degree of risk posed. These employees shall immediately bring any Red Flags detected to the attention of the Town Manager. In determining the appropriate response, the Town Manager should consider aggravating factors that may heighten the risk of identity theft, such as a data security incident that results in unauthorized access to a customer's account records held by the Town, or notice that a customer has provided information related to an account held by the Town to someone fraudulently claiming to represent the Town. Appropriate responses may include the following:

- a) Monitoring an account for evidence of identity theft;
- b) Contacting the customer;
- c) Reopening an account with a new account number;
- d) Not opening an account;
- e) Closing an existing account;
- f) Not attempting to collect on an account or not selling an account to a debt collector;
- g) Notifying law enforcement – specifically, the Laurel Park Police Department; or
- h) Determining that no response is warranted under the particular circumstances.

6. Updating the Program

The Town will update its Program (including the Red Flags determined to be relevant) periodically to reflect changes in risks to customers or to the safety and soundness of the financial institution or creditor from identity theft, based on factors such as:

- a) The experiences of the Town with identity theft;
- b) Changes in methods of identity theft; or
- c) Changes in methods to detect, prevent, and mitigate identity theft.

EFFECTIVE: 10/21/08

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: CODE OF ETHICS

PURPOSE: To establish a policy pursuant to Section 160A-86 of the North Carolina General Statutes.

STATEMENT OF POLICY: This policy is enacted to guide actions by the Laurel Park Town Council members in the performance of the Council's official duties.

1. General Principles Underlying the Code of Ethics

- The stability and proper operation of democratic representative government depends upon public confidence in the integrity of the government and upon responsible exercise of the trust conferred by the people upon their elected officials.
- Governmental decisions and policy must be made and implemented through proper channels and processes of the governmental structure.
- Council members must be able to act in a manner that maintains their integrity and independence yet is responsive to the interests and needs of those they represent.
- Council members must always remain aware that at various times they play different roles:
 - As advocates who strive to advance the legitimate needs of their citizens.
 - As legislators who balance the public interest and private rights in considering and enacting ordinances, orders, and resolutions.
 - As decision-makers who arrive at fair and impartial quasi-judicial and administrative determinations.
- Council members must know how to distinguish among these roles, to determine when each role is appropriate, and to act accordingly.
- Council members must be aware of their obligation to conform their behavior to standards of ethical conduct that warrant the trust of their constituents. Each official must find within his or her own conscience the touchstone by which to determine what conduct is appropriate.

2. Code of Ethics

The purpose of this Code of Ethics is to establish guidelines for ethical standards of conduct for the Town Council and to help determine what conduct is appropriate in particular cases. It should not be considered a substitute for the law or for a Council member's best judgment.

Section 1. Council members should obey all laws applicable to their official actions as members of the council. Council members should be guided by the spirit as well as the letter of the law in whatever they do. At the same time, Council members should feel free to assert policy positions and opinions without fear of reprisal from fellow council members or citizens. To declare that a Council member is behaving unethically because one disagrees with that Council member on a question of policy (and not because of the Council member's behavior) is unfair, dishonest, irresponsible, and unethical.

Council members should endeavor to keep up to date, through the town attorney and other sources, about new or ongoing legal or ethical issues they may face in their official positions. This educational function is in addition to the day-to-day legal advice the Council may receive concerning specific situations that arise.

Section 2. Council members should act with integrity and independence from improper influence as they exercise the duties of their offices. Characteristics and behaviors consistent with this standard include the following:

- Adhering firmly to a code of sound values;
- Behaving consistently and with respect toward everyone with whom they interact.
- Exhibiting trustworthiness;
- Living as if they are on duty as elected officials regardless of where they are or what they are doing;
- Using their best independent judgment to pursue the common good as they see it, presenting their opinions to all in a reasonable, forthright, consistent manner;
- Remaining incorruptible, self-governing, and unaffected by improper influence while at the same time being able to consider the opinions and ideas of others;
- Disclosing contracts and information about issues that they receive outside of public meetings and refraining from seeking or receiving information about quasi-judicial matters outside of the quasi-judicial proceedings themselves;
- Treating other Council members and the public with respect and honoring the opinions of others even when the Council members disagree with those opinions.
- Not reaching conclusions on issues until all sides have been heard;
- Showing respect for their offices and not behaving in ways that reflect badly on those offices;
- Recognizing that they are part of a larger group and acting accordingly; or
- Recognizing that individual council members are not generally allowed to act on behalf of the Council but may only do so if the Council specifically authorizes it and the council must take official action as a body.

Section 3. Council members should avoid impropriety in the exercise of their official duties. Their official actions should be above reproach. Although opinions may vary about what behavior is inappropriate, this Council will consider impropriety in terms of whether a reasonable person who is aware of all the relevant facts and circumstances surrounding the Council member's action would conclude that the action was inappropriate. If a Council member believes that his or her actions, while legal and ethical, may be misunderstood, the members should seek the advice of the town attorney and should consider publicly disclosing the facts of the situation and the steps taken to resolve it (such as consulting with the attorney).

Section 4. Council members should faithfully perform the duties of their offices. They should act as the especially-responsible citizens whom others can trust and respect. They should set a good example for others in the community, keeping in mind that trust and respect must continually be earned. Council members should faithfully attend and prepare for meetings. They should carefully analyze all credible information properly submitted to them, mindful of

the need not to engage in communications outside the meeting in quasi-judicial matters. They should demand full accountability from those over whom the Council has authority. Council members should be willing to bear their fair share of the Council's workload. To the extent appropriate, they should be willing to put the Council's interests ahead of their own.

Section 5. Council members should conduct the affairs of the Council in an open and public manner. They should comply with all applicable laws governing open meetings and public records, recognizing that doing so is an important way to be worthy of the public's trust. They should remember when they meet that they are conducting the public's business. They should also remember that local government records belong to the public and not to Council members or their employees. In order to ensure strict compliance with the laws concerning openness, Council members should make clear that an environment of transparency and candor is to be maintained at all times in the governmental unit. They should prohibit unjustified delay in fulfilling public records requests. They should take deliberate steps to make certain that any closed sessions held by the Council are lawfully conducted and that such sessions do not stray from the purposes for which they are called.

EFFECTIVE: 12/21/10

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY

PURPOSE: To establish a policy to ensure equal employment opportunity with the Town and to outline procedures for action in case of violation.

STATEMENT OF POLICY: It is the policy of the Town to foster, maintain and promote equal employment opportunity. The Town shall select employees on the basis of the applicant's qualifications for the job and award them, with respect to compensation and opportunity for training and advancement including upgrading and promotion, without regard to age, sex, race, color, religion, national origin, disability, pregnancy, political affiliation, sexual preference or orientation, or marital status. Applicants with physical disabilities shall be given equal consideration with other applicants for positions in which their disabilities do not present an unreasonable barrier to satisfactory performance of duties with or without reasonable accommodation.

1. Implementation of Equal Employment Opportunity Policy

All personnel responsible for recruitment and employment will continue to review regularly the implementation of this personnel policy and relevant practices to assure that equal employment opportunity based on reasonable, job-related requirements is being actively observed to the end that no employee or applicant for employment shall suffer discrimination because of age, sex, race, color, religion, national origin, disability, pregnancy, political affiliation, sexual preference or orientation, or marital status.

2. Equal Employment Opportunity Policy Goals and Objectives

- a) Provide compliance with State and Federal equal opportunity requirements and regulations.
- b) Ensure fair treatment and non-discrimination in Town hiring, Town employment, and in appointments to and service on Town boards and councils.
- c) Provide compliance with State and Federal equal opportunity requirements and regulations.
- d) Provide a basis for encouraging those who do business with the Town to practice Equal Employment Opportunity.
- e) Provide a viable workforce for the Town.

3. Program Responsibility

The Town Manager shall serve as the Equal Opportunity Officer to carry out the Equal Employment Opportunity Policy and Program and shall be the focal point for the Town's equal opportunity efforts.

4. Equal Employment Opportunity Practices

The Town Manager shall undertake the following actions to assure equal employment opportunities in the Town:

- a) Periodically review all position qualifications and job descriptions to ensure requirements are relevant to the tasks to be performed. Make recommendations as needed to delete requirements not reasonably related to the tasks to be performed.
- b) Assure that pay and fringe benefits depend upon job responsibility and, along with overtime work, are administered on a non-discriminatory basis.
- c) Provide orientation for all new employees specifically emphasizing how the Town assures equal opportunity.

This policy shall be made known to all employees, contractors, and suppliers through distribution of the Equal Opportunity Policy. Applications for employment will include an equal opportunity clause. Violations of this policy may be cause for the full range of disciplinary action.

5. EEO Grievance Procedures

The following steps shall be taken for any grievance arising from the implementation of this program so as to maintain the best possible employee/department head and Town/community relationships:

- a) Step one. Employees shall bring their grievance in writing to the attention of their department head within fifteen (15) days of the date of the incident. The department head will investigate as necessary to determine the cause of the complaint and will work with the employee to affect an equitable solution. Every effort shall be made to resolve the difficulty at this level within five (5) working days.
- b) Step two. If the employee is dissatisfied with the response at Step One, the employee may forward the written grievance to the Town Manager within five (5) days of their department head's decision. The Town Manager will render a written decision within fifteen (15) days of receipt of the grievance.
- c) Step three. If the employee is dissatisfied with the response at Step Two, the employee may forward the written grievance to the Town Council within five (5) days of the Manager's decision. The Town Council will render a written decision within thirty (30) days of receipt of the grievance.

The existence of the grievance procedure does not preclude any individual from pursuing any other remedies available under law.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: NON-DISCRIMINATION

PURPOSE: To establish guidelines for the promotion of fair practice and nondiscrimination in activities relating to employment and treatment of all citizens.

STATEMENT OF POLICY: The Town of Laurel Park shall seek, employ, promote, and afford equal treatment and service to all citizens and to ensure that all applicants are assured equal employment opportunity without regard to age, sex, race, color, religion, national origin, disability, pregnancy, political affiliation, sexual preference or orientation, or martial status. Individuals with physical disabilities shall be given equal consideration with other individuals for positions in which their disabilities do not represent an unreasonable barrier to satisfactory performance of duties with or without reasonable accommodation. The Town shall operate within the principles of equal employment opportunity and affirmative action guidelines set forth in federal, state and local laws and regulations.

All activities relating to employment including recruitment, testing, selection, promotion training and termination shall be conducted in a nondiscriminatory manner.

The Town of Laurel Park will cooperate fully with all organizations and Commissions organized to promote fair practices and equal employment opportunity.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: HOURS OF WORK AND ATTENDANCE

PURPOSE: To establish a policy for work hours and attendance for Town employees.

STATEMENT OF POLICY: It is the policy of the Town to establish work schedules for each department and set guidelines for attendance.

1. Work Schedules

Administration Department: The regular work hours for the Administration Department will total 35 hours per employee per week. One hour is allowed for lunch. The Department Head shall establish work schedules, with the approval of the Town Manager, which meet the operational needs of the department in the most cost-effective manner possible.

Public Works Department: The regular weekly work hours of the Public Works Department will total 40 hours per employee. One hour is allowed for lunch. The Department Head shall establish work schedules, with the approval of the Town Manager, which meet the operational needs of the department in the most cost-effective manner possible.

Police Department: Due to the nature of Police work, hours cannot be uniform for all officers in the Laurel Park Police Department. Except in emergency situations the Police Department shall conform to the policy guidance contained within Administrative Policy 940.02 *Personnel Policy*.

All work schedules will be on file with the Town Clerk.

2. Attendance Procedure

The employee is required to notify his department head in advance when illness prevents reporting to work or when the employee expects to be late for work because of unusual and unavoidable circumstances.

Advance notice of anticipated tardiness is expected, and notice of unavoidable tardiness is expected, when possible. Failure to do so will be construed as an unexcused absence, and the day missed will not be paid. Notification by another employee, friend, or relative is not considered proper except in an emergency situation where the employee is physically unable to make the notification.

Attendance shall be a consideration in determining promotions, transfers, salary increases, satisfactory completion of probationary periods, and continued employment with the Town. Frequent tardiness or other attendance irregularities shall be cause for disciplinary action.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: NEPOTISM

PURPOSE: To establish policy for the employment of immediate relatives in order to ensure the reality and appearance of fairness in the best interest of the Town.

STATEMENT OF POLICY: The Town prohibits the hiring and employment of immediate family in permanent positions within the same work unit. The Town also prohibits the employment of any person into a permanent position who is an immediate family member of individuals holding the following positions: Mayor, Mayor Pro Tempore, Town Council Member, Town Manager, Town Clerk, or Town Attorney. Otherwise, the Town will consider employing family members or related persons in the service of the Town, provided that such employment does not:

- a) result in a relative supervising relatives;
- b) result in a relative auditing the work of a relative;
- c) create a conflict of interest with either relative and the Town; or
- d) create the potential or perception of favoritism.

Definition

"Immediate family" shall be defined as spouse, child, parent, brother, sister, grandparent, grandchild, plus any combination of half, step, in-law and adopted relationships of the employee or spouse of the employee, or guardian.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: PROBATION PERIOD

PURPOSE: To establish policy and procedures for the probation period for new employees and current employees who transfer to a new position.

STATEMENT OF POLICY: It is Town policy that an employee appointed or promoted to a permanent position shall serve a probationary period.

Employees shall serve a six-month probationary period, except that emergency personnel, such as sworn police, and department heads shall serve a twelve-month probationary period. During the probationary period, supervisors shall monitor the employee's performance and communicate with the employee concerning performance progress. Employees serving a twelve-month probation shall have a probationary review at the end of six months as well as before the end of twelve months.

Before the end of the probationary period, the supervisor shall conduct a performance evaluation conference with the employee and discuss accomplishments, strengths, and needed improvements. A summary of this discussion shall be documented in the employee's personnel file. The supervisor shall recommend in writing whether the probationary period should be completed, extended, or the employee transferred, demoted, or dismissed. Probationary periods may be extended for a maximum of six additional months.

Disciplinary action, including demotion and dismissal, may be taken at any time during the probationary period of a new hire without following the steps outlined in this policy.

A promoted employee who does not successfully complete the probationary period may be transferred or demoted to a position in which the employee shows promise of success. If no such position is available, the employee shall be dismissed. Promoted and demoted employees who are on probation retain all other rights and benefits such as the right to use of the grievance procedures.

If a personal emergency arises which requires a leave of absence during an employee's probationary period, or during the first six (6) months of service for police officers, such time off, if granted, will be considered leave without pay.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: RE-EMPLOYMENT

PURPOSE: To establish a policy for re-employment of former Town employees.

STATEMENT OF POLICY: It is Town policy that any former regular employee who resigned from the Town in good standing or who is separated because of a reduction in force is eligible for re-employment.

Persons interested in re-employment should file a completed Town application form with the Administration office. The individual will then proceed through the regular hiring procedures with other applicants as described in Administrative Policy 200.9 *Recruitment, Selection, and Appointment*.

The compensation of an employee re-hired to a position other than the former position will be subject to provisions for new hires.

An employee who enters extended active duty with the Armed Forces of the United States, the Public Health Service, or a Reserve component of the Armed Forces will be granted reinstatement rights commensurate with Chapter 43 of Public Law 93-508.

Reinstatement in the retirement system will be made in accordance with the rules and regulations as set by the North Carolina Local Government Employees' Retirement System.

Vacation leave eligibility will correspond with the re-employment date.

The individual's previous personnel file will be re-activated once re-employed by the Town.

All individuals re-employed by the Town must complete a new probationary period.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: EMPLOYEE IN-PROCESSING/ORIENTATION

PURPOSE: To establish a policy and procedure for processing new Town employees.

STATEMENT OF POLICY: It is Town policy that all new regular full-time and regular part-time employees of the Town will be scheduled to meet with the Town Clerk on or before their first day of work for general orientation and processing.

The Administration Office will distribute and explain the various enrollments forms, etc. that must be filled out.

Each new employee will be provided with information on employee benefits, Town policies and operations.

The hiring department provides additional information to the new employee, including but not restricted to:

1. Work standards and regulations
2. Hours of work, time cards or reports, leave requests
3. Duties of the position
4. Safety rules and procedures, location of safety or protective equipment
5. Tour of the work area, including location of equipment, supplies, etc.
6. Introduction to co-workers
7. Schedule for lunch and breaks
8. When and whom to report absence from work
9. Who is responsible for performance planning and review
10. Probationary Periods
11. Evaluations
12. Pay periods and pay day
13. Grievance procedures
14. Chain of command
15. Uniform policy
16. Physical exam
17. Drug test
18. Telephone usage

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: WORK PERIODS

PURPOSE: To establish work periods for purposes of the Federal Fair Labor Standards Act (FLSA), effective April 15, 1986, as amended.

STATEMENT OF POLICY: It is Town policy that the work period for all Town employees except the Police Department shall be a seven (7) day period beginning on Monday at 12:01 a.m. and continuing to Sunday at 12:00 a.m. (midnight).

The Police Department work period shall be based on a twenty-eight (28) day cycle beginning on Monday at 12:01 a.m. and continuing to Sunday at 12:00 a.m. (midnight). Additional information on Police hours of work is contained in section 940 *Police Department, Policy 940.02*.

Limitations

This policy shall not apply to executive, professional, administrative, and all other employees who are exempt from the FLSA. The following employee classifications are currently considered exempt from FLSA:

- Town Manager
- Town Clerk
- Public Works Director
- Chief of Police

The above referenced work periods may be changed to accommodate special work schedules upon recommendation of department head with Town Manager approval.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: RECRUITMENT, SELECTION, AND APPOINTMENT

PURPOSE: To establish a policy and procedure for all phases of the hiring process.

STATEMENT OF POLICY: It is Town policy that the Town Manager will administer and coordinate the hiring process for all position vacancies to ensure compliance with contractual, legal, and equal opportunity requirements. All hiring efforts are conducted in the spirit of equal opportunity.

1. Recruitment

- a) The Town Manager will be notified immediately of all position vacancies.
- b) The affected department shall assist the Town Manager, as necessary, in formulating the job announcement, ads, and in determining special applicant sources.
- c) A determination will be made by the Town Manager, in cooperation with the department, whether to accept in-house candidate applications only or whether outside candidates will be considered for employment.
- d) In those cases where outside candidates will be considered, job announcements may also be distributed to area local governments, schools, minority agencies, and other recruitment services. The Town may use for job referral purposes only those recruitment services that do not discriminate on the basis of age, sex, race, color, religion, national origin, disability, pregnancy, political affiliation, sexual preference or orientation, or marital status in making referrals.
- e) Ads within local newspapers, trade publications, and professional journals will be developed and placed by the Town Manager with assistance provided by the affected department.
- f) Applications for a position are accepted based on the published closing or until a qualified candidate is found.
- g) Applicants may be disqualified for consideration for employment when any of the following facts exist:
 - 1) They do not possess the qualifications based on the job description.
 - 2) They have demonstrated an unsatisfactory employment record or personal record as evidenced by information contained on the application form or by the results of a reference check.
 - 3) They have made false statements of any material facts or practiced deception in their application.
 - 4) They are physically, mentally, or otherwise unable to perform the duties of the position.
 - 5) The applicant is not within the legal age limits prescribed by law.
 - 6) Other applicants are more qualified.

Applicant Interest Card. Persons interested in employment with the Town may complete an applicant interest card concerning all of the positions for which they wish to apply. These cards will be maintained for a period of six months. When a vacancy occurs in positions of interest,

the card will be sent, notifying the person and requesting that the person complete an application before the designated deadline.

Application Reserve File. Applications shall be kept in an inactive reserve file for a period of two years, in accordance with Equal Employment Opportunity Commission guidelines.

2. Interview Process

The employment interview is a supplement to and part of the selection process. The primary function of the interview is to obtain data or certain knowledge about the skills and abilities of a candidate not available through review of resumes or other testing mechanisms. Certain guidelines will be observed to maximize the validity and reliability of the interview process as well as ensure the adherence to current EEO requirements and ADA Act.

- a) The Town Manager in conjunction with the Department Heads shall coordinate the interview process, including scheduling candidates, development of interview questions, selection of interview panel, etc.
- b) Questions will be designed to measure job knowledge, experience, education, or to solicit responses that reflect those personal traits that are job related. Questions, which pertain to age, sex, race, color, religion, national origin, disability, pregnancy, political affiliation, sexual preference or orientation, or marital status or inquiries that tend to directly or indirectly disclose such information, are prohibited. Any questions that would indirectly divulge an applicant's age, national origin, or other discriminatory factor shall be made in strict accordance with the law.
- c) Inquiries as to an applicant's ability to read, write, or speak foreign languages are permitted when such inquiries are based on job descriptions.
- d) Following the interview, the interviewer shall complete an interview report and return it with a hiring recommendation to the Town Manager.

3. Reference Check

- a) Before any offer of employment is extended, a reference check on the final candidate(s) will be made. The check includes verification of employment duties, dates of employment, work record, attendance record, strengths, weaknesses, safety record, and other pertinent information. Parts of the reference check may be delegated to the affected department.
- b) No reference check or background investigation will be conducted without first notifying the applicant of the investigation.
- c) Results of the reference check and/or background check will help determine the applicant's fitness for the position.
- d) Applicants will be scheduled for a physical exam and drug test.

4. Appointment

- a) After references are verified and a final decision reached, the Town Manager will notify the applicant of his/her selection, make an employment offer, and request that the offer be accepted or rejected within a set number of days.
- b) If the first offer is rejected, the Town Manager will decide whether to hire another candidate or to re-open the position.
- c) Once a candidate accepts the employment offer and begins work, all candidates that were interviewed will be notified in writing that they were not selected for the position.
- d) The Town Manager shall approve appointments and the starting salary for all applicants.

5. Applicant Expenses

- a) Unless approved by the Town Manager, the Town does not reimburse any applicant for travel costs in conjunction with the hiring process.
- b) The employee pays relocation costs in full unless otherwise budgeted and approved by the Town Manager.
- c) The applicant should be advised of items a and b above before reporting for the interview.

6. Temporary Help

The steps contained in this policy will be followed in the recruitment of temporary help.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: PERFORMANCE EVALUATIONS

PURPOSE: The purposes of the employee performance evaluation are: to provide employees with timely reports of their progress and allow for correction of deficiencies; to provide all employees with positive recognition of strengths and special abilities; to provide an ongoing performance record which may become part of documentation used in making personnel actions; to provide employees with an opportunity to discuss ways and means for improvement so they can reach their maximum potential; and to review and update job descriptions.

STATEMENTS OF POLICY: It is Town policy that all personnel shall be evaluated at least once a year.

Employees on probationary status shall be evaluated at the end of the probationary period, at which time the employee shall be advised of his/her status (regular or terminated).

Employees, other than Department Heads, the Town Manager, and probationary employees, shall be evaluated during the first quarter of the calendar year. Department heads may choose to evaluate employees more often. It shall be the responsibility of each department head to furnish to the Town Manager a completed evaluation of his/her employees within the time frame given.

All Department Heads shall be evaluated during the second quarter of the calendar year by the Town Manager. The Town Manager will review each department head's evaluation with the Mayor.

The Town Council is responsible for the Town Manager's evaluation.

Once an Employee Performance Evaluation Form is completed, the evaluator shall arrange for a conference with individual being evaluated. During the conference, the employee and evaluator shall discuss each portion of the form and the relationship between the employee's performance of the job and the description of the job itself. After signing the completed form, the evaluator shall send it to the appropriate review authority.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: EMPLOYEE SEPARATION AND OUT PROCESSING

PURPOSE: To establish procedures for employee Town employee separation and out processing due to resignation, reduction in force, disability, voluntary retirement, death, or dismissal.

STATEMENT OF POLICY: It is Town policy to provide procedures for employee separation that provides the least disruption and inconvenience to the employee and the Town.

1. Separation

All separations of employees from positions in the service of the Town shall be designated as one of the following types and shall be accomplished in the manner indicated: resignation, reduction in force, disability, voluntary retirement, dismissal, or death.

- a) **Resignation.** An employee may resign by submitting the reasons for resignation and the effective date in writing to the immediate supervisor as far in advance as possible. In all instances, the minimum notice requirement is two weeks. Failure to provide minimum notice shall result in forfeit of payment for accumulated annual leave unless the notice is waived upon recommendation of the Department Head and approval by the Town Manager. Exceptions to the time limit requirement may be granted by the Town Manager. Three consecutive days of absence without contacting the immediate supervisor or Department Head may be considered to be a voluntary resignation. During the final two weeks of a notice, sick leave will only be approved with a physician's certification or comparable documentation.
- b) **Reduction in Force.** In the event that a reduction in force becomes necessary, consideration shall be given to the quality of each employee's performance, organizational needs, and seniority in determining those employees to be retained. Employees who are separated because of a reduction in force shall be given at least two weeks notice of the anticipated action. No regular employee shall be separated because of a reduction in force while there are temporary or probationary employees serving in the same class in the department, unless the regular employee is not willing to transfer to the position held by the temporary or probationary employee. An employee who is separated because of reduction in force may be reinstated within one year of the date of separation upon recommendation of the Department Head and upon approval of the Town Manager. An employee who is reinstated in this manner shall be re-credited with his or her previously-accrued sick leave.
- c) **Disability.** An employee who cannot perform the essential duties of a position because of a physical or mental impairment may be separated for disability. The employee or the Town may initiate action. In cases initiated by the employee, such action must be accompanied by medical evidence acceptable to the Town Manager. The Town may require an examination at the Town's expense, performed by a physician of the Town's choice.
- d) **Voluntary Retirement.** An employee who meets the conditions set forth under the provision of the North Carolina Local Government Employee's Retirement System may

elect to retire and receive all benefits earned under the retirement plan.

- e) Death. Separation shall be effective as of the date of death. All compensation due shall be paid to the estate of the employee.
- f) Dismissal. An employee may be dismissed in accordance with the provisions and procedures of *Administrative Policy 300.02, Disciplinary Action*.

2. Out Processing

- a) Final Compensation. Employees shall receive pay for work performed through the last hour worked and for unused benefits as stipulated by policy and laws governing such payments. Termination pay shall be reduced by any authorized legal deductions, authorized pension plan, and any other amounts agreed upon in writing by the employee and the Town. Before the final paycheck is issued to the employee, the employee shall be required to return any and all Town property in his/her possession, i.e. uniforms, etc. The employee shall be required to complete all out-processing paperwork with the Administration Office. Failure by the terminating employee to return Town property or complete all out-processing paperwork will result in delay of receipt of the final paycheck.
- b) Benefits. The official date of termination will be the last day the employee reports for work. Benefits continue through the time actually worked by the employee including any time used from accumulated vacation. For those employees who are not retiring, employee monies accumulated in the employee's retirement account are refundable. Forms required to request this refund are available in the Administration Office.
- c) Unemployment compensation. The Administration Office shall process all claims for unemployment compensation as filed by a terminating employee. Requests for information about unemployment compensation should be forwarded to the Administration Office immediately to avoid unauthorized charges against the Town's account, refer to related *Administrative Policy 500.08, Unemployment Compensation*.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: PROMOTION, DEMOTION, AND TRANSFER

PURPOSE: To establish procedures for employee promotion, demotion, and transfer.

STATEMENT OF POLICY: It is Town policy to create career opportunities for its employees whenever possible.

1. Promotion

Promotion is the movement of an employee from one position to a vacant position in a class assigned to a higher salary range. It is the Town's policy to create career opportunities for its employees whenever possible. Therefore, when a current employee applying for a vacant position is best suited of all applicants, that applicant shall be appointed to that position.

The Town will balance three goals in the employment process:

- a) the benefits to employees and the Town of promotion from within;
- b) providing equal employment opportunity and a diversified workforce to the community; and
- c) obtaining the best possible employee who will provide the most productivity in that position.

Therefore, except in rare situations where previous Town experience is essential or exceptional qualifications of an internal candidate so indicate, the Town will consider external and internal candidates for selection rather than automatically promote from within. Candidates for promotion shall be chosen on the basis of their qualifications and their work records. Internal candidates shall apply for promotions using the same application process as external candidates.

2. Demotion

Demotion is the movement of an employee from one position to a position in a class assigned to a lower salary range. Demotion may be voluntary or involuntary.

An employee whose work or conduct in the current position is unsatisfactory may be demoted provided that the employee shows promise of becoming a satisfactory employee in the lower position. Such disciplinary demotion shall follow the disciplinary procedures outlined in this policy.

An employee who wishes to accept a position with less complex duties and reduced responsibilities may request a voluntary demotion. A voluntary demotion is not a disciplinary action and is made without using the above-referenced disciplinary procedures.

3. Transfer

Transfer is the movement of an employee from one position to a position in a class in the same salary range.

If a vacancy occurs and an employee in another department is eligible for a transfer, the employee shall apply for the transfer using the usual application process. The Department Head wishing to transfer an employee to a different department or classification shall make a recommendation to the Town Manager with the consent of the receiving Department Head. Any employee transferred without requesting the action may appeal the action in accordance with the grievance procedure outlined in this policy. An employee who has successfully completed a probationary period may be transferred into the same classification without serving another probationary period.

EFFECTIVE: 01/01/05

LAST REVISED: 04/16/13

APPROVAL: _____

MAYOR

TOWN MANAGER

SUBJECT: OUTSIDE EMPLOYMENT

PURPOSE: To establish guidelines for outside employment.

STATEMENT OF POLICY: The Town shall have precedence over other occupational interests of employees.

All outside employment for salaries, wages, or commissions and all self-employment must be reported in advance to the employee's Department Head. The Department Head will review such employment for possible conflict of interest and then submit a record of the employment and review to the personnel file. Conflicting or unreported outside employment is grounds for disciplinary action up to and including dismissal. Documentation of the approval of outside employment will be placed in the employee's personnel file.

Examples of conflicts of interest in outside employment include but are not limited to:

- a) employment with organizations or in capacities that are regulated by the employee or employee's department; or,
- b) employment with organizations or in capacities that negatively impact the employee's perceived integrity, neutrality, or reputation related to performance of the employee's Town duties.

EFFECTIVE: 04/16/13

LAST REVISED:

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: EMPLOYEE PERFORMANCE AND CONDUCT

PURPOSE: To outline specific areas that may result in employee discipline.

STATEMENT OF POLICY: It shall be the duty of employees to maintain high standards of cooperation, efficiency, and integrity in their work with the Town of Laurel Park. If an employee's performance or conduct falls below standard, he/she may be subject to disciplinary action.

1. Unsatisfactory Job Performance Defined

Unsatisfactory job performance includes any aspects of the employee's job which are not performed as required to meet the standards set by the Department Head or Town Manager. Examples of unsatisfactory job performance include, but are not limited to, the following:

- a) Demonstration of inefficiency, negligence, or incompetence in the performance of duties;
- b) Careless, negligent, or improper use of Town property or equipment;
- c) Physical or mental incapacity to perform duties;
- d) Discourteous treatment of the public or other employees;
- e) Absence without approved leave;
- f) Improper uses of leave privileges;
- g) Failure to report for duty at the assigned time and place;
- h) Failure to complete work within time frames established in work plan or work standards;
- i) Failure to meet work standards over a period of time; or
- j) Failure to follow the chain of command to address work-related issues.

2. Detrimental Personal Conduct Defined

Detrimental personal conduct includes behavior of such a serious detrimental nature that the functioning of the Town may be or has been impaired; the safety of persons or property may be or have been threatened; or the laws of any government may be or have been violated. Examples of detrimental personal conduct include, but are not limited to, the following:

- a) Fraud or theft;
- b) Conviction of a felony or the entry of a plea of nolo contendere thereto;
- c) Falsification of records for personal profit, to grant special privileges, or to obtain employment;
- d) Willful misuse or gross negligence in the handling of Town funds;
- e) Willful or wanton damage or destruction to property;
- f) Willful or wanton acts that endanger the lives and property of others;
- g) Possession of unauthorized firearms or other lethal weapons on the job;
- h) Brutality in the performance of duties;

- i) Reporting to work under the influence of alcohol or drugs or partaking of such while on duty (this does not pertain to prescribed medication taken within the limits set by a physician as long as medically necessary);
- j) Engaging in incompatible employment or serving a conflicting interest;
- k) Requesting or accepting gifts in exchange for favors or influence;
- l) Engaging in political activity prohibited by this policy;
- m) Harassment of an employee(s) and/or the public on the basis of sex or any other protected class status; or
- n) Stated refusal to perform assigned duties or flagrant violation of work rules and regulations.

Refer to related *Administrative Policy 300.02 Disciplinary Action* for additional information on procedures for and types of disciplinary action.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: DISCIPLINARY ACTION

PURPOSE: To establish policies and procedures related to disciplinary action for Town employees.

STATEMENT OF POLICY: It shall be the policy of the Town of Laurel Park to administer discipline fairly, reasonably, and impartially. Employees and the Town are best served when discipline is administered to correct actions rather than to punish.

All progressive disciplinary actions are initiated by the Department Head and require concurrence of the Town Manager.

An employee may be suspended by his/her Department Head for causes related to personal conduct determined to be detrimental to Town service (1) in order to avoid undue disruption of work, (2) to protect the safety of persons or property, or (3) for other serious reasons pending investigation and hearing of charges. If the allegation proves false, the employee will be reinstated without loss of pay or benefits.

1. Disciplinary Action Procedure

The tenure of Town employees shall be based on reasonable standards of job performance and personal and professional conduct. Failure or refusal to meet these standards shall constitute just cause for disciplinary action including oral or written reprimand, suspensions, demotions, and dismissal. Disciplinary action is not primarily intended to be punitive, but rather to maintain the efficiency and integrity of Town service. The nature and severity of the offense and the employee's prior record shall be considered. In any major disciplinary action, the pertinent information shall be reviewed with the employee specifying the following: the cause for discipline, the specific reasons supporting the cause, the discipline to be imposed, the effective date, and the right of the employee to be heard. The degree of discipline administered will depend on the severity of the infraction and shall be in accordance with any applicable Town policies and procedures as well as local, state, or federal laws and regulations. It is the responsibility of each Department Head to evaluate thoroughly the circumstances and facts as objectively as possible and then apply the most suitable form of discipline. The original copy of the disciplinary action is to be signed by the employee and placed in the employee's personnel file with a copy given to the employee.

2. Types of Disciplinary Action

Oral Warning - this type of discipline should be applied to infractions of a relatively minor degree or in situations where the employee's performance needs to be discussed. The oral warning should be given in private. Department Heads should inform the employee that he/she is issuing an oral warning, that the employee is being given an opportunity to correct the condition, and if the condition is not corrected, the person will be subject to more severe disciplinary action. The Department Head shall document the oral warning.

Written Warning/Reprimand - this notice will be issued in the event the employee continues to disregard an oral warning or if the infraction is severe enough to warrant a written reprimand in the employee's personnel file. Written warning/reprimand notices must be issued within ten days after the occurrence of the violation claimed by the Department Head. The warning/reprimand shall state the nature of the infraction in detail and what corrective action must be taken by the employee to avoid further discipline as outlined. A copy of the written warning/reprimand is to be handed to the employee at the time of the discussion of the discipline. The employee shall sign the written warning to acknowledge receipt. A copy, signed by the employee, will be placed in the employee's personnel file. If the employee refuses to sign the acknowledgment, then the Department Head and one other witness shall note on the reprimand that the employee received a copy thereof and refused to sign it.

Disciplinary Probation - this form of discipline may be administered when an employee has completed his/her mandatory probation period and written warning/reprimand(s) or counseling(s) have failed to correct infraction(s) of policy. An employee may be placed on disciplinary probation by the Department Head with concurrence of the Town Manager and given an opportunity to correct the stated deficiency. Disciplinary probation should not exceed ninety (90) days. During the disciplinary probation, an employee is not eligible for any pay raises. The action will be documented in writing and state what corrective action must be taken by the employee to avoid further discipline. At the end of the disciplinary probation, the employee may be reinstated or further disciplinary actions may be pursued in accordance with this policy.

Suspension - this form of discipline is administered as a result of a severe infraction of policies or for repeated violation. An employee may be suspended with or without pay.

- a) **Suspension Without Pay** - An employee will be suspended without pay with the concurrence of the Town Manager when the offense is of a nature serious enough for discharge but when circumstances related to an employee's overall performance would not warrant immediate discharge; the length of suspension should not normally exceed seven (7) workdays. Investigative suspensions may be used in cases where it is necessary to investigate a situation to determine what further disciplinary action may be justified. This suspension gives the Department Head the opportunity to discuss the problem with his/her superior to determine an appropriate course of action when the situation is serious enough for the employee to be removed from the work environment. If after investigation, it is determined that the employee was not guilty of any violation, he/she will normally be returned to his/her position, paid for any lost time, and a letter exonerating the employee will be placed in his/her official personnel file. If, however, the employee is found in violation, then the appropriate disciplinary action will take effect on the date that the investigative suspension began.
- b) **Suspension with Pay** - At the discretion of the Town Manager, an employee of the Town may be suspended with pay and benefits pending investigation of allegations of misconduct when the nature of the allegation compromises the ability of the employee to perform his/her duties and when a substantial period of

time will be required to complete an investigation or legal action. Such suspension is not a disciplinary action and may not be appealed. If the charges are substantiated, disciplinary action will be taken in accordance with the nature of the offense and may include recovery of salary and benefits paid during the suspension. If the charges are unfounded, the employee will be restored to duty and a letter of exoneration will be placed in the employee's official personnel file.

Dismissal - Immediate removal of an employee from the job site pending review for dismissal may be warranted in instances involving serious insubordination, theft, serious illegal or destructive acts while on the job, or other substantial reasons deemed appropriate by the Town Manager. An employee may also be dismissed after repeated offenses of a less serious nature if the offenses have been documented by the Department Head and appropriate behavioral changes have not resulted from previous progressive disciplinary action.

A pre-dismissal conference shall be held between the Town Manager, Department Head, and the employee. No attorneys or other such representatives for either party shall be present at this conference; a witness or security personnel may be present if management deems necessary. The Town Manager shall present the employee with the specific reasons for the proposed dismissal and a brief summary of the information that is believed to support the dismissal. The employee shall have a right to an immediate response to the proposed dismissal. At the end of the pre-dismissal conference, the Town Manager and Department Head will consider the employee's response, if any, to the proposed dismissal and will, within no more than three working days following the pre-dismissal conference, notify the employee in writing of the final decision. The Town Manager may elect to defer the dismissal based on the information presented by the employee or deem the dismissal is justified and present the employee with a letter of dismissal including notification of employee's right of appeal.

Upon dismissal on the basis of job performance, an employee may be given up to two weeks notice. In exceptional circumstance, and with prior approval of the Town Manager, a payment of up to two weeks salary may be made in lieu of notice.

Probationary employees may be terminated at any time without cause and without the right of appeal. Notification of dismissal in writing shall be provided the probationary employee and a copy filed in his/her personnel file. Dismissals of probationary employees are initiated by the Department Head and require the concurrence of the Town Manager.

3. Non-Disciplinary Suspension

During the investigation, hearing, or trial of an employee on any criminal charge, or during an investigation related to alleged detrimental personal conduct, or during the course of any civil action involving an employee, when suspension would be in the best interest of the Town (in the opinion of the Department Head and Town Manager), the Department Head and Town Manager may suspend the employee for part or all of the proceedings as a non-disciplinary action. In such cases, the Town Manager may:

- a) Temporarily relieve the employee of all duties and responsibilities and place the employee on paid or unpaid leave for the duration of the suspension, or
- b) Assign the employee new duties and responsibilities and allow the employee to receive such compensation as is in keeping with the new duties and responsibilities.

If the employee is reinstated following the suspension, the employee shall not lose any benefits to which the employee would have been entitled had the suspension not occurred. If the employee is terminated following suspension, the employee shall not be eligible for any pay from the date of suspension; however, all other benefits with the exception of accrued annual leave and sick leave shall be maintained during the period of suspension.

4. Back Pay Awards

Back pay and benefits may be awarded to reinstated employees in suspension, demotion, dismissal, and discrimination cases upon approval of the Town Manager.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: GRIEVANCE PROCESS

PURPOSE: To establish standardized grievance procedures for complaints not related to EEO or ADA to assure all employees that a response to their complaints and grievances will be prompt and fair.

STATEMENT OF POLICY: It is the policy of the Town to provide a just procedure for the presentation, consideration, and disposition of employee grievances.

Employees utilizing the grievance procedures shall not be subjected to retaliation or any form of harassment from supervisors or employees for exercising their rights under this policy. Supervisors or other employees who violate this policy shall be subject to disciplinary action up to and including dismissal from Town service.

1. Grievance Defined

A grievance is a claim or complaint by a current or a former employee based upon an event or condition which affects the circumstances under which an employee works, allegedly caused by misinterpretation, unfair application, or lack of clear or consistent policy or practice pertaining to employment conditions. Grievances include the appeal of a disciplinary action, warning, performance evaluation, merit pay decision, etc.

2. Purposes of the Grievance Procedure

The purposes of the grievance procedure include, but are not limited to:

- a) Providing employees with a procedure by which their complaints can be considered promptly, fairly, and without reprisal;
- b) Encouraging employees to express themselves about the conditions of work that affect them as employees;
- c) Promoting better understanding of policies, practices, and procedures that affect employees;
- d) Increasing employees' confidence that personnel actions taken are in accordance with established, fair, and uniform policies and procedures;
- e) Increasing the sense of responsibility exercised by supervisors in dealing with their employees;
- f) Encouraging conflicts to be resolved between employees and supervisors who must maintain an effective future working relationship and, therefore, encouraging conflicts to be resolved at the lowest level possible in the chain of command; and
- g) Creating a work environment free of continuing conflicts, disagreements, and negative feelings about the Town or its leaders, thus freeing up employee motivation, productivity, and creativity.

3. Procedure

When an employee has a grievance, the following successive steps are to be taken unless otherwise provided. The number of calendar days indicated for each step should be considered the maximum, unless otherwise provided, and every effort should be made to expedite the process. However, the time limits set forth may be extended by mutual consent. The last step initiated by an employee shall be considered to be the step at which the grievance is resolved. A decision to rescind a disciplinary suspension, demotion, or dismissal must be approved by the Town Manager before the decision becomes effective.

Prior to the submission of a formal grievance, the employee and Department Head should meet to discuss the problem and seek to resolve it informally. In addition, the employee or Department Head may request mediation from local mediation services or other qualified parties to resolve the conflict. Mediation is the process where a neutral party assists the parties in conflict with identifying mutually agreeable solutions or understandings. Mediation may be used at any step in the process when mutually agreed upon by the employee and Department Head or Town Manager.

Step 1. If no resolution to the grievance is reached informally, the employee who wishes to pursue a grievance shall present the grievance to the appropriate Department Head in writing. The grievance must be presented within fifteen calendar days of the event or within fifteen calendar days of learning of the event or condition. The Department Head shall respond to the grievance within ten calendar days after receipt of the grievance. The Department Head should, and is encouraged to, consult with any employee of the Town in order to reach a correct, impartial, fair, and equitable determination or decision concerning the grievance. Any employee consulted by the Department Head is required to cooperate to the fullest extent possible. The response from the Department Head for each step in the formal grievance process shall be in writing. In addition, the employee shall sign a copy to acknowledge receipt thereof. The responder at each step shall send copies of the grievance and response to the Town Manager.

Step 2. If the grievance is not resolved to the satisfaction of the employee by the Department Head, the employee may appeal, in writing, to the Town Manager within ten calendar days after receipt of the response from Step 1. The Town Manager shall respond to the appeal, stating the determination of decision within ten calendar days after receipt of the appeal. The Town Manager's decision shall be the final decision. The Town Manager will notify the Town Council of any impending legal action.

In the case of Department Heads or other employees where the Town Manager has been significantly involved in determining disciplinary action, including dismissal, the Town may wish to obtain a neutral outside party to either:

- a) provide mediation between the grieving Department Head and the Town Manager (see definition of mediation above); or
- b) consider an appeal and make recommendations back to the Town Manager concerning the appeal.

Such parties might consist of human resource professionals, attorneys, mediators, or other parties appropriate to the situation.

The Town Manager's decision shall be the final decision in all grievances. The Town Manager shall notify the Town Council of any impending legal action.

4. Grievance and Adverse Action Appeal Procedure for Discrimination

When an employee, former employee, or applicant, believes that any employment action discriminates illegally (i.e. is based on age, sex, race, color, religion, national origin, disability, political affiliation, sexual preference or orientation, or marital status), he or she has the right to appeal such action using the grievance procedure outlined in this Article. While such persons are encouraged to use the grievance procedure, they shall also have the right to appeal directly to the Town Manager. Employment actions subject to appeal because of discrimination include promotion, training, classification, pay, disciplinary action, transfer, layoff, failure to hire, or termination of employment. An employee or applicant must appeal an alleged act of discrimination within thirty calendar days of the alleged discriminatory action.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: HARASSMENT

PURPOSE: To establish a policy prohibiting all forms of harassment, defining a procedure for reporting harassment, and establishing guidelines for the administration of discipline.

STATEMENT OF POLICY: It is the policy of the Town of Laurel Park that harassment will not be tolerated. All employees are prohibited from engaging in the harassment of any other employee or other person in the course of or in connection with employment. The desired standard of employee behavior is one of cooperation and respect for each other, despite any differences.

1. Definition

The Town prohibits harassment in any form that is based on sex, race, color, religion, national origin, age, and/or disability. Harassment is defined as conduct that culminates in tangible employment action or is sufficiently severe or pervasive to create a hostile work environment.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment includes repeated offensive sexual remarks, continual or repeated comments about an individual's body, and offensive sexual language.

Harassment does not include the conduct or actions of supervisors intended to provide employee discipline, such as deficiency notices, performance evaluations, oral warnings, reprimands, or other supervisory actions intended to promote positive performance.

2. Procedure

- a) In any case in which the Department Head is witness to or confronted with a situation of harassment, the Department Head shall immediately notify the offending party that harassment is not appropriate and will not be tolerated. Ultimate disciplinary action will await completion of the reporting procedure.
- b) An employee subjected to any form of harassment should report such activity to his/her non-involved Department Head or directly to the Town Manager, immediately.
- c) A Department Head is required to report harassment cases to the Town Manager. Such reports are to be made regardless of how knowledge of the case was acquired.
- d) The Department Head shall investigate and submit to the Manager a report setting forth the facts of the case and a recommendation for action within five working days.
- e) The results of the investigation and the nature of the disciplinary action will be communicated by the Manager's Office to both the complainant and the offender as

well as the affected Department Head. Either party may appeal the decision through the normal grievance procedure if it is felt the findings were incorrect or the disciplinary action inappropriate.

3. Disciplinary Action

Employees who are found to be engaged in harassment are subject to disciplinary action up to and including dismissal (*Town Policy 300.02, Disciplinary Action*). Employees making complaints of harassment are protected against retaliation from alleged harassers or other employees.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: PERSONAL APPEARANCE

PURPOSE: To establish general guidelines related to personal appearance of Town employees.

STATEMENT OF POLICY: It shall be the responsibility of all employees to represent the Town of Laurel Park to the public in a manner that shall be courteous, efficient, and helpful.

Town employees should always be well groomed and dressed in a manner suitable for the public service environment and to reflect favorably the Town's image.

Employees who are issued uniforms shall be in uniform at all times when representing the Town, unless specifically released from doing so by their Department Head or Town Manager.

The employee's Department Head will discuss the subject of personal appearance with the employee if it is felt it does not positively reflect the image of the Town.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: POLITICAL ACTIVITIES

PURPOSE: To foster governmental efficiency and to ensure employees can perform their jobs without being pressured to support specific Council members, other political candidates, or supporters of such candidates.

STATEMENT OF POLICY: It is Town policy to promote public confidence in the integrity of Town government by allowing employee performance and advancement to be judged without regard to prior political activity.

Each employee has a civic responsibility to support good government by every available means and in every appropriate manner. Each employee may join or affiliate with civic organizations of a partisan or political nature, may attend political meetings, may advocate and support the principles or policies of civic or political organizations in accordance with the Constitution and laws of the State of North Carolina and in accordance with the Constitution and laws of the United States. However, no employee shall:

- a) Engage in any political or partisan activity while on duty.
- b) Use official authority of influence for the purpose of interfering with or affecting the result of a nomination or an election for office.
- c) Be required as a duty of employment or as condition for employment, promotion or tenure of office to contribute funds for political or partisan purposes.
- d) Coerce or compel contributions from another employee of the Town for political or partisan purposes.
- e) Use any supplies or equipment of the Town for political or partisan purposes.
- f) Be a candidate for nomination or election to office under the Town Charter.

An employee shall be subject to discipline up to and including immediate dismissal for violation of these provisions.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: SMOKING POLICY

PURPOSE: To respond to the evidence that tobacco smoke creates a danger to the health of persons who are present in a smoke-filled environment and to establish Town policy to regulate the use of smoking materials by Town employees while on duty.

STATEMENT OF POLICY: Every attempt will be made to obtain to the greatest extent possible, freedom for the nonsmoker from the harmful effects of smoking materials, while preserving a reasonable degree of freedom for those who choose to smoke.

"Smoke" or "smoking" as used in this policy shall mean and include the smoking of any kind of lighted pipe, cigar, or cigarette.

Smoking is prohibited inside all Town of Laurel Park owned facilities and in Town vehicles.

PROCEDURE:

The effectiveness of this policy shall depend largely on the understanding and willingness of all employees to abide by its provisions and to request others to do so. Smokers must consider the health concerns and comforts of their nonsmoking co-workers and nonsmokers must consider the freedom of choice of the smoker. It shall be the responsibility of each employee to abide by the rules and regulations contained in this policy, and it shall be the responsibility of the affected department head to see that the policy is applied in an equitable manner and adhered to by all employees.

Complaints of violation of the policy should be directed to the Department Head responsible for the particular facility involved in the complaint. The Department Head shall be responsible for notifying the violator of the pertinent portions of this policy. Failure to comply with the policy after proper notification shall initiate the Town's progressive discipline procedures.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: SOLICITATIONS

PURPOSE: To establish a uniform policy for solicitations by sales representatives or employees in order to alleviate disruption of Town employees during normal working hours.

STATEMENT OF POLICY: Peddling or soliciting for sale or donation of any kind during normal working hours is not allowed. Exceptions may be granted by the Town Manager.

Working hours include the working time of the employee doing the soliciting or distributing and the employee and/or non-employee to whom such activity is directed.

Employees are free to discuss these matters before or after normal working hours, and during lunch or rest periods in non-work areas.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: CONTRIBUTIONS, HONORARIUMS, AND ACCEPTANCE OF GIFTS

PURPOSE: To establish a policy and procedure for reporting contributions and honorariums.

STATEMENT OF POLICY: It is the policy of the Town of Laurel Park not to accept personal honorariums and gifts that may tend to influence an employee in the discharge of the employee's duties.

1. Speeches and Presentations

Speeches and presentations that are related to Town services delivered by Town employees to community and professional organizations are made without charge. If an organization wishes to give an honorarium or contribution for such a presentation, the remuneration must be made to the Town, not to the individual employee.

An honorarium or contribution for a speech or other presentation made by a Town employee to a group outside the Town, either during working time or for which the Town provided travel expenses, will also be made to the Town.

Such contributions and honorariums shall be turned over to the Town Clerk for disposition.

2. Acceptance of Gifts and Favors

No official or employee of the Town shall solicit or accept any gift, favor, or thing of value (valued more than \$50) that may tend to influence an employee in the discharge of the employee's duties, or grant an improper favor, service, or thing of value in the discharge of an employee's duties.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: EMPLOYEE ETHICS

PURPOSE: The purpose of this policy is to establish guidelines for ethical standards of conduct that shall govern Town employees in the performance of Town business and the duties of their respective jobs.

STATEMENT OF POLICY: This policy is intended to provide positive direction to Town employees in order to prevent potential conflicts of interest.

This policy is not all encompassing in its definition of conflict of interest. The “prudent man” theory can and will be applied: action deemed inappropriate by a reasonable person, whether specifically cited in this policy or not, will be subject to inquiry.

1. Conflicts of Interest

No Town employee shall engage in any act that is in conflict, or creates an appearance of unfairness or conflict, with the performance of official duties. An employee shall be deemed to have a conflict of interest if the employee:

- a) Has any financial interest in any sale to the Town of any goods or services when such financial interest was received with prior knowledge that the Town intended to purchase the property, goods, or services;
- b) Solicits, accepts, or seeks a gift, gratuity, or favor from any person, firm, or corporation involved in a contract or transaction which is or may be the subject of official action by the Town;
- c) Participates as a Town employee in the issuing of a purchase order or contract in which he/she has a private pecuniary interest, direct or indirect, or performs in regard to such contract some function requiring the exercise of discretion on behalf of the Town; or
- d) Engages in, accepts employment from, or renders services for private interests for any compensation or consideration having monetary value when such employment or service is incompatible with the proper discharge of official duties, would tend to impair independence of judgment or action in performance of official duties, or give the appearance of the above. An employee should not make a unilateral decision; if there is any doubt about his/her private employment, the Town Manager should be consulted.

2. Use of Public Property

No employee of the Town shall request, use, or permit the use of Town-owned vehicles, clothing, equipment, materials, or other property for unauthorized personal convenience, for profit, for private use, or as part of secondary employment. Use of such Town property is restricted to such services as are available to the Town generally and for the conduct of official Town business.

3. Discipline.

Any employee who is found to be in violation of this policy may be subject to disciplinary action up to and including termination from employment. Depending upon the seriousness of the action, other appropriate civil or criminal sanctions may also be pursued.

4. Procedures

Violations or interpretations of this policy shall be referred to the Town Manager.

The Town Manager shall investigate, or cause to be investigated, all suspicions, allegations, and written complaints of unethical conduct.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: WHISTLE BLOWER POLICY

PURPOSE: The purpose of this Policy is to encourage reporting by Town employees of improper governmental action taken by Town officials or employees, to protect Town employees who have reported improper governmental actions in accordance with Town policies and procedures, to act as a safeguard for legitimate employer interests, and to provide for speedy dispute resolution.

STATEMENT OF POLICY: The Town of Laurel Park strives to conduct its business with the utmost integrity and in strict accordance with all applicable federal, state, and local laws. Employees are encouraged to bring to the attention of the Town any improper actions of Town officials and employees. The Town will not retaliate against any employee who makes a disclosure in good faith and in accordance with the procedures set forth in this policy.

Improper actions are actions undertaken by an official or employee in the performance of his or her official duties that: (a) are in violation of any federal, state, or local law, (b) constitute an abuse of authority, (c) create a substantial and specific danger to public health or safety, or (d) grossly waste public funds. Improper actions do not include common personnel actions, such as the processing of grievances, decisions regarding hiring, promotion and dismissal, or policies/procedures set forth in the Town's policy manual.

PROCEDURES:

Misconduct can often be corrected most expeditiously if handled internally. An employee who has a good faith concern that improper action has occurred or is about to occur, must first raise that concern with the Town. Specifically, the employee must submit his or her concerns and related information ("complaint") in writing to the Town Manager. In the event that the complaint concerns the Town Manager, the complaint shall be submitted to the Mayor and confirmed by the Town Council. The identity of a reporting employee will be kept confidential to the fullest extent possible under law, unless the reporting employee provides written authorization for disclosure.

The Town shall have ten (10) working days to address the complaint raised by the reporting employee (unless a danger to public/employee safety warrants an immediate action) and provide the reporting employee with a written response that identifies the alleged improper action at issue, describes the scope and findings of the investigation, states what, if any, action will be taken against the offending official(s) and/or employee(s), and explains why such action is appropriate.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: SUBSTANCE ABUSE

PURPOSE: The purpose of this policy is to provide for the maintenance of a drug- and alcohol-free work place and to provide procedures for conducting screenings of job applicants and employees for the use of illegal drugs, the improper use of prescription drugs, and the improper use of alcohol.

STATEMENTS OF POLICY: The Town of Laurel Park will provide a safe and productive work environment for all employees. Employees shall report for work and remain on the job in a condition in which they can safely and efficiently perform their job duties. All employees may be required to submit to random drug and alcohol testing as outlined in the paragraphs below.

1. Types of Drug and Alcohol Tests Required

- a) Pre-employment Testing – All applicants offered employment must successfully complete a drug screen prior to employment. The test results must indicate a verified negative drug test.
- b) Post-Accident Testing – Any employee who is involved in an accident resulting in damage to property or injury to self or others may be requested to immediately submit to a drug and alcohol test.
- c) Post-Incident Testing – Any police officer who is involved in an incident resulting in the discharge of a firearm regardless of whether damage to property or any personal injury occurs may be requested to immediately submit to a drug and alcohol test.
- d) Random Testing – Testing must be conducted on a random, unannounced basis throughout the year on employees as determined by the Town. Random testing for drugs and alcohol shall be conducted at the rate mandated by the US Department of Transportation. The US Department of Transportation requirements for Commercial Driver’s License holders are annual testing of a minimum of 10 percent of the CDL holders for alcohol and 50 percent of the CDL holders for drugs.
- e) Reasonable Suspicion Testing – Any employee whose behavior demonstrates reasonable cause to believe he/she is under the influence of drugs or alcohol will be requested to immediately submit to a drug and alcohol test. The determination of reasonable suspicion must be based on specific observations concerning the appearance, behavior, speech, breath, or body odor of the employee.

2. Prohibited Conduct

- a) No employee shall refuse to submit to an alcohol or drug test required by pre-employment, post-accident, post-incident, random, or reasonable suspicion. Refusal to submit to any of these requested test occasions will be grounds for employment denial or discharge.
- b) The Town of Laurel Park expressly prohibits the possession, sale, use, distribution, dispensation, manufacture, purchase, or storage of illegal drugs or alcohol by Town employees while at the workplace. Such an act is grounds for immediate termination.

Exemption: Police are exempt in the performance of their duty for the handling and transportation of contraband (i. e. drugs and alcohol).

3. Disciplinary Action

- a) Any employee engaging in the use of illegal drugs while on Town property, Town work sites, or Town business, or who reports for duty under the effects of illegal drugs, is subject to disciplinary action, up to and including discharge.
- b) Any employee engaged in the purchase, sale, possession, or transfer of any illegal drugs while on Town property, Town work sites, or Town business will be removed from the workplace, placed on unpaid suspension, be subject to immediate discharge, and may be subject to criminal investigation and/or prosecution. **(See police exemption 2 b)**

As required by the Federal Drug-free Workplace Act, if an employee is convicted of a violation of a criminal drug statute and the violation occurred while the employee was at work, the employee must notify his department head of the conviction within five (5) days after the conviction. Failure to notify the department head of the conviction will result in termination.

4. Additional Requirements

Employees taking prescription or non-prescription drugs must report this use to their appropriate Department Head if the use of such drugs may affect the employee’s ability to perform assigned duties or influence their cognitive or physical functions. Failure to follow this instruction may subject the employee to disciplinary action.

EFFECTIVE: 02/01/99

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: PAY PLAN

PURPOSE: To establish policy and procedures for compensating Town employees.

STATEMENT OF POLICY: It is the policy of the Town and the purpose of this plan to establish a compensation system that will allow the Town to effectively compete for qualified personnel and to ensure that salaries are equitable and commensurate with the duties performed by each employee. The Town Council shall approve the plan.

1. Definition

The pay plan includes the basic salary schedule and the "Assignment of Classes to Grades and Ranges" adopted by the Town Council. The salary schedule consists of steps for hiring and minimum, midpoint, and maximum rates of pay for all classes of positions.

2. Administration and Maintenance

The Town Manager shall be responsible for the administration and maintenance of the pay plan. All employees covered by the pay plan shall be paid at a rate within the salary range established for the respective position classification, except for employees in trainee status or employees whose existing salaries are above the established maximum rate following transition to a new pay plan.

The pay plan is intended to provide equitable compensation for all positions, reflecting differences in the duties and responsibilities, the comparable rates of pay for positions in private and public employment in the area, changes in the cost of living, the financial conditions of the Town, and other factors. Each budget year, the Town Manager shall make comparative studies of all factors affecting the level of salary ranges, including the consumer price index, anticipated changes in surrounding employer plans, and other relevant factors, and will recommend to the Town Council such changes in salary ranges as appear to be pertinent. Such changes shall be made in the salary ranges such that the hiring rate, all intervening rates, and the maximum rate shall change according to the market.

Periodically, the Town Manager shall recommend that individual salary ranges be studied and adjusted as necessary to maintain market competitiveness. Such adjustments will be made by increasing or decreasing the assigned salary grade for the class and adjusting the rate of pay for employees in the class when the action is approved by the Town Council.

3. Starting Salaries

All persons employed in positions approved in the position classification plan shall be employed at the hiring rate salary for the classification in which they are employed; however, exceptionally well-qualified applicants may be employed above the hiring rate of the established salary range upon approval of the Town Manager.

4. Trainee Designation and Provisions

Applicants being considered for employment or Town employees who do not meet all of the requirements for the position for which they are being considered may be hired, promoted, demoted, or transferred by the Town Manager to a "trainee" status. In such cases, a plan for training, including a time schedule, must be prepared by the department head.

"Trainee" salaries may be no more than two grades below the hiring rate salary established for the position for which the person is being trained. A new employee designated as "trainee" shall be regarded as a probationary employee.

If the training is not successfully completed to the satisfaction of the Town Manager, the trainee shall be transferred, demoted, or dismissed. If the training is successfully completed, the employee shall be paid at least at the hiring rate established for the position for which the employee was trained.

5. Probationary Pay Increases

Employees hired, promoted, or reclassified into the hiring rate of the pay range shall receive a salary increase within the pay range of approximately 5% to the minimum rate of the salary plan upon successful completion of the probationary period. Employees serving a twelve-month probationary period may be considered for this increase after six months of employment. Employees hired or promoted above the minimum rate of the pay table are not eligible for a probationary increase.

6. Merit Pay

Upward movement within the established salary range for an employee is not automatic, but rather based upon specific performance-related criteria. Procedures for determining performance levels and performance pay increases or other performance-related movement within the range shall be established in procedures approved by the Town Manager.

7. Merit Pay Bonus

Employees who are at the maximum of the salary range for their position classification are eligible to be considered for a Merit Bonus at their regular performance evaluation time. Merit bonuses shall be awarded based upon the performance of the employee as described in the performance evaluation and in the same amounts as employees who are within the salary range. Merit bonuses shall be awarded in lump sum payments and do not become part of base pay.

8. Salary Effect of Promotions, Demotions, Transfers, and Reclassifications

Promotions. The purpose of the promotion pay increase is to recognize and compensate the employee for taking on increased responsibility. When an employee is promoted, the employee's salary shall normally be advanced to the hiring rate of the new position, or to a salary which

provides an increase of at least approximately 5% over the employee's salary before the promotion, whichever is greater. In the event of highly-skilled and qualified employees or a shortage of qualified applicants, where the promotion exceeds an increase of two pay grades, or for other reasons related to the merit principle of employment, the Town Manager may set the salary at an appropriate rate in the range of the position to which the employee is promoted that best reflects the employee's qualifications for the job and relative worth to the Town, taking into account the range of the position and relative qualifications of other employees in the same classification. In no event, however, shall the new salary exceed the maximum rate of the new salary range. In setting the promotion salary, the Town shall consider internal comparisons with other employees in the same or similar jobs.

Demotions. Demotion is the movement of an employee from one position to a position in a class assigned to a lower salary range. When an employee is demoted to a position for which qualified, the salary shall be set at the rate in the lower pay range which provides a salary commensurate with the employees' qualifications to perform the job and consistent with the qualifications and placement of other employees within the same classification in that salary range. If the current salary is within the new range, the employee's salary may be retained at the previous rate if appropriate. If the demotion is the result of discipline, the salary shall be decreased at least 5%. Salaries of demoted employees may be no greater than the maximum of the new range.

Transfers. The salary of an employee reassigned to a position in the same class or to a position in a different class within the same salary range shall not be changed by the reassignment.

Reclassifications. An employee whose position is reclassified to a class having a higher salary range shall receive a pay increase of approximately 5% or an increase to the hiring rate of the new pay range, whichever is higher. If the employee has completed probation, the employee's salary shall be advanced to at least the probation completion (minimum) amount in the new range. If the position is reclassified to a lower pay range, the employee's salary shall remain the same. If the employee's salary is above the maximum established for the new range, the salary of that employee shall be maintained at the current level until the range is increased above the employee's salary.

9. Salary Effect of Salary Range Revisions

When a class of positions is assigned to a higher salary range, employees in that class shall receive a pay increase of approximately 5%, to the hiring rate of the new range, whichever is higher. If the employee has passed probation, the employee's salary shall be advanced at least to the probation completion amount (minimum rate) in the new range. When a class of positions is assigned to a lower salary range, the salaries of employees in that class will remain unchanged. If this assignment to a lower salary range results in an employee being paid at a rate above the maximum step established for the new class, the salary of that employee shall be maintained at that level until such time as the employee's salary range is increased above the employee's current salary.

10. Transition to a New Salary Plan

The following principles shall govern the transition to a new salary plan:

- 1) No employee shall receive a salary reduction as a result of the transition to a new salary plan.
- 2) All employees being paid at a rate lower than the hiring rate established for their respective classes shall have their salaries raised to the new minimum for their classes.
- 3) All employees being paid at a rate below the maximum rate established for their respective classes shall be paid at a rate in the designated salary range.
- 4) All employees being paid at a rate above the maximum rate established for their respective classes shall be maintained at that salary level until such time as the employees' salary range is increased above the employees' current salary.

11. Effective Date of Salary Changes

Salary changes approved after the first working day of a pay period shall become effective at the beginning of the next pay period or at such specific date as may be provided by the Town Manager.

12. Hourly Rate of Pay

Employees working in a part-time or temporary capacity with the same duties as full-time employees will work at a rate in the same salary range as the full-time employees. The hourly rate for employees working other than 40 hours per week, such as police officers working an average 42 hours per week, will be determined by dividing the average number of hours scheduled per year into the annual salary for the position.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: OVERTIME

PURPOSE: To establish policy guidelines for the recording, using, and auditing of overtime performed by employees of the Town.

STATEMENT OF POLICY: It is the Town policy to administer overtime in a fair and equitable manner in accordance with the Fair Labor Standards Act (FLSA).

Employees of the Town may be required to work in excess of his/her regularly scheduled hours as necessitated by the needs of the Town and determined by the Department Head. To the extent that local government jurisdictions are so required, the Town shall comply with the FLSA. The Town Council shall determine which jobs are "exempt" and are therefore not subject to the Act in areas such as hours of work and work periods, rates of overtime compensation, and other provisions.

1. Exempt Positions

The following employees are exempt from overtime pursuant to the Fair Labor Standards Act:

Town Manager Town Clerk Director of Public Works Chief of Police

2. Definitions

Overtime: Non-exempt employees will be paid at a straight time rate for hours up to the FLSA established limit for their position (usually 40 hours in a 7 day period; 171 hours for police personnel in a 28 day cycle). Hours worked beyond the FLSA established limit will be compensated in either time or pay at the appropriate overtime rate.

Overtime Compensation: Overtime shall be paid at a rate of one and one-half times the employee's straight time hourly rate. Note: If an employee is called in to work on a scheduled holiday, he/she shall be paid for the scheduled holiday at his/her normal hourly rate and receive a rate of one and one-half times his/her normal rate for the hours worked on the holiday.

Compensatory Leave: Overtime may be compensated in compensatory leave at the appropriate overtime rate at the request of the employee. Compensatory leave balances may not exceed 40 hours.

3. Overtime Pay Provisions

The Town will compensate overtime work at the rate of one and one-half times the individual's regular hourly rate for hours "worked" which exceed the established workweek or work period. The following hours are not included in the calculation of actual hours worked:

- a) sick leave; or
- b) lectures, meetings, and training outside normal work hours when on a voluntary basis.

4. Overtime Pay Provisions for Exempt Employees

In a declared disaster (a higher level of government declaration), employees in positions determined to be exempt from overtime under the FLSA will have the option as determined by the Town Manager to receive financial compensation for services rendered to the Town. The amount of compensation will be determined as a corresponding function of the exempt employee's hourly rate.

5. Call-back Pay

The Town provides a continuous twenty-four hours a day, seven days a week service to its residents. Therefore, it is necessary for certain employees to respond to any reasonable request for duty at any hour of the day or night. One of the conditions of employment with the Town is the acceptance of a share of the responsibility for continuous service, in accordance with the nature of each job position. If an employee fails to respond to reasonable calls for emergency service, either special or routine, the employee shall be subject to disciplinary actions up to and including dismissal by the Town Manager.

Call-back. Non-exempt employees will be guaranteed a minimum payment of two hour's wages for being called back to work outside of normal working hours. "Call-back" provisions do not apply to previously-scheduled overtime work.

6. Responsibilities

- a) Department Heads are the authorized authority for the approval of overtime requests.
- b) Each Department Head shall equitably administer the provisions of this policy within their respective departments.
- c) Department Heads shall ensure that all overtime or compensatory leave earned and used is recorded on the employee's time sheet as it occurs.
- d) Department Heads will exercise good judgment and discretion in the utilization of overtime or compensatory leave within their departments.
- e) Department Heads may schedule time off on an hour-for-hour basis within the applicable work period for non-exempt employees, instead of paying overtime. When time off within the work period cannot be granted, overtime worked will be paid in accordance with the FLSA. This is considered an authorized alternative to the use of overtime.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: POSITION DESCRIPTIONS

PURPOSE: To provide for position descriptions for all Town positions.

STATEMENT OF POLICY: Position descriptions and job specifications shall be maintained by the Town Manager for all regular full-time and regular part-time positions.

Updates or revisions to position descriptions will be handled by the respective Department Head in coordination with the Town Manager.

Position descriptions shall include: Class Title, Basic Function, Typical Activities, Organizational Relationships, Personal Qualifications, and Revision Date. The position description does not constitute an employment agreement between the Town and employee and is subject to change as the needs of the Town and the requirements of the job change. Examples of duties listed in the position description are intended only as illustrations of the various types of work performed. The omission of specific statements of duties does not exclude them from the position if the work is similarly related or a logical assignment to the position.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: PROMOTIONS AND TRANSFERS

PURPOSE: To establish a policy for application and appointment or transfer to vacant positions by current employees.

STATEMENT OF POLICY: The Town of Laurel Park attempts to follow a policy of upward mobility whenever possible by filling all vacant positions with qualified Town employees before advertising to the general public.

Employees are encouraged to apply for any vacancy for which they may qualify in accordance with the Administrative Policy 200.9 *Recruitment, Selection, and Appointment*.

Selection of an employee for a promotion (or lateral transfer) is based on past work record, education, knowledge of the job duties, and time in service. When considering the promotion (or lateral transfer) of Town employees having the same or similar qualifications, the position will be filled after considering these factors.

In cases where only one employee applies for a position and the hiring department knows the person's abilities and qualifications, the formal selection process may be dispensed with upon concurrence of the Town Manager.

Persons so promoted will be subject to the standard probationary period for the new position, unless specifically waived by the Town Manager.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: PAY PERIODS

PURPOSE: To establish a uniform pay period schedule for Town employees.

STATEMENTS OF POLICY: It is the policy of the Town to pay employees on a bi-weekly basis. There are 26 pay periods in the year.

Town employees shall be paid on the Friday following the preceding two-week period. Each work period is defined in *Town Policy 200.08, Work Periods*. If a payday falls on a holiday, the payday for that week shall be the last working day prior to the normal payday (as an example – the Wednesday before Thanksgiving).

Town employees shall be paid by direct deposit to the financial institution of choice.

For each pay period, the Town employee receives a statement of deductions and earnings, which itemizes the various deductions made, as well as appropriate cumulative totals. The statements are distributed by the Town Clerk to each department head for employee distribution.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: PAYROLL DEDUCTIONS

PURPOSE: To define required and voluntary payroll deductions for Town employees.

STATEMENT OF POLICY: It is the policy of the Town of Laurel Park to use payroll deductions as required by federal and state law and to provide flexible options for employee requested payroll deductions.

The following are required by law and will be deducted from each employee bi-weekly payroll earnings:

1. Federal and State Income Tax withholding
2. FICA and Medicare premiums
3. Retirement contributions
4. Deductions authorized by law, such as garnishments and child support.

Additional deductions that are optional and which may be requested by the employee include:

1. Purchase of United States Savings Bonds
2. Payment to a Town-approved credit union
3. Additional contributions to a 401K plan
4. Payment of health insurance premium
5. Payment of dental insurance premium
6. Payment of special Town-approved group insurance plans
7. United Way

For each pay period, the Town employee receives a statement of deductions and earnings which itemizes the various deductions made, as well as appropriate cumulative totals. It is the employee's responsibility to maintain current payroll deduction information with the Town Clerk.

Employees wishing to add or change their payroll deductions should contact the Administrative Office.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: TIMESHEETS/PREPARATION OF PAYROLL

PURPOSE: To establish guidelines for preparation of employee time sheets and Town payroll.

STATEMENT OF POLICY: It is the policy of the Town of Laurel Park that time sheets are to be completed by all non-exempt employees.

The time sheet shall include: employee name, pay period, employee's signature, and department head's signature. In addition, hours to be compensated shall be broken down on a daily basis within the following categories admin, police, street, water, overtime, holiday time, vacation leave, sick leave, compensatory time, etc.

On Monday following the end of the preceding bi-weekly pay period, employees will complete and deliver timesheets to the Department Head by 9:00 a. m. The Department Head will then review and deliver timesheets to the Town Clerk by 10:00 a.m. the same day. The Town Clerk will compute earnings as well as deductions.

Falsification of time records for payroll purposes is reason for discipline as stated in Administrative Policy 300.01 *Employee Conduct*.

The Town shall maintain payroll records for a minimum of seven years.

Employees may direct inquiries concerning payroll matters through their department head to the Town Clerk.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: COBRA

PURPOSE: To provide employees with information concerning medical coverage provided by the Consolidated Omnibus Budget Reconciliation Act of 1985.

STATEMENTS OF POLICY: It is the policy of the Town of Laurel Park to provide medical coverage information as required by law for an employee and/or dependent whose current medical plan coverage may cease.

1. Loss of Coverage

Employee and/or dependent medical coverage under the current plan may cease as a result of one of the following events:

- a) Termination of employment;
- b) Change to nonparticipating employment status;
- c) Divorce or legal separation; or
- d) Dependent child became ineligible (attained age 19 or 25 if enrolled at an education institution licensed by the state).

2. Coverage Options

Employees or dependents may elect to continue medical coverage beyond the date that it would otherwise terminate by doing one of the following:

- a) Convert the group medical coverage to an individual policy provided directly by the insurance carrier. Employees will be sent benefit information and rates regarding conversion options directly from the insurance company. For additional information, contact the Town Administration Office.
- b) Continue to participate in the group medical coverage plan under the criteria outlined:
 - 1) Rights of Employee: employees covered by the insurance plan may continue this coverage for up to 18 months from the date that employment terminates or status changes to a nonparticipating (non-insured) employment status provided that the employee pays the full cost of premium and any administrative fee (up to 2%) that may be imposed.
 - 2) Rights of a Spouse of Employee: the spouse of an employee covered by the medical plan has the right to continue coverage if the employee was terminated or changed to nonparticipating employment status, or if a divorce or legal court-decreed separation from the employee took place. Coverage under these circumstances may continue for a period up to 36 months provided that the spouse pays the premium in full plus any administrative fee (up to 2%) that may be imposed.

- 3) Rights of Child(ren): dependent children of an employee covered by the medical plan have the right to continue coverage if group health coverage under the medical plan is lost because of termination of a parent's employment or change to nonparticipating employment status; parents' divorce or legal court-decreed separation; or the dependent ceases to be a "dependent child" under the medical plan. Coverage under these circumstances may continue for a period up to 36 months provided that the premium is paid in full plus any administrative fee (up to 2%) that may be imposed.

3. Election.

- a) If an employee or eligible spouse or dependent does not elect to continue coverage, group health insurance will end as scheduled under the plan.
- b) If an employee elects to continue group medical coverage, the employee or eligible spouse or dependent is responsible for paying the entire cost (both employer and employee share). This cost may be subject to periodic rate changes.
- c) Continued coverage may be terminated earlier than the 18- or 36-month period if group medical plans for all other employees are terminated or if the employee or eligible spouse or dependent:
 - 1) Fails to remit the required monthly payments within 31 days of the due date;
 - 2) Becomes eligible under any other group medical plan;
 - 3) Remarries and becomes eligible to be covered under a group medical plan; or
 - 4) Becomes eligible for Medicare.

4. Acknowledgment and Notification.

- a) It is the responsibility of the COBRA Plan Administrator to inform an employee of his/her COBRA rights upon termination of employment.
- b) It is the responsibility of each employee to notify the Administrative Office upon any change in his/her eligibility or the eligibility of any dependents covered under the Town medical plan.
- c) It is the responsibility of the employee or dependent to acknowledge their election to continue or discontinue medical coverage within 60 days of receipt of available options.
- d) It is the responsibility of the Administrative Office to notify each employee and each covered dependent of their COBRA rights. A copy of the Initial COBRA Notice is provided to each person at the time his/her insurance coverage becomes effective.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: CREDIT UNIONS

PURPOSE: To outline procedures for eligibility and participation in available employee credit union.

STATEMENT OF POLICY: Town of Laurel Park employees and their family members are eligible to participate in the North Carolina Local Government Employees' Federal Credit Union.

The credit union offers a number of services to members, including savings programs, share draft checking, money market accounts, certificates of deposit, individual retirement accounts (IRA's), loans, check cashing, loan protection insurance, and member account insurance. All contributions are financed 100% by the employee. Employees may elect to have payroll deductions taken their paycheck, or they may make a direct deposit or payment to their credit union account.

Town employees who are members, officers, board members, or committee members of any Credit Union and attend local or state credit union meetings or functions relating to credit union business will not be compensated for the time spent away from their regularly scheduled work. Time off for these meetings may be charged to vacation or leave without pay subject to approval by the Town Manager.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: GROUP MEDICAL

PURPOSE: To establish procedures for the administration and eligibility of the Town's medical plan.

STATEMENT OF POLICY: The Town offers all regular full-time employees group medical, dental, and vision insurance through a plan chosen annually by the Town Council.

Full-Time Employees. The Town pays 100% of the premium cost for medical, dental, and vision insurance all regular full-time employees.

Coverage for Eligible Dependents.

1. Full-time Employees hired prior to July 1, 2012.

These employees may elect to cover eligible dependents for medical insurance, and the Town will pay a portion of the premium costs for dependents. The employee is responsible for the remainder of the premium costs. A Spouse eligible for his/her own employer-based coverage is not eligible to participate in the Town's Medical Plan.

The exact amount paid by the Town and the employee is determined annually as part of the budget preparation process. If an employee elects to cover eligible dependents for dental and/or vision through the plan, the employee pays 100% of the premium cost.

2. Full-time Employees hired on or after July 1, 2012.

The Town will not pay for dependent coverage. These employees may elect to cover eligible dependents for medical, dental, and/or vision through the plan by paying 100% of the premium cost.

Council Members. By request, Council members may elect to cover themselves and eligible dependents for medical, dental, and/or vision by paying 100% of the premium cost.

Procedures. Coverage is effective on the first day of the month, following thirty (30) days of consecutive employment. (Example: If April 5th is the date of employment, then June 1st is the effective date).

Employee spouses may be required to provide verification of employer medical insurance access to determine eligibility to participate in the Town's Medical Plan.

Annual Open Enrollment Period. The Open Enrollment period is the only time of the year when benefits-eligible employees can elect to Enroll, Change, Add, or Drop coverage and/or dependents from their plans, unless the employee or covered dependent has experienced a Qualified Status Change. The Town Manager shall annually schedule the Open Enrollment Period, and provide employees a period of time not less than 14 days to submit any changes.

Enrollment is processed through the Administration Department. It is the employee's responsibility to notify the Administration Department of any of the following changes:

- a) Dependent coverage changes.
- b) Beneficiary changes.
- c) Name or address changes.

Upon termination of employment with the Town, see related Administrative Policy 500.01 *COBRA*.

EFFECTIVE: 04/01/98

LAST REVISED: 02/16/16

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: LIFE INSURANCE

PURPOSE: To define procedures for the administration and eligibility for Town group life insurance plan.

STATEMENT OF POLICY: The Town provides a life insurance policy to its regular full-time employees.

All regular full-time employees are covered by a \$ 5,000 term life insurance policy provided by the Town. Coverage becomes effective 30 days after the date of employment. Specific benefits and terms of the policy are provided each employee in the Group Benefits Program Handout.

It is the employee's responsibility to notify the administrative office of any changes as to name, address, and beneficiary(s).

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: RETIREMENT SYSTEM

PURPOSE: To outline procedures for the administration and eligibility of the Retirement System.

STATEMENT OF POLICY: All regular full-time employees participate in the North Carolina Local Government Employees' Retirement System and/or the North Carolina Local Government Employees' Retirement System for Law Enforcement Officers, as appropriate.

1. Retirement System

The Retirement System provides retirement benefits, disability retirement, and death benefits when a member meets the plan requirements. All regular full-time employees are eligible for death benefits.

Retirement benefits accrue from both employee and employer contributions. Employee contributions to the Retirement System are mandatory for eligible positions and are deducted from the employee's salary each payroll period. Each employee who is expected to work for the Town more than 1,000 hours annually must join the North Carolina Local Governmental Employees' Retirement System when eligible as a condition of employment.

If an employee leaves the Retirement System for any reason, other than retirement or death, the employee can receive a refund of his/her contributions (plus interest, if the employee has at least five years of service as a contributing member), or leave his/her contributions in the Retirement System and keep all creditable service he/she earned to that date. The Town's contributions to the cost of the System are based on the calculations prepared by an actuary, so that benefits will be funded properly. Employees are vested with a minimum of five years of service under the plan. Annual benefit statements are provided through the Retirement System to participating members.

Enrollment information is available through the Administrative Office. It is an employee's responsibility to notify the Administrative Office of any changes related to their retirement account as to name, address, and beneficiary(s).

Employees who plan to retire from the Retirement System are encouraged to contact the Retirement System at least 90 days in advance of the anticipated retirement date to secure estimate of benefits information and to finalize the retirement date. This action should also be coordinated with the Administration Office.

The Administrative Office provides additional information pertaining to retirement benefits during a new employee's orientation.

2. Law Enforcement Separation Allowance

Every sworn law enforcement officer, as defined by North Carolina General Statute (NCGS) 128-21(11b) or NCGS 143-166.50, shall be eligible for a separation allowance, as provided by NCGS 143-166.42, in the amount specified in NCGS 143-166.41(a).

Eligibility and continuation of these benefits are subject to the following conditions:

- a) The officer shall have completed 30 or more years of creditable service, or have attained 55 years of age and have completed five or more years of creditable service; and
- b) The officer shall not have attained 62 years of age;
- c) The officer shall have completed at least five years of continuous service as a law enforcement officer immediately preceding a service retirement, as defined by NCGS 143-166.41(a) (3) and 143-166.41(b).

Termination of these benefits shall cease at the first of:

- a) The death of the officer;
- b) The last day of the month in which the officer attains 62 years of age; or,
- c) The first day of re-employment in any State department, agency, or institution, except that this subdivision does not apply to an officer returning to State employment in a position exempt from the State Personnel Act in an agency other than the agency from which that officer retired.

The Town may employ retired officers in a public safety position in a capacity not requiring participation in the Local Governmental Employees' Retirement System and, if doing so, shall not cause payment to cease to those officers under these benefits. Participation in the retirement system is required by anyone scheduled to work 1000 hours per year or more.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: SUPPLEMENTAL RETIREMENT INCOME - 401(K) PLAN

PURPOSE: To outline procedures for the administration and eligibility of the State 401(k) Supplemental Retirement Income Plan.

STATEMENT OF POLICY: The Town participates in the Supplemental Retirement Income Plan of North Carolina created in 1984 by the North Carolina General Assembly to offer a tax-deferred investment program. The plan is allowable and governed under Section 401(k) of the Internal Revenue Code. The plan is sponsored by the State of North Carolina and is governed by the Department of State Treasurer and the Plan's Board of Trustees.

For all full-time police officers, the Town of Laurel Park contributes 5% of their pay to the State's 401K Plan as prescribed by law.

For all other full-time employees the Town of Laurel Park contributes 3.5% of their pay to the State's 401K Plan.

Employees may make additional contributions to the State 401(k) Plan.

Benefits received through this program are in addition to any Social Security or Retirement System benefits for which the participating employee would be eligible.

Enrollment and benefits forms are available through the Administrative Office. It is the employee's responsibility to keep information on file up to date related to their account as to name, address and beneficiary(s).

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: SOCIAL SECURITY

PURPOSE: To define participation by Town employees in the Social Security System.

STATEMENT OF POLICY: All full-time employees are automatically included as participants in the Social Security System (FICA).

By federal law, the FICA provides workers with the following benefits: retirement insurance, survivor's insurance, disability insurance, Medicare for the disabled and the aged, Black Lung benefits, and supplemental security income. These benefits are in addition to North Carolina Local Government Employees' Retirement System benefits which the employee may be eligible to receive.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: UNEMPLOYMENT COMPENSATION

PURPOSE: To establish a policy regarding the administration of unemployment compensation.

STATEMENT OF POLICY: In accordance with Public Law 94-566 and subsequent amendments, local governments are covered by unemployment insurance.

The basic objective of the program is to provide a partial replacement of wages for its employees during short periods of involuntary unemployment. The program is financed completely by the Town.

Town employees who are terminated due to a reduction in force or released from Town service may apply for benefits through the local Employment Security Commission office, where a determination of eligibility will be made.

An employee who quits his/her job voluntarily will not receive unemployment compensation. The Town will contest the claim of an employee who quits his/her job or leaves work without the express approval/permission of the employer.

An individual who applies for Unemployment Compensation Benefits completes a form titled "Notice to Last Employer" on which are stated reasons for leaving the job. That form, sometimes submitted by various State Employment Security Offices to Department Heads, should be forwarded to the Town Administration Office immediately upon receipt of same so that the Town may contest the claim, take part in the interview process, or acknowledge the claim as valid.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: WORKERS' COMPENSATION

PURPOSE: The purpose of this Policy is to establish standards for administrating the North Carolina Workers' Compensation Act as it applies to the employees of the Town of Laurel Park.

STATEMENT OF POLICY: All full time employees are covered by the North Carolina Workers' Compensation Act, Chapter 97 of the General Statutes, a program of industrial insurance to protect workers, their families, and dependents from loss of income due to a job-related accident or job-related illness.

The program provides for payment of medical bills, physical and vocational rehabilitation, and financial compensation while the worker is disabled and unable to work. It also provides for lump-sum payments for particularly serious injuries such as the loss of a finger, eye, foot, etc., and assures death benefits and compensation to the worker's family or dependents in the event the injury is fatal.

Any employee involved in a work-place injury or an occupational illness shall report the incident, as soon thereafter as practicable and give, or cause to be given, his/her immediate Department Head a written notice of the accident/illness. If medical treatment is required on the initial day of the reported injury/illness, the employee's time away from work is considered part of the employee's work day.

1. BENEFITS

- a) The employee is entitled to all rights, benefits, and remedies prescribed by the North Carolina Workers' Compensation Act.
- b) For any employee out of work less than twenty-one (21) days, there is no compensation entitlement for the first seven (7) calendar days after the date of the injury/illness under the North Carolina Workers' Compensation Act. During this period the employee may elect to use sick leave (if available), annual leave (if available), holiday leave (if available), compensatory leave (if available), or be placed on leave-without-pay status.
- c) If injury/illness disability continues beyond seven (7) days, the disabled employee is eligible for non-taxable compensation from the Town's Workers' Compensation Insurance carrier in an amount equal to sixty-six and two-thirds ($66 \frac{2}{3}$) of his average gross weekly earnings.
- d) If disability continues more than twenty-one (21) days, the employee is entitled to non-taxable compensation from the Town's Workers' Compensation Insurance carrier for the first seven (7) calendar days.
- e) Employees receiving Workers' Compensation benefits shall cease contribution to the North Carolina Local Governmental Employees' Retirement System. Upon returning to work employees may purchase credit for the period of time they received Workers' Compensation Benefits.

2. Light Duty

In the event of any injury, either on duty or off duty, an employee is expected to return to duty when authorized by a competent medical authority. Some light duty may be authorized but only with work within the department assigned and only within work limits described by the medical authority. The Department Head is responsible for supervision and assignment of light duty within these guides. If light duty is not available within the department, the Town Manager may make accommodations within another department. Once released by the medical authority the employee is expected to return to perform the full range of regular work within the position description of the position assigned.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: FLEXIBLE BENEFIT PLAN

PURPOSE: To establish a Flexible Benefit Plan for the employees of the Town of Laurel Park.

STATEMENT OF POLICY: It is the Policy of the Town of Laurel Park to offer employees a flexible benefit plan to choose certain nontaxable health and welfare benefits.

ARTICLE I – Introduction

1.1 Purpose of Plan. The purpose of this Plan is to permit the Participants to choose certain nontaxable health and welfare benefits provided by the Employer.

1.2 Cafeteria Plan Status. The Plan is intended to qualify as a “cafeteria plan” under Section 125 of the Internal Revenue Code, and is to be interpreted in a manner consistent with the requirements of Section 125.

ARTICLE II – Definitions

For all purposes herein, the following definitions and terms shall apply.

2.1 “Administrator” shall mean the Employer or such other person or committee as may be appointed from time to time by the Employer to supervise the administration of the Plan.

2.2 “Benefit Election Form” means the form promulgated by the Administrator by which an eligible Employee elects to receive optional benefits as described in Section 4.1 of the Plan in accordance with Article IV.

2.3 “Code” means the Internal Revenue Code of 1986, as amended from time to time. Reference to any Section or Subsection of the Code includes reference to any comparable or succeeding provision of any legislation which amends supplements or replaces such Section or Subsection.

2.4 “Compensation” means the total of all amounts, including vacation pay, bonuses and the overtime premium in excess of base compensation, actually paid by the Employer to or for the benefit of a Participant, other than payments of deferred compensation, stock options, and other distributions from plans qualifying or intended to qualify under Section 401 of the Internal Revenue Code, as amended or supplemented, and the Regulations thereunder, during the period involved, for services rendered to or for the Employer by the Participant.

2.5 “Effective Date” means July 1, 2000.

2.6 “Employee” means any individual employed by the Employer who meets the common law definition of employee.

2.7 “Employer” means the Town of Laurel Park and any other subsidiary or affiliated employer that adopts the Plan.

2.8 “Highly Compensated Individual” means a Participant who is (a) an officer, (b) a shareholder owning more than 5 percent of the voting power or value of all classes of stock of the employer, (c) highly compensated, or (d) a spouse or dependent (within the meaning of section 152 of the Code) of an individual described in (a), (b), or (c) above.

2.9 “Key Employee” means any person who is a key employee as defined in Section 416(i) (1) of the Code.

2.10 “Medical Plan” means the Employer’s respective medical insurance plans and any contract or contracts with health maintenance organizations or group plans in effect from time to time which provide for health care benefits.

2.11 “Participant” means each Employee who elects to participate in the Plan in accordance with Article III.

2.12 “Plan” means the Town of Laurel Park Flexible Benefits Plan as set forth herein, together with any and all amendments and supplements hereto.

2.13 “Period of Coverage” The Plan Year is the Period of Coverage. The period of coverage will generally be twelve (12) months, except for the first Plan Year. A period of coverage will not be for a duration which would enable a Participant to defer the receipt of Compensation or to obtain coverage under the Plan only for periods during which a Participant expects to incur medical or dependent care costs or require medical insurance coverage.

2.14 “Plan Year” the period beginning on January 1 and ending on December 31.

2.15 “Spouse” shall mean an Employee’s legally married husband or wife.

The masculine gender, whenever used herein, shall include the feminine, and the singular shall include the plural and vice versa, unless the context clearly indicates otherwise.

ARTICLE III – Participation

3.1 Eligible Employees’ Commencement of Participation. All Employees are Eligible to participate and enter the Flexible Benefits Plan as of the date of their eligibility to participate in and enter the Medical Plan. Notwithstanding the foregoing, no Employee shall become eligible prior to the Effective Date.

3.2 Cessation of Participation. Except as provided in Article VII, a Participant will cease to be a Participant as of the earlier of (a) the date on which the Plan terminates, (b) the date on which he ceases to be an Employee eligible to participate under Section 3.1, or (c) the date on which he has elected to cancel all benefit coverage options under Article IV.

3.3 Reinstatement of Former Participant. A former Participant will become a Participant again if and when he meets the eligibility requirements of Section 3.1. However, in the case of an Employee who separates from service with the Employer during a Period of Coverage and elects to revoke existing benefit elections and terminates the receipt of benefits for the remaining portion of the Period of Coverage, if such Employee should return to service he will be prohibited from making new benefit elections for the remaining portion of the Period of Coverage.

ARTICLE IV – BENEFIT OPTIONS

4.1 Salary Deferral Benefits. A Participant may choose under this Plan to receive his or her full compensation for any Period of Coverage or have a portion of his or her compensation applied by the Employer toward the cost of the following optional benefit: Benefits available to the Participant under the Medical Plan (includes dental, vision, and life insurance options).

4.2 Description of Benefits Other Than Cash. While the election to receive the optional benefit described in Section 4.1 may be made under this Plan, the benefit will be provided not by this Plan but by the Employer's Medical Plan. The types and amounts of benefit available under this option, and the other terms and conditions of coverage and benefits under such option shall be established and set forth the plan described in Section 4.1 as provided in the respective plan document, and in the group insurance contracts and prepaid health plan contracts that constitute (or are incorporated by reference in) this plan. The benefit description in such plan and contract, as in effect from time to time, are hereby incorporated by reference into this Plan.

4.3 Election of Optional Benefit. A Participant may elect under this Plan to receive the optional benefit described in Section 4.1 in accordance with the procedure described in Section 4.4. If a Participant elects the benefit described in Section 4.1, the Participant's Cash Compensation will be reduced by the amount of the Participant's share of the cost of the selected benefit as determined by the Employer, and an amount equal to the reduction will be contributed by the Employer under the respective plans described in Section 4.1, to cover the Participant's share of the cost of such benefit. Such amount shall be adjusted automatically in the event of a change in such cost. The balance of the cost of such benefit shall be paid by the Employer with non-elective Employer contributions. If a Participant's net pay is not sufficient to fully fund the salary reduction for benefits offered under Section 4.1, the contribution can be made up in the future when the Participant has earned salary sufficient to fund such benefit election.

4.4 Election Procedure. With respect to the Benefits available under the Medical Plan as described in Section 4.1, each eligible Employee who participates in the Medical Plan shall become a Participant in this Plan for Period of Coverage when he properly files with the Administrator an Employee Election form to participate in the Plan.

Except as provided in Section 4.8, an Employee's election not to participate in the optional benefit described above, for any Period of Coverage (or portion of any Period of Coverage) shall be irrevocable.

Each Participant who desires optional benefit coverage under Section 4.1, shall so specify on the appropriate Employee Election Form and shall agree to a corresponding reduction in Compensation. Each Employee Election Form must be completed and returned to the Administrator on or before such dates as the Administrator shall specify, which date shall be no later than the beginning of the Period of Coverage.

4.5 New Participants. An Employee who is hired after the Effective Date and who becomes a Participant in accordance with Section 3.1 or 3.3 hereof shall be provided an Employee Election Form, as soon as practicable after his date of hire. The Employee Election Form must be completed and returned to the Administrator on or before such date as the Administrator shall specify, which date shall be no later than the beginning of the first pay period for which the Participant's compensation reduction agreements will apply.

4.6 Failure to Elect. With regard to the optional benefit described in Section 4.1, a Participant who has elected to be a Participant in the Medical Plan shall become a Participant in the Flexible Benefits Plan for such Period of Coverage by completing and returning an Enrollment Form. If a Participant fails to return a completed Employee Election Form to the Administrator on or before the specified due date for any subsequent Period of Coverage, the Participant shall be deemed to have elected to continue the same benefit elections as in the prior Period of Coverage.

4.7 Changes by Administrator. If the Administrator determines, before or during any Plan Year, that the Plan may fail to satisfy for such Plan Year any nondiscrimination requirement imposed by the Code or any limitation on benefits provided to Key Employees, Highly Compensated Employees as defined in Code Section 414 (q), or principal shareholders or owners, the Administrator shall take such action as the Administrator deems appropriate, under rules uniformly applicable to similarly situated Participants, to assure compliance with such requirement or limitation. Such action may include, without limitation, a modification of elections of Key Employees, or principal shareholders or owners with or without the consent of such Highly Compensated Employees.

4.8 Irrevocability of Election by the Participant During the Period of Coverage. Elections made under the Plan (or deemed to be made) shall be irrevocable by the Participant during the Period of Coverage, subject to a change in family status. A Participant may revoke a benefit election for the balance of a Period of Coverage and file a new election only if both the revocation and the new election are on account and consistent with a change in family status. A change in family status for this purpose includes marriage or divorce of the Employee, death of the Employee's Spouse or dependent, birth or adoption of a child of the Employee, termination or commencement of employment of a Spouse, the switching from part-time to full-time employment status or from full-time to part-time status by the Employee or the Employee's Spouse and taking of an unpaid leave of absence by the Employee or the Employee's Spouse and such other events that the Administrator determines will permit a change or revocation of an election during a Period of Coverage under regulations and rulings of the Internal Revenue Service. A Participant may also revoke a benefit election and in lieu thereof receive on a prospective basis coverage under another benefit plan with similar coverage if the coverage under a health plan provided by an independent, third-party provider is significantly curtailed or ceases during a Period of Coverage or if the premium amount of a benefit plan significantly increases. Election changes are also permitted where there has been a significant change in health coverage of the Employee or Spouse attributable to the Spouse's employment. Any new election under this Section 4.8 shall be effective at such time as the Administrator shall prescribe, but not earlier than the first pay period beginning after the Agreement is completed and returned to the Administrator.

4.9 Automatic Termination of Election. Elections made under this Plan (or deemed to be made) shall automatically terminate on the date on which the Participant ceases to be a Participant in the Plan, although coverage or benefits under the respective plan described in Section 4.1 may continue if and to the extent provided by such plans.

4.10 Maximum Employer Contributions. The maximum amount of employer contributions under the Plan for any Participant shall be the costs of the benefits available to the Participant under the Medical Plan (including the portion of such costs payable with non-elective Employer contributions).

4.11 Effective Periods for Elections. Only Compensation earned after an election form has been signed may be used to purchase optional benefits described in Section 4.1 for a Participant.

4.12 Nondiscrimination. Notwithstanding any provisions of insurance coverage provided for under this Plan and any other provisions of this Plan, this Plan shall not discriminate as to eligibility to participate, contributions or benefits from one Period of Coverage to a subsequent Period of Coverage.

4.13 Salary Reduction. By participating in the Plan, each Participant agrees to have his annual Compensation reduced by the cost of the benefits selected by him under the Plan.

ARTICE V – Administration of Plan

5.1 Allocation of Responsibility for Administration. The designated representatives of the Employer shall have only those specific powers, duties, responsibilities, and obligations as are specifically given them under this Plan. The Employer shall have the authority to appoint such other person or committee from time to time to supervise the administration of the Plan.

The Employer shall have the sole responsibility for making the contributions provided for under Article IV hereof, and shall have the sole authority to amend or terminate, in whole or in part, this Plan at any time.

The Administrator shall have the sole responsibility for the administration of this Plan which responsibility is specifically described in this Plan.

The Administrator warrants that any directions given, information furnished, or action taken by it shall be in accordance with the provisions of the Plan authorizing or providing for such direction, information or action. Furthermore, the Administrator may rely upon any such direction, information or action of another Employee of the Employer as being proper under this Plan, and is not required under this Plan to inquire into the propriety of any such direction, information or action. It is intended under this Plan that the Administrator shall be responsible for the proper exercise of its own powers, duties, responsibilities and obligations under this Plan and shall not be responsible for any act or failure to act of another Employee of the Employer. Neither the Administrator nor the Employer makes any guarantee to any Participant in any manner for any loss or other event because of the Participant's participation in this Plan.

5.2 Appointment of Plan Administrator. The Plan shall be administered by the Administrator as appointed in Section 5.1 hereof. All usual and reasonable expenses of the Administrator made in whole or in part by the Employer, and any expenses not paid by the Employer shall not be the responsibility of the Administrator personally. The Administrator or any other designated representative of the Employer who is an Employee of the Employer shall not receive any compensation with respect to services hereunder except as such person may be entitled to benefits under this Plan.

5.3 Records and Reports. The Administrator shall exercise such authority and responsibility as it deems appropriate in order to comply with the terms of the Plan relating to the records of the Participants and the balances, if any, which are maintained under this Plan. The Administrator shall be responsible for complying with all reporting, filing and disclosure requirements established by the Internal Revenue Service for Code Section 125 plans.

5.4 Other Powers and Duties of the Administrator. The Administrator shall have such duties and powers as may be necessary to discharge its duties hereunder, including, but not limited to, the following:

- (A) To prescribe such procedures as the Administrator deems necessary or proper to be followed by Participants in the filing of applications for benefits;
- (B) To decide all questions concerning the Plan and the eligibility of any person participate in the Plan;
- (C) To decide all questions concerning the Plan and the eligibility of any person to participate in the Plan;

- (D) To prepare and distribute, in such manner as the Administrator determines to be appropriate, information explaining the Plan;
- (E) To receive from the Employer and from Participants such information as shall be necessary for the proper administration of the Plan;
- (F) To furnish the Employer, upon request, such annual reports with respect to the administration of the Plan as are reasonable and appropriate;
- (G) To receive, review, and keep on file (as deemed convenient and proper) reports of benefit payments by the Employer and reports of disbursements for expenses directed by the Administrator.
- (H) To appoint such agents, counsel, accountants, consultants, and other persons as may be required to assist in administering the Plan; and
- (I) To allocate and delegate its responsibilities under the Plan and to designate other persons to carry out any of its responsibilities under the Plan; any such allocation, delegation, or designation to be in writing.

The Administrator shall have no power to add to, subtract from, or modify any of the terms of the Plan, or to change or add to any benefits provided by the Plan, or to waive or fail to apply any requirements of eligibility for a benefit under the Plan.

Notwithstanding anything herein to the contrary, any claim which arises under the plans described in Section 4.1 shall not be subject to review under this Plan, and the Administrator's authority under this Section 5.4 shall not extend to any matter the determination of which an Administrator under the respective plan is empowered to make.

5.5 Examination of Records. The Administrator will make available to each Participant for examination (at reasonable times during normal business hours) such of the records under the Plan as pertain to such Participant. The Administrator shall be responsible for complying with all notice, reporting, filing and disclosure requirements established by the Internal Revenue Service for Code Section 125 Plans.

5.6 Reliance on Tables, etc. In administering the Plan, the Administrator will be entitled to the extent permitted by law to rely conclusively on all tables, valuations, certificates, opinions, and reports which are furnished by, or in accordance with the instructions of the administrators of the plans described in Section 4.1 or by accountants, counsel (legal or otherwise), or other experts employed or engaged by the Administrator.

5.7 Rules and Decisions. The Administrator may adopt such rules as it deems necessary, desirable, or appropriate. All rules and decisions of the Administrator, whether discretionary or otherwise, shall be exercised in a uniform and consistent manner so that all persons similarly situated will receive substantially the same treatment. When making a determination or calculation, the Administrator shall be entitled to rely upon information furnished by a Participant, the Employer, or the legal counsel of the Employer.

5.8 Procedures. The Administrator shall issue directions to the Employer concerning all benefits which are to be paid from the Employer's general assets pursuant to the provisions of the Plan, and warrants that all such directions are in accordance with the Plan.

5.9 Authorization of Benefit Payments. The Administrator shall issue directions to the Employer concerning all benefits which are to be paid from the Employer's general assets pursuant to the provisions of the Plan, and warrants that all such directions are in accordance with the Plan.

5.10 Application and Forms for Benefits. The Administrator may require a Participant to complete and file with the Administrator an application for a benefit and all other forms approved by the Administrator and to furnish all pertinent information requested by the Administrator. The Administrator may rely upon all such information so furnished, including the participant's current mailing address.

5.11 Facility of Payment. Whenever, in the Administrator's opinion, a person entitled to receive any payment of a benefit or installment thereof hereunder is under a legal disability or is incapacitated in any way so as to be unable to manage the persons financial affairs, the Administrator may direct the Employer to apply the payment for the benefit of such person in such manner as the Administrator considers advisable. Any payment of a benefit or installment thereof in accordance with the provisions of this Section 5.11 shall be a complete discharge of any liability for the making of such payment under the provisions of the Plan.

5.12 Indemnification of Administrator. The Employer agrees to indemnify and to defend to the fullest extent permitted by law, any individual serving as the Administrator or as a member of a committee designated as Administrator (including any Employee or Former Employee who formerly served as Administrator or as a member of such committee) against any and all liabilities, damages, costs and expenses (including reasonable attorneys' fees and amounts paid in settlement of any claims approved by the Employer) occasioned by any act or failure to act in connection with the Plan, if such act or failure to act is made in good faith pursuant to the provisions of the Plan.

5.13 Claims Procedure.

(A) Any person who believes that he is entitled to an uninsured benefit under the Plan shall have the right to file with the Administrator a written notice of claim for such benefit. The Administrator shall either grant or deny such claim within 90 days after the receipt of such written notice of claim (or within such other period as may be mutually agreed to by the parties), unless special circumstances require an extension of time of up to an additional 90 days for processing the claim and appropriate notice of such extension is given, provided, however, that any delay on the part of the Administrator in arriving at a decision shall not adversely affect benefits payable under a granted claim. The failure to pay interest on the value of a Participant's account during the processing of a claim shall not be deemed to be an adverse effect attributable to Administrator delay.

(B) In the case of a denied claim, the Administrator shall provide written notice to the claimant setting forth:

- 1) The specific reason for such denial;
- 2) Specific reference to the pertinent Plan provisions on which the denial is based;
- 3) A description of any additional material or information necessary for the claimant to perfect the claim and an explanation of why such material or information is necessary; and
- 4) An explanation of the Plan's claim review procedure set forth in section 5.14 of the Plan.

5.14 Review of Denied Claim.

- (A) Any person who makes a claim that is denied under section 5.13 shall have the right to appeal the denial of his claim to the Administrator for a full and fair review at any time within 60 days after the claimant receives written notice of such denial. In the event of such appeal, the administrator shall afford the claimant or his duly authorized representative the opportunity:
- 1) To review documents pertinent to the claim;
 - 2) To submit issues and comments in writing; and
 - 3) To discuss such documents and issues with the Administrator.
- (B) The final decision of the Administrator shall be made not later than 60 days after its receipt from the claimant of a request for review, unless there are special circumstances, such as the need to hold a hearing, or an extension of time for processing, in which case a decision shall be made as soon as possible but not later than 120 days after receipt of a request for review. Such decision shall be made in writing, include specific reasons for the decision, be written in a manner calculated to be understood by the claimant, include specific references to pertinent Plan provisions on which the decision is based, and to the extent permitted by law be final and binding on the claimant.

5.15 Claims and Review Procedure for Insured Benefits. To the extent that benefits hereunder are provided by an insurance company, the provisions of sections 5.13 and 5.14 shall not apply to claims for such benefits, and claims shall be filed with and subject to review by such insurance company.

ARTICLE VI – Amendment and Termination of Plan

The Employer hopes and expects to continue this Plan indefinitely, and every effort has been made to arrange its provisions so that it will meet future conditions insofar as they can be foreseen. However, in order to protect against unforeseen circumstances, the Employer reserves the right to make any amendment it deems necessary or desirable, or to terminate this Plan at any time by an instrument in writing.

ARTICLE VII – Miscellaneous Provisions

7.1 Information to be Furnished. Participant shall provide the Employer and Administrator with such information and evidence, and shall sign such documents, as may reasonably be requested from time to time for the purpose of administration of the Plan.

7.2 Limitation of Rights. Neither the establishment of the Plan nor any amendment thereof, nor the payment of any benefits, will be construed as giving to any Participant or other person any legal or equitable right against the Employer or Administrator, except as provided herein. No Employee or beneficiary shall have any right to, or interest in, any assets of the Employer upon termination of employment or otherwise, except as provided from time to time under this Plan, and then only to the extent of the benefits payable under the Plan to such Employee or beneficiary. All payments of benefits as provided for in this Plan shall be made solely out of the assets of the Employer and the Administrator shall not be liable therefor in any manner.

7.3 Governing Law. This Plan shall be construed, administered and enforced according to the laws of the State of North Carolina.

7.4 Selection of Beneficiaries. In the case of any insurance policy which permits or requires the naming of a beneficiary, it shall be the responsibility of the Employee to see to it that this is done. The Employer shall not be liable for any loss or cost which may result from such failure. The Employer's responsibility shall be limited to joining in the execution of any documents as requested by an Employee or insurance carrier in order to carry out the purpose of this Plan.

7.5 Non-alienation of Benefits. Benefits payable under this Plan shall not be subject in any manner to anticipation, alienation, sale, transfer, assignment, pledge, encumbrance, charge garnishment, execution, or levy of any kind, either voluntary or involuntary, including any such liability which is for alimony or other payments for the support of a Spouse or former Spouse, or for any other relative of the employee, prior to actually being received by the person entitled to the benefit under the terms of the Plan; and any attempt to anticipate, alienate, sell, transfer, assign, pledge, encumber, charge, or otherwise dispose of any right to benefits payable hereunder, shall be void. The Employer shall not in any manner be liable for, or subject to, the debts, contracts, liabilities, engagements, or torts of any person entitled to benefits hereunder.

7.6 Divestment of Benefits. Subject only to the specific provisions of this Plan, nothing shall be deemed to divest a Participant of a right to the benefit to which the Participant becomes entitled in accordance with the provisions of this Plan.

7.7 Discontinuance of Contributions. In the event of a permanent discontinuance of contributions to the Plan, all Participants shall receive any and all benefits to which they were entitled as of the date the discontinuance of contributions occurred.

ARTICLE VIII – Continuation Coverage

8.1 Right to Elect Continuation Coverage. To the extent provided in the Employer's Medical Insurance Plan, a Participant, the Participant's Spouse, ex-spouse and the Participant's dependent child can elect continuation coverage, to the extent required by COBRA, of such benefit under such plan.

EFFECTIVE: 06/20/00

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

TOWN OF LAUREL PARK
PAYROLL DEDUCTION AUTHORIZATION

PLAN YEAR

Employer Sponsored Health, Dental, and Vision Plan

I hereby request a reduction of my salary for the purpose of paying qualified employer sponsored Health, Dental, and Vision Plan insurance premiums for the Plan Year.

PLAN YEAR AMOUNT: 100% of employee portion of premiums

Signed this _____ day of _____, 2000.

Employee: _____

Accepted this _____ day of _____, 2000.

By: _____
Town of Laurel Park

SUBJECT: HOLIDAYS

PURPOSE: To provide a policy for uniform administration of standard Town holidays.

STATEMENT OF POLICY: It is the policy of the Town of Laurel Park to provide its employees with a uniform holiday schedule.

The Town of Laurel Park shall observe the following holidays as days off with pay for regular full-time employees except those employed in the Police Department. If New Year’s Day, Independence Day, or Veteran’s Day fall on a weekend, the following will apply: (1) Saturday – observe on Friday (2) Sunday – observe on Monday.

New Year’s Day	January 1
Birthday of Martin Luther King, Jr.	Third Monday in January
Good Friday	Friday before Easter
Memorial Day	Last Monday of May
Independence Day	July 4
Labor Day	First Monday of September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday of November
Day After Thanksgiving	
Christmas Holiday (3 days)	See Below

When Christmas Day falls on:	The Town observes:
Monday	Monday, Tuesday, and Wednesday
Tuesday	Monday, Tuesday, and Wednesday
Wednesday	Tuesday, Wednesday, and Thursday
Thursday	Wednesday, Thursday, and Friday
Friday	Wednesday, Thursday, and Friday
Saturday	Friday, Monday, and Tuesday
Sunday	Friday, Monday, and Tuesday

1. Eligibility

An employee must have worked the day before and the day after a holiday(s) or have been given approved leave to be eligible to receive pay for the holiday(s).

2. Effect on Other Types of Leave

Regular holidays, which occur during a vacation, sick, or other leave period of any employee shall not be considered as vacation, sick, or other leave.

3. Compensation When Work is Required or Regularly Scheduled Off for Shift Personnel

Employees required to perform work on regularly scheduled holidays are paid at 1.5 times the hourly rate in addition to paid holiday leave. If a holiday falls on a regularly scheduled off-duty day for shift personnel, the employee shall receive the hours for paid holiday leave.

4. Schedule

The Town Manager will publish in December each calendar year a memorandum that specifically identifies the holiday schedule for the next calendar year.

EFFECTIVE: 04/01/98

LAST REVISED: 01/20/2015

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: SICK LEAVE

PURPOSE: To establish guidelines for the use of sick leave for personal illness and on-the-job injuries for Town employees.

STATEMENT OF POLICY: It is the policy of the Town to provide sick leave as a benefit to Town employees.

1. Use of Sick Leave

Sick leave may be granted to a probationary or regular full-time employee absent from work for any of the following reasons: sickness, bodily injury, required physical, dental, or vision examinations or treatment, or exposure to a contagious disease when continuing work might jeopardize the health of others.

Sick leave may be used when an employee must care for a member of his or her immediate family who is ill or if additional time is required/approved to attend the funeral of a member of his or her immediate family (Administrative Policy 600.5 *Bereavement Leave*). "Immediate family" shall be defined as spouse, child, parent, brother, sister, grandparent, grandchild, plus any combination of half, step, in-law and adopted relationships of the employee or spouse of the employee, or guardian.

Sick leave may also be used to supplement Workers' Compensation Disability Leave both during the waiting period before Workers' compensation benefits begin, and afterwards to supplement the remaining one-third of salary, except that the employee may not exceed the regular salary amount when using this provision.

All such absences, except any resulting from misuse of sick leave, shall be charged against the sick leave credit of the employee. The Department Head is responsible for maintaining strict records of sick leave taken by each employee.

An employee may use sick leave, vacation leave, or compensatory time for any excused absence meeting the criteria of this policy at the employee's request. When sick leave, vacation leave, and/or compensatory time are inadequate to cover an excused absence meeting the criteria of this policy, the time lost will be charged to leave without pay.

2. Accrual Rate and Accumulation

All regular full-time employees, whether paid on an hourly basis or by salary, shall be entitled to sick leave. Sick leave shall accrue at the rate of eight (8) hours for each calendar month. Sick leave will be cumulative for an indefinite period of time and may be converted upon retirement for service credit consistent with the provisions of the North Carolina Local Government Employees' Retirement System.

All sick leave accumulated by an employee shall end and terminate without compensation when the employee resigns or is separated from the Town, except as stated above for employees retiring.

3. Transfer of Sick Leave from Previous Employer

The Town will accept the transfer of sick leave for a new employee whose previous employer participated in the Local or State Employees Retirement System. The previous employer must certify the sick leave amount in writing. Transferred sick leave will be credited to the employee only upon successful completion of six month's employment.

4. Medical Certification

The employee will notify his/her Department Head no later than the beginning of a scheduled work day that sick leave is to be taken, unless advance notice has been made with the Department Head. Notice shall include the nature and expected duration of the illness.

If sick leave taken exceeds two (2) working days, the employee will be required to submit a physician's certificate as to the nature of the illness and the employee's physical capacity to resume his/her duties. The Department Head or Town Manager may require a physician's certificate under other circumstances at their discretion stating the nature of the employee's or family member's illness and the employee's capacity to resume duties for each occasion on which an employee uses sick leave or whenever the supervisor observes a "pattern of absenteeism." Extension of sick leave beyond two (2) working days must be reviewed and approved or disapproved at the discretion of the Department Head or Town Manager.

The employee may be required to submit to such medical examination or inquiry as the Department Head or Town Manager deems desirable. The Department Head shall be responsible for the application of this provision so that employees shall not be on duty when they might endanger their health or the health of other employees and there will be no abuse of sick leave privileges.

If an employee fails to notify the Department Head of the illness and give an expected date of return to work, the employee will be placed on leave without pay until the absence is explained. To claim paid sick leave under false pretenses is considered a flagrant abuse of a valuable benefit and a serious violation of Town policy. Claiming sick leave under false pretenses to obtain a day off with pay shall subject the employee to disciplinary action up to and including dismissal.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: VACATION LEAVE

PURPOSE: To outline vacation policy for employees, assure vacation schedules are made with full reference to the operating needs of the Town, and provide for a procedure of approval and communication.

STATEMENT OF POLICY: The Town of Laurel Park provides all full-time employees vacation leave as outlined within this policy.

1. Use of Vacation Leave

Vacation leave is intended to be used for rest and relaxation but may also be used for any excused absence (examples: personal appointments, medical appointments/illnesses, bereavement leave, etc).

Employees who wish to observe religious holidays, other than those granted by the Town, may also use vacation leave. Employees who wish to use leave for religious observances must request leave from their respective Department Head. The Department Head will attempt to arrange the work schedule so that an employee may be granted vacation leave for the religious observance. Vacation leave for religious observance may be denied only when granting the leave would create an undue hardship for the Town.

2. Accrual Rate

Each full-time employee of the Town shall earn annual leave at the following schedule, prorated by the average number of hours in the workweek:

<u>Years of Service</u>	<u>Accrued Per Year</u>
0 - 4	two (2) weeks
5 - 9	three (3) weeks
10 plus	four (4) weeks

3. Pro-rated Leave

Vacation leave earned by full-time employees with fewer or more hours than the basic 40 hour work week shall be determined by the following formula:

- a) The number of hours worked by such employees shall be divided by the number of hours in the basic workweek (usually 40 hours).
- b) The proportion obtained in step (a) shall be multiplied by the number of hours of leave earned annually by employees working the basic workweek.
- c) The number of hours in step (b) divided by 26 shall be the number of hours of leave earned bi-weekly by the employees concerned (a table is on file with the Town clerk).

4. Probationary Employees

Employees serving a probationary period following initial employment may accumulate vacation leave but shall not be permitted to take vacation leave during the probationary period. Employees shall be allowed to take accumulated vacation leave after six months of service.

5. Scheduling

Vacation leave is permissive and may be denied when conditions are such that the ordinary work of the Town could not be performed adequately if vacation leave were granted. Requests for more than one day vacation leave shall be placed with the Department Head one month in advance. When only one day of vacation leave is to be taken, requests shall be made at least one week in advance. In the event of an unforeseen need and approved by the department head, notice requirements for the use of one day or less vacation leave may be less than one week. If two employees apply for the same vacation time, the employee with seniority shall be given first consideration. Any vacation leave request must be at least one-hour.

The Department Head must approve vacation requests with concurrence of the Town Manager prior to the commencement of the requested vacation.

6. Maximum Accumulation

Vacation leave may be accumulated without any applicable maximum until December 31 of each year. However, if the employee departs from service, payment for accumulated vacation leave shall not exceed two hundred forty hours (240 hours). Effective the last pay period in the calendar year, any employee with more than two hundred forty hours (240 hours) of accumulated leave shall have the excess accumulation removed so that only two hundred forty hours (240 hours) are carried forward to January 1 of the next calendar year. Employees are not eligible to receive pay for vacation time not taken.

Employees who take a minimum of one week vacation (5 days for a regular work week employee) during the calendar year may have any excess vacation leave over two hundred forty hours (240 hours) converted to sick leave. Employees who do not take a minimum of one week or 40 hours of vacation will lose the excess vacation over two hundred forty hours (240-hours).

Employees are cautioned not to retain excess accumulated vacation leave until late in the year. Because of the necessity to keep all functions in operation, large numbers of employees cannot be granted vacation leave at any one time. If an employee has excess leave accumulation during the latter part of the year and is unable to take such leave because of staffing demands, the employee shall receive no special consideration either in having vacation leave scheduled or in receiving any exception to the maximum accumulation.

7. Payment upon Separation

An employee who has successfully completed six months of the probationary period will normally be paid for accumulated vacation leave upon separation, not to exceed the two hundred forty hours (240 hours) maximum, provided notice is given to the supervisor at least two weeks in advance of the effective date of resignation. Any employee failing to give the notice required by this section will forfeit payment for accumulated leave. The notice requirement may be waived by the Town Manager when deemed to be in the best interest of the Town. Employees who are involuntarily separated shall receive payment for accumulated annual leave subject to the two hundred forty hours (240 hours) maximum.

8. Payment upon Death

The estate of an employee who dies while employed by the Town shall be entitled to payment of all of the accumulated vacation leave credited to the employee's account, not to exceed the two hundred forty hours (240 hours) maximum.

9. Administration

- a) Department Heads are responsible for managing the vacation schedules in their departments and for administering the provisions of this policy.
- b) The Town Manager shall approve all vacation schedules for Department Heads.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: LEAVE OF ABSENCE WITHOUT PAY

PURPOSE: To establish a policy for employees requesting a leave of absence from employment with the Town and to establish conditions by which approved requests for leave of absence are administered.

STATEMENT OF POLICY: The Town Manager may grant a full-time employee a leave of absence without pay or benefits for a period of up to twelve months.

The leave shall be used for reasons of personal disability, sickness or disability of immediate family members, continuation of education, special work that will permit the Town to benefit by the experience gained or the work performed, military leave, or for other reasons approved by the Town Manager. Before leave of absence without pay is granted, sick leave, vacation leave, and compensatory leave must have been exhausted.

The employee shall apply in writing to the Department Head for leave. The employee is obligated to return to duty within or at the end of the time determined appropriate by the Town Manager. Upon returning to duty after being on leave without pay, the employee shall be entitled to return to the same position held at the time leave was granted or to one of like classification, seniority, and pay. If the employee decides not to return to work, the Department Head shall be notified immediately. Failure to report at the expiration of a leave of absence, unless an extension has been requested and approved, shall be considered a resignation.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: BEREAVEMENT LEAVE

PURPOSE: To establish guidelines for the use of Bereavement leave due to death in the employee's immediate family.

STATEMENT OF POLICY: It is the policy of the Town of Laurel Park to allow regular full-time employees who have a member of their immediate family taken by death to receive up to three days with pay as bereavement leave to arrange and/or attend funeral activities.

"Immediate family" shall be defined as spouse, child, parent, brother, sister, grandparent, grandchild, plus any combination of half, step, in-law and adopted relationships of the employee or spouse of the employee, or guardian. Bereavement leave for those not covered by the immediate family definition may be charged to vacation or compensatory time.

If additional time beyond three days is necessary, it shall be taken as sick leave, vacation leave, compensatory leave, or unpaid leave (if sick leave, vacation leave, and/or compensatory leave have been exhausted) with advance authorization by the appropriate Department Head and with concurrence of the Town Manager.

Employees must verify the death. Employees who fail to return to work on the date specified to the Department Head without receiving an extension are subject to disciplinary action up to and including termination.

EFFECTIVE: 04/01/98

LAST REVISED 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: JURY/COURT LEAVE

PURPOSE: To establish a policy for jury/court leave for Town employees.

STATEMENT OF POLICY: Any regular full-time employee who is required to serve on a jury or, as a result of official Town of Laurel Park duties, who is required to appear before a court, legislative committee, or quasi-judicial body as a witness in response to a subpoena or other directive shall be allowed authorized leave with pay, in addition to being allowed to keep fees received for such duty.

An employee who receives notice of jury duty or witness service must notify his/her Department Head immediately in order that arrangements may be made to cover the position. Employees are to return to work after jury duty although no more than the regularly scheduled number of hours for both jury duty and work shall be required. If excused as a juror on any given day, the employee is expected to contact his/her Department Head and to report to work as instructed.

Time away will not affect vacation, sick leave, or personal leave accruals. While on jury/court leave, benefits and leave shall accrue as though on regular duty.

Employees who appear in court as the plaintiff or defendant in any action not related to their official duties shall not be paid for time away from work unless that time is accrued vacation leave or compensatory leave.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: FAMILY AND MEDICAL LEAVE

PURPOSE: To establish a policy for employees requesting family/medical leave of absence from employment with the Town.

STATEMENT OF POLICY: It is the policy of the Town of Laurel Park to provide procedures to cover illness of a serious and long-term nature resulting in recurring or lengthy absences by the employee.

1. Family and Medical Leave

The Town will grant up to 12 weeks of family and medical leave per twelve months (rolling year) to eligible employees in accordance with the Family and Medical Leave Act of 1993 (FMLA). The leave may be paid (coordinated with the Town's Vacation, Sick, and Compensatory Leave policies), unpaid, or a combination of paid and unpaid. Unpaid leave will be granted only when the employee has exhausted all appropriate types of paid leave. Additional time away from the job beyond the 12-week period may be approved in accordance with *Town Policy 600.04, Leave of Absence Without Pay*.

To qualify for FMLA coverage, the employee must have worked for the employer 12 months or 52 weeks; these do not have to be consecutive. However, the employee must have worked 1,250 hours during the twelve-month period immediately before the date when the FMLA time begins.

Family and medical leave can be used for the following reasons:

- a) the birth of a child and in order to care for that child;
- b) the placement of a child for adoption or foster care;
- c) the care of a spouse, child, or parent with a serious health condition;
- d) the serious health condition of the employee; or
- e) military exigency.

A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice, or residential medical care facility, or a condition that requires continuing care by a licensed health care provider. Generally, a chronic or long-term health condition that results in a period of incapacity for more than three days would be considered a serious health condition.

If a husband and wife both work for the Town and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (not parent in-law) with a serious health condition, the husband and wife together may only take a total of 12 weeks leave under FMLA.

An employee taking leave for the birth of a child may use paid sick leave for the period of actual disability, based on medical certification. The employee shall then use all paid vacation for the remainder of the 12-week period.

The request for the use of leave must be made in writing by the employee and approved by the Department Head and Town Manager.

2. Military-Related Leave

An employee who takes leave under this policy will return to the same job or a job with equivalent status, pay, benefits, and other employment terms. The position will be the same or one that entails substantially equivalent skill, effort, responsibility, and authority.

“Military Exigency” is a qualifying exigency arising out of the fact that the fact that the employee’s spouse, son, daughter, or parent is a military service member (National Guard or Reserve) under a call or order to federal active duty in support of a contingency operation. Qualifying events are:

- a) deployment of service member with seven days or fewer notice;
- b) military ceremonies and events such as family-assistance or informational programs related to the family member’s active duty or call to active duty;
- c) urgent, immediate childcare or arranging for alternative childcare for the children of service members;
- d) attending school or daycare meetings relating to the child of service member;
- e) making financial or legal arrangements related to a family member’s active duty status or call to active duty; or
- f) post-deployment activities for a period of ninety days after the termination of the service member’s active duty status.

An employee whose spouse, son, daughter, parent or next of kin is a current service member who is undergoing treatment, therapy, recuperation or outpatient treatment or has temporary disability retirement for injury or illness sustained in the line of duty is eligible for 26 weeks of leave in a single 12-month period. During a single 12-month period, the employee is eligible for a total of 26 weeks of all types of FMLA leave.

3. Certification

In order to qualify for leave under this law, the Town requires medical certification. This statement from the employee's or the family member's physician should include the date when the condition began, its expected duration, diagnosis, and brief statement of treatment. For the employee's own health condition, it should state that the employee is unable to perform the essential functions of his/her position. For a seriously-ill family member, the certification must include a statement that the patient requires assistance and the employee's presence would be beneficial or desirable.

This certification should be furnished at least 30 days prior to the needed leave unless the employee's or family member's condition occurs unexpectedly. The certification should be furnished as soon as possible (no longer than 15 days from the date of the employee's request). The certification and request must be made to the Department Head.

The employee is expected to return to work at the end of the time frame stated in the medical certification, unless he/she has requested additional time in writing under Administrative Policy 600.04 *Leave of Absence Without Pay*.

4. Retention and Continuation of Benefits

When an employee is on leave under FMLA (maximum of 12 weeks in a year), the Town will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work. If an employee chooses not to return to work for reasons other than a continued serious health condition, the Town will require the reimbursement of the amount paid for the employee's health insurance premium during the FMLA leave period.

Other insurance and payroll deductions are the responsibility of the employee and the employee must make those payments for continued coverage of that benefit.

An employee shall retain all unused vacation and sick leave while on leave without pay. An employee ceases to earn leave credits on the date leave without pay begins. The employee may continue to be eligible for benefits under the Town's group insurance plans at his or her own expense, subject to any regulation adopted by the Commission and the regulations of the insurance carrier.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: MILITARY LEAVE

PURPOSE: To establish procedures for requesting and accounting for leaves of absence by employees for participation in obligations with the United States Armed Forces.

STATEMENT OF POLICY: It is the policy of the Town of Laurel Park that all Town employees who are affiliated with the United States Armed Forces, National Guard, or Coast Guard be granted appropriate leave to meet service obligations.

1. Employer's Responsibilities

The Town will fully comply with the requirements of USERRA and other related federal regulations. Regular employees who are members of an Armed Forces Reserve organization or National Guard shall be granted ten workdays per year for military leave without pay. On rare occasions due to annual training being scheduled on a federal fiscal year basis, an employee may be required to attend two periods of training in one calendar year. For this purpose only, an employee shall be granted an additional ten days of military leave during the same calendar year. If such duty is required beyond this ten workdays, the employee shall be eligible to take accumulated vacation leave or be placed in a leave without pay status, and the provisions of that leave shall apply. While taking military leave, the employee's leave credits and other benefits shall continue to accrue as if the employee physically remained with the Town during this period. Employees who are eligible for military leave have all job rights specified by the Vietnam Veterans Readjustment Act.

Military leave of absence shall result in no loss of seniority status or benefits that would have normally accrued if the employee had not been absent for such purposes.

The Town will make a reasonable effort to adjust work schedules and assignments to accommodate employees fulfilling military obligations.

2. Employee's Responsibilities

The employee is responsible to provide to their Department Head copies of all military orders that will result in a leave of absence for active military duty. Orders must specify the duties of absence, promulgation authority, letter order number, and signature of issuing authority. Employees are required to notify their department head at the earliest possible date upon learning of scheduled military duty.

Employees who fail to return to work on the date specified in the leave request without receiving an extension in advance are subject to disciplinary action up to and including termination.

Inactive duty training dates (weekend drills) should be provided to the department head as soon as available if the dates conflict with scheduled employment with the Town.

3. Reinstatement Following Military Service

The Town will fully comply with the requirements of USERRA and other related federal regulations. An employee called to extended active duty with the United States military forces, who does not volunteer for service beyond the period for which called, shall be reinstated with full benefits provided the employee:

- a) Applies for reinstatement within ninety days after the release from military service; and,
- b) Is able to perform the duties of the former position or similar position; or
- c) Is unable to perform the duties of the former position or a similar position due to disability sustained as a result of the military service but is able to perform the duties of another position in the service of the Town. In this case the employee shall be employed in such other position as will provide the nearest approximation of the seniority, status, and pay which the employee otherwise would have been provided, if available.

EFFECTIVE: 04/01/98

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: ADVERSE REACTIONS TO SMALLPOX VACCINATION

PURPOSE: To establish guidelines for adverse reactions to smallpox vaccination as required by G. S. 160A-164.1.

STATEMENT OF POLICY: It is the policy of the Town of Laurel Park that employees identified under the Homeland Security Act as “first responders” be provided sick leave and salary continuation procedures if absent from work due to an adverse medical reaction resulting from the employee receiving in-employment vaccination against smallpox.

In accordance with G. S. 160A-164.1, all municipalities that employ firefighters, police officers, paramedics, or other first responders shall enact a policy regarding sick leave and salary continuation for those employees absent from work due to an adverse medical reaction resulting from the employee receiving in-employment vaccination against smallpox incident to the Administration of Smallpox Countermeasures by Health Professionals, section 304 of the Homeland Security Act, Pub. L. No. 107-296 (Nov. 25, 2002) (to be codified at 42 U.S.C. 233 (p)).

The smallpox vaccination pursuant the national vaccination program is not a job requirement for the identified personnel; it is purely voluntary. The smallpox vaccine contains live vaccinia, a virus related to smallpox. This vaccination will be at no cost to the employee and is purely voluntary. The employee should seek medical advice and follow the direction of a licensed provider.

Under G.S. 97-33, the following diseases and conditions only shall be deemed to be occupational diseases within the meaning of this article: infection with smallpox, infection with vaccinia, or any an adverse medical reaction when the infection or adverse reaction is due to the employee receiving in-employment vaccination against smallpox incident to the Administration of Smallpox Countermeasures by Health Professionals, section 304 of the Homeland Security Act, Pub. L. No. 107-296 (Nov. 25, 2002) (to be codified at 42 U.S.C. 233 (p)), or when adverse medical reaction is due to employee being exposed to another employee vaccinated as described in this policy.

The smallpox-related conditions defined herein are covered within the Workers’ Compensation Act and the procedures of Administrative Policy 500.09 *Workers’ Compensation*.

The provisions of this policy are severable. If a court of competent jurisdiction holds any provision of this policy invalid, the invalidity does not effect other provisions of the policy that can be given effect without the invalid provision.

EFFECTIVE: 08/19/03

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: WORKERS' COMPENSATION LEAVE

PURPOSE: To establish guidelines for Workers' Compensation leave by Town employees.

STATEMENT OF POLICY: An employee absent from duty because of sickness or disability covered by the North Carolina Workers' Compensation Act may elect to use accrued sick leave, vacation leave, or compensatory leave during the initial seven (7) day waiting period. Employees may also elect to supplement Workers' Compensation payments after they begin sick leave, vacation leave, or compensatory leave provided that the combination of leave supplement and Workers' Compensation payments does not exceed normal compensation.

An employee on Workers' Compensation leave may be permitted to continue to be eligible for benefits under the Town's group insurance plans. Other insurance and payroll deductions are the responsibility of the employee, and the employee must make those payments for continued coverage of that benefit.

When worker's compensation leave extends long enough for the waiting period to be reimbursed, the employee shall return the reimbursement check to the Town and have leave hours reinstated for all time covered by paid leave. In such cases, the Town will pay the employee for any unpaid time that is owed the employee.

EFFECTIVE: 01/01/05

LAST REVISED: 04/16/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: PARENTAL SCHOOL LEAVE

PURPOSE: To establish guidelines for Parental School Leave by Town employees.

STATEMENT OF POLICY: A Town employee who is a parent, guardian, or person standing in loco parentis (in place of the parent) may take up to four hours of unpaid leave annually to involve him or herself in school activities of his or her child(ren). This leave is subject to the three following conditions:

- a) The leave must be taken at a time mutually-agreed upon by the employee and the Town;
- b) The Town may require the employee to request the leave in writing at least 48 hours prior to the time of the desired leave; and
- c) The Town may require written verification from the child’s school that the employee was involved at the school during the leave time.

Paid leave (vacation or compensatory) taken by an employee to attend school activities of his or her child shall count toward the fulfillment of this provision by the Town.

EFFECTIVE: 04/16/13

LAST REVISED:

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: ADVERSE WEATHER AND EMERGENCY CONDITIONS

PURPOSE: To establish guidelines for adequate staffing during adverse/hazardous conditions.

STATEMENT OF POLICY: The Town has responsibility for providing emergency services. Adequate staffing is required to operate these critical services seven (7) days per week and twenty-four (24) hours per day in all adverse weather.

The Town Manager, upon recommendation of department heads, should designate which staff members are in critical positions required to report to work regardless of adverse weather or other hazardous conditions.

The Adverse Weather and Emergency Conditions Policy is established to be as fair as possible to all employees by applying the following principles:

- a) maintain adequate staffing of emergency services at all times;
- b) provide for as much safety as possible for all employees in traveling to and from work in hazardous conditions; and,
- c) not pay regular salaries to employees for not working when others are required to be at work.

Town offices and departments shall remain open for the full scheduled working day unless authorization for closing or other deviation is received from the Town Manager's office. The Town Manager will consider the hazard of driving conditions and other relevant factors in determining whether to close Town offices. To the extent possible, all departments and offices will be given sufficient advance notice of any authorized closing of non-critical Town functions.

Employees in non-critical positions who leave work before an official early closing time, as well as employees who report for work late or do not report for work because of hazardous conditions, may use earned vacation or compensatory leave for days or hours not worked.

Employees in designated critical positions may be subject to disciplinary action for failure to report to work as required.

EFFECTIVE: 04/16/13

LAST REVISED:

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: TRAINING PROGRAMS, INCLUDING SEMINARS OR CONVENTIONS

PURPOSE: To promote and facilitate training and career education which meets the needs of the Town.

DEFINITIONS:

As addressed by this policy, training is defined as any work related program, seminar, conference, convention, course or workshop attended by an employee whose tuition and expenses are funded in whole or in part by the Town or while the employee is in a paid status with the Town.

STATEMENT OF POLICY:

1. It is the policy of the Town of Laurel Park to encourage and coordinate training opportunities for employees and department heads in order that services rendered to the Town will be more efficient and effective.
2. Employees are encouraged to continue their formal education through participation in off-duty/non-working hours educational programs.

PROCEDURES:

All work related program, seminar, conference, convention, course or workshop attended by an employee whose tuition and expenses are funded in whole or in part by the Town will be coordinated through the appropriate Department Head and approved by the Town manager.

EFFECTIVE: Immediately

DATE: 04/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 04/01/98

SUBJECT: TRAVEL EXPENSES WHILE ON TOWN BUSINESS

PURPOSE: To establish policy guidelines on Town reimbursement and payment of travel expenses while on official Town business.

STATEMENT OF POLICY:

It is the policy of the Town to reimburse employees for reasonable and necessary expenditures made by employees while on official Town business. Mileage will be reimbursed at a rate per mile established annually by the Internal Revenue Service. All expenses must be itemized if applicable. Claims for reimbursement of travel expenses, other than mileage and meals, shall be accompanied by invoices and/or receipts showing proof of payment of such claims.

GENERAL GUIDELINES FOR TRAVEL WHILE ON OFFICIAL TOWN BUSINESS

1. Overnight Trips:

- a) Lodging. A reasonable class of accommodation shall be selected where choice is available. Reimbursement for lodging will be made at actual cost, with receipt.
- b) Meals. Meal costs will be reimbursed up to the amounts approved by the Town's Travel Policy, as calculated using the North Carolina standard meals per diem rate, published by the U. S. General Services Administration, and effective January 1 of each calendar year. Meals covered by conference or training registration fees are not to be included in meals per diem.

Allowance for the first day of travel shall be as follows:

Depart before 7:30 a. m.	Breakfast, lunch, and dinner.
Depart before 11:00 a. m.	Lunch and dinner.
Depart before 5:00 p. m.	Dinner.

Allowance for day of return shall be as follows:

Return before 8:00 a. m.	No meal allowance.
Return after 8:00 a. m. and before 1:00 p. m.	Breakfast.
Return after 1:00 p. m. and before 5:00 p. m.	Breakfast and lunch.
Return after 5:00 p. m.	Breakfast, lunch, and dinner.

- c) Mileage Allowance. Employees who utilize their personal vehicles on travel assignments will be allowed reimbursement at the set rate established annually by the Internal Revenue Service. When two or more employees are attending the same seminar, convention, or meeting, carpooling shall be practiced whenever possible. Rental vehicles may be used, but must be approved in advance by the Town Manager.
- d) If an employee for his/her own convenience travels by an indirect route or interrupts travel by the most economical route, the employee shall bear any extra expense involved. Reimbursement for such travel shall be for only that part of the expense as would have been necessary in order to travel on official Town business.

- e) Phone Calls. An employee is eligible for reimbursement of one personal phone call per night during overnight business trips not to exceed approximately five minutes in duration
- f) Out-of-State Travel. Requires prior approval by the Town Manager, with Town Council Concurrence.
- g) Reimbursement. Expenses will be reimbursed on completion of authorized travel upon submittal of proper claim on the "Laurel Park Travel/Expense Voucher" with appropriate receipts. An employee with department head recommendation and Town Manager approval may receive a travel advance for official Town business. Upon completion of official business, the employee will submit a proper claim for final settlement adjustment.

2. Local Travel and Expenses

- a) Local Mileage. No mileage will be paid for commuting from an employee's personal residence to work location. Mileage will be reimbursed at a rate set by the Internal Revenue Service for authorized use of an employee's vehicle on Town business.
- b) Local Meals. Same day trips where the employee leaves and returns in the same workday require receipts and should be no greater than the allowable meal per diem stated in 1(b). Reimbursement for meals will be allowed only where the employee is attending a seminar or conference as a representative of the Town for a specific purpose, or where the employee's attendance will directly benefit the Town. No reimbursement will be allowed for meetings which are of a social nature or for meals included in the conference, seminar, or training event.

3. Parking Fees will be reimbursed by actual cost and receipts shall be presented where possible.

EXAMPLES OF NON-ALLOWABLE EXPENSES

- 1. Laundry, cleaning, or valet services (except for trips of over one week duration).
- 2. Tobacco products or alcoholic beverages.
- 3. Personal entertainment.
- 4. Personal telephone calls (except per 1e).
- 5. Rental vehicles except as pre-approved by the Town Manager.
- 6. Expenses of a spouse or other non-employee.
- 7. Barber, beauty parlor, shoe shine or toiletries.
- 8. Personal postage.

EFFECTIVE: Immediately **DATE:** 04/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 09/20/11

SUBJECT: SPECIAL LICENSES AND MEMBERSHIP FEES

PURPOSE: To establish guidelines for the request and approval of special licenses and membership fees.

STATEMENT OF POLICY:

The Town will pay current annual dues or fees for each employee who is required by the town, or state or federal law to be a member of a professional organization or who must maintain current a particular certification or license as a condition of employment. Payment will be made upon recommendation by the employee's department head with approval by the Town Manager.

Employees who belong to professional organizations that promote individual professional growth, competence and effectiveness in functioning as Town employees will be allowed time off with pay to attend local, state and national meetings subject to approval by the Town Manger and budgetary limitations.

EFFECTIVE: Immediately

DATE: 04/01/98

APPROVAL: _____

MAYOR

TOWN MANAGER

LAST REVISED: 04/01/98

SUBJECT: SAFETY PROGRAM GENERAL

PURPOSE: To establish a safety program emphasizing the safety and welfare of the Town employees and ensuring the services provided to the public are conducted in a safe manner.

STATEMENT OF POLICY: It is the policy of the Town of Laurel Park to provide a safe work environment for its employees by constantly striving to improve the quality of the work place, to provide continuous safety education opportunities for its employees, to encourage safe working habits, and to provide for the safety of the public in regard to operations of the various departments.

A. Introduction. The Town safety program is designed to provide a safe work environment and to prevent accidents. Preventing accidents will save lives, eliminate human suffering, increase efficiency of operations, and save money for both the Town and its employees. To be successful, the safety program must have the continuous, active support of all employees and particularly of those in supervisory positions.

B. Principles. The basic principles of the Town safety program include, but are not limited to the following:

- Management, department heads, and supervisory personnel shall fully support the Town Safety Program.
- Department heads shall be responsible for promoting overall safe working conditions, encouraging good housekeeping practices, and ensuring the safe condition of equipment and materials.
- Accident prevention is a key goal of the Town Safety Program.
- Accident prevention principles shall be incorporated into both training for new employees and on-going training programs for all employees.
- Department heads are responsible for educating and training their employees as to the specific hazards of their jobs.
- All accidents and safety incidents shall be reported and investigated to determine their causes and the remedial action required to prevent recurrence.
- Personal protective equipment shall be used by employees to reduce the probability of injury.
- Each employee shall be charged with the responsibility of making safety a daily concern. This responsibility must be accepted by everyone, regardless of his/her position in the organization.

EFFECTIVE DATE: 08/18/92

LAST REVISED: 09/17/02

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: SAFETY PROGRAM RESPONSIBILITIES

PURPOSE: To establish responsibility for the overall management, administration, and participation of the Town safety program.

STATEMENT OF POLICY: It is the policy of the Town to maintain a proactive safety program and to assign appropriate responsibility and accountability to all employees for effective implementation and participation in the safety program.

A. Town Manager. The Town Manager is directly responsible for the implementation and operation of the Town safety program.

B. Department Heads - Town Clerk, Chief of Police, and Public Works Superintendent. Each department head is designated as responsible to the Manager for employee safety. The department head has supervisory responsibility for all safety functions and activities within his/her area. Each department head will:

1. Provide leadership by setting a proper example for all employees and by being responsible for successfully operating his/her department safety program.
2. Develop policies and procedures and ensure compliance by all personnel under his/her direction.
3. Ensure all employees are trained in the accepted safety practices.
4. Provide personal protective equipment and instruction when necessary and follow-up on proper use of protective equipment.
5. Require monthly employee safety meetings to review accidents, analyze their causes, and promote free discussion of hazardous work problems and possible solutions.
6. Encourage safety suggestions and written comments from employees and adopt as feasible.
7. Require accidents to be promptly reported, properly recorded, and thoroughly investigated.
8. Ensure prompt, corrective action is taken whenever unsafe conditions are recognized and unsafe acts are observed.
9. Ensure employees are physically and mentally capable of performing their tasks.
10. Encourage good housekeeping practices and promote overall safe working conditions.

C. Supervisors. Supervisors will assist the department head in instructing employees in safe practices, in observing their work environment, and in enforcing safety standards and requirements. Principal duties of supervisors are as follows:

1. Set the example of good safety practice in all spheres of their endeavors.
2. Eliminate any potential hazards within any activities under their jurisdiction.
3. Ensure all safety rules and procedures are followed.
4. Report all injuries promptly.
5. Conduct thorough investigations of all accidents if required by the department head.
6. Maintain equipment properly.
7. Support an effective program of good housekeeping and maintain high standards of personnel and operational cleanliness throughout all operations.
8. Ensure safety equipment and protective devices are used properly.
9. Provide full support to all safety procedures, activities, and programs.

D. Employee. Employees will be required, as a condition of employment, to exercise care in the course of their work to prevent injuries to themselves and to their fellow workers. Each employee shall be charged with the responsibility of making safety a daily concern. Employees are required to:

1. Use the safety equipment which has been provided for use in performing daily work assignments.
2. Wear the prescribed uniform as required.
3. Avoid operating equipment for which training or orientation has not been received.
4. Warn co-workers of unsafe conditions or practices which could lead to or cause an accident.
5. Report defective equipment or unsafe conditions immediately to the department head or supervisor.
6. Report dangerous or unsafe conditions that exist in the work place as well as throughout the municipality, such as, broken curbs, hanging tree limbs, loose handrails, open man-holes, sunken basins and sewers, missing or damaged traffic signs or signals, etc.

7. Report all injuries and accidents regardless of the severity as soon as practical.
8. Ensure proper safety conditions while conducting municipal work that could present a hazard to the public.
9. Maintain tools and equipment in the best possible condition.
10. Participate in all required safety and occupational health training.

EFFECTIVE DATE: 08/18/92

LAST REVISED: 09/17/02

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: SAFETY RULES AND PROCEDURES

PURPOSE: To establish general rules and procedures as guidelines for Town employees concerning the Town safety program.

STATEMENT OF POLICY: Safety rules and procedures should be developed and monitored by each department. The department heads, supervisors and employees should all contribute to this task for their respective area. The attached rules and procedures provide a starting point.

Remember, for safety rules to be effective, employees must know that they are supported by management and will be enforced.

A. General Rules and Procedures for Municipal Employees. These General rules and procedures apply to all departments.

1. Good housekeeping is maintained throughout all operations.
2. All employees will be properly trained before they are allowed to assume routine duties.
3. All employees will be trained in proper lifting techniques and body mechanics and should not lift an object where proper lifting techniques can not be used.
4. Hard hats will be provided for and used by all employees exposed to overhead hazards (electrical Class B hard hats required).
5. Eye and ear protection will be provided for use by all employees exposed to related hazards, i.e., grinding, cutting, chipping, welding , battery charging, jack hammering, etc.
6. **Caution signs** will be posted in shop areas and on major mobile equipment warning that eye protection be worn where eye hazards exist.
7. Employees will be required to wear appropriate footwear as determined by the departmental safety committee.
8. All employees will be provided with and required to wear gloves when conditions dictate.
9. First aid kits will be available to employees at all times.
10. Designated employees will be properly trained and certified in first aid.
11. Water coolers will be available on all job-sites.
12. All vehicles and equipment will be inspected before starting each shift.
13. Employees working near vehicular traffic will be provided with and required to wear high visibility clothing, e.ed., reflective vest.

14. A sufficient number of fluorescent plastic cones, signs, and warning devices will be available and used when work activities are near vehicular traffic.
15. All gasoline which is transported in vehicles will be contained in approved safety containers.
16. Hand rails will be installed on all permanent stairs leading to overhead storage areas.
17. Standard guard rails, toe boards, and wire mesh will be installed along the front of overhead storage areas.
18. Overhead cranes and hoists will be equipped with a hook safety latch mechanism and labeled with maximum safe load limit.
19. Adequate overhead and roll over protection will be installed on mobile equipment.
20. Hand cars, hoist, dollies or other devices will be used for lifting or moving heavy objects or materials.
21. Guards and safety devices will be kept in place and in working condition on all equipment, tools, etc.
22. All flat belts, V-belts, chains and sprockets will be properly guarded.
23. All hand tools will be inspected to ensure their safe working condition.
24. All electric fans will be equipped with proper guarding.
25. Bench grinders will be securely mounted, equipped with protective eye shields and a properly adjusted tool rest, and have an adequate guard over the end spindle.
26. All tools and electrical equipment will be either double insulated or equipped with three-prong plugs to ensure proper grounding.
27. Adequate portable lighting will be available for use during emergency situations.
28. An evacuation plan will be developed and posted in every public building.
29. All electric switch boxes and electric panels will be closed and properly marked.
30. NO SMOKING signs will be located in appropriate areas and followed by all employees and visitors, i.e., storage areas for compressed gases or combustible/flammable materials, refueling pumps and battery charging areas.
31. All compressed gas cylinders will be properly secured in an upright position.

32. All flammable or combustible materials will be properly stored and bonded.
33. There will be an adequate number of appropriate and properly located fire extinguishes that are inspected monthly by the occupants of the area.
34. All exits will be properly marked and free of obstructions.
35. All employees will wear seat belts.
36. Whenever two employees are available, one will assist the other in backing all city vehicles with limited sight visibility.
37. Shirts will be worn at all times while on duty.
38. The Department prohibits horseplay while on duty.

B. Safety Rules and Procedures for Police Department.

1. All candidates for employment as sworn law enforcement personnel will be administered a thorough physical examination prior to employment.
2. This examination should include a stress type electrocardiogram when deemed necessary by the examining physician.
3. The department should have written guidelines regarding operations, i.e., apprehension, search, hand cuffing, weapons handling, use of deadly and non-deadly force, high speed pursuits, etc.
4. All officers will be properly trained and supervised in the safe performance of their duties prior to being allowed to perform routine activities. Training shall be documented.
5. The department prohibits horseplay involving officers while on duty.
6. Officers will be required to use seat belts while driving official vehicles.
7. Officers will inspect their vehicles prior to beginning their shifts.
8. All vehicles will be inspected by a qualified mechanic on at least a quarterly basis.
9. All cruisers used for transporting prisoners should be equipped with a safety shield or screen.
10. The department will have a policy prohibiting the transportation of a shotgun with a shell in the chamber.
11. Officers will be required to qualify with the firearms used and with live ammunition on at least an annual basis.
12. The qualifying exercise will include night firing.
13. Officers involved in directing traffic will be provided with highly visible clothing and/or reflective wands, flares, etc.
14. All police officers will be trained to respond to the release of hazardous substances in accordance with OSHA 1910.120.
15. All police officers will be trained in the Communicable Diseases Policy (Safety Procedure D) for the Town of Laurel Park.

C. Safety Rules and Procedures for Streets Department.

1. Management should develop standard procedures for entering confined spaces and underground areas in compliance with OSHA law, i.e., checklists, permits, etc. (Safety Procedure A)
2. Supervisors should be provided with and required to use appropriate equipment to determine the amount of oxygen and toxic or flammable gases in confined underground areas. (Safety Procedure A & B)
3. Employees should be properly trained in the use of monitoring devices, rescue equipment and other safety equipment. (Safety Procedure A & B)
4. Excavations and trenches will be designed by a "competent person" in accord with OSHA standards. (29 CFR, Part 1926, Subpart P - Federal Register, Vol. 54, No. 209)
5. An adequate means of exit should be provided (ladder) in excavations and trenches. This is required for excavations and trenches of four or more feet.
6. All excavated materials should be stored at least two feet from the trench.
7. Supervisors should ensure that all workers are properly trained in the use of their respective personal protective equipment.
8. Vehicles should be equipped with adequate warning lights.
9. A respiratory program in compliance with OSHA regulations will be implemented, i.e., physicals, use of SCBA's, testing of equipment and fit, etc. (Safety Procedure A & B)

D. Safety Procedures for Maintenance/Garage/Warehouse Shop.

1. An exhaust ventilation system will be installed in areas designated for vehicular repair and used when a vehicle engine is operated for more than 60 seconds.
2. Guard rails will be installed around the grease pit when not in use.
3. A designated area with a no smoking sign and clear of all spark producing devices will be used for charging automotive type batteries.
4. Safety lights will be used for drop cords while working under vehicles.
5. All welders will be properly grounded, located in dry area, and equipped with properly insulated terminals.
6. Safety devices will be used to prevent the dump and bodies falling while maintenance is being performed.
7. Safety devices will be used when working on hydraulic cylinders while under pressure (back hoes, loaders, etc.)
8. All items or materials will be stacked in a safe manner.

E. Safety Rules and Procedures for Water/Sewer/Waste Treatment.

1. A respiratory program in compliance with OSHA regulations will be implemented i.e. physical, use of SCBA's testing of equipment and fit, etc. (Safety Procedure A & B)
2. Excavations and trenches will be designed by a "competent person" in accord with OSHA standards. (29 CFR, Part 1926, Sub Part P - Federal Register Vol. 54, No. 209)
3. An adequate means of exit should be provided (ladder) in excavations and trenches. This required for excavations and trenches of four or more feet.
4. All excavated materials should be stored at least two feet from the trench.
5. Management should develop standard procedures for entering confined spaces and underground areas in compliance with OSHA law, i.e. check lists, permits, etc. (Safety Procedure A)
6. Supervisors should be provided with and required to use appropriate equipment to determine the amount of oxygen and toxic or flammable gases in confined underground areas. (Safety Procedures A & B)
7. Employees should be properly trained in the use of monitoring devices, rescue equipment and other safety equipment. (Safety Procedures A & B)
8. Life jackets and lifelines will be provided and used when work is being performed around water, storage tanks, reservoirs, digesters, or settling tanks.
9. All chemicals will be properly stored and labeled. Employees should be properly trained in use of chemicals.

SUBJECT: EMPLOYEE EMERGENCY ACTION PLAN

PURPOSE: To establish a plan to assure proper response and/or escape from fires and other emergencies.

STATEMENT OF POLICY: This policy specifies personnel roles, key requirements, and training for the Town’s Employee Emergency Action Plan.

I. EMPLOYEE EMERGENCY ACTION PLAN COORDINATOR

TITLE: Town Manager
TELEPHONE NO: (828) 693-4840

II. PREFERRED MEANS OF REPORTING FIRES AND OTHER EMERGENCIES

Type Emergency	Report
Fire	<u>911/Laurel Park Police (828) 697-4911</u>
Explosion	<u>911/Laurel Park Police (828) 697-4911</u>
Tornado/Weather	<u>911/Laurel Park Police (828) 697-4911</u>
Bomb Threat	<u>911/Laurel Park Police (828) 697-4911</u>
Chemical Spill/Leak	<u>911/Laurel Park Police (828) 697-4911</u>
Medical	<u>911/Laurel Park Police (828) 697-4911</u>

III. ELEMENTS

A. Emergency Escape Procedures and Routes

Each Department Head is responsible for posting emergency escape procedures and route assignments in each work area, for ensuring all employees have been trained in the correct procedures to follow, and for training new employees assigned to a work area. An Emergency Escape Procedures Form is included with this policy.

B. Procedure for Employees Who Remain to Operate Critical Operations Before They Evacuate

The Town of Laurel Park does not require any critical operations be performed prior to assigned personnel evacuating during an emergency situation.

C. Employee Accountability Procedures After Evacuations

Each Department Head is responsible for accounting for all assigned employees by having all such employees report to a predetermined rally point and conducting a head count. Each assigned employee must be accounted for by name. All Department Heads are required to report their head count (by name) to the Emergency Action Plan Coordinator. A summary of the evacuation rally points will be included on the Emergency Escape Procedures Form.

D. Rescue and Medical Duties

Specific rescue and medical duties have been assigned to the Valley Hill Fire and Rescue Department in conjunction with the Henderson County Emergency Medical Services.

E. Alarm System

Alarm systems for notifying all employees in case of an emergency are:

Administration:	Voice
Police Department:	Voice/Radio
Public Works	Voice/Radio

F. Training

The following personnel have been trained to assist in the safe and orderly emergency evacuation of other employees.

Title	Work Area
Town Clerk	Administration
Assistant Clerk	Administration
Police Chief	Police
Police Lieutenant	Police
Superintendent	Public Works
Crew Chief	Public Works

Training is provided for employees when:

1. The plan is initiated or modified
2. Responsibilities change
3. New employees are hired or transferred

IV. EMERGENCY SHUTDOWN PROCEDURES

During emergency situations, it will not be necessary for specifically assigned employees to remain in work areas to perform critical operations.

V. EMPLOYEE ACCOUNTABILITY PROCEDURES FOLLOWING AN EMERGENCY EVACUATION

Each supervisor is responsible for accounting for each assigned employee by name following an emergency evacuation.

VI. EMPLOYEE ACCOUNTABILITY

1. Rally points have been established for all evacuation routes and procedures. These points are designated and posted in each work area.
2. All work area Department Heads and employees must report to their designated rally points immediately following an evacuation.
3. Each employee is responsible for reporting to his or her Department Head so that an accurate head count can be made. Supervisors will check off the names of all those reporting and will report those not checked off as missing to the Emergency Action Plan Coordinator.
4. The Emergency Action Plan Coordinator will be located at one of the following locations.
 - A. Primary Location: Town Hall
 - B. Secondary Location: First Congregational Church Parking Lot
5. The Emergency Action Plan Coordinator will determine the method to be utilized to locate missing personnel.

EFFECTIVE DATE: 12/17/02

LAST REVISED: 12/17/02

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: HAZARD ASSESSMENT AND PERSONAL PROTECTIVE EQUIPMENT PROGRAM

PURPOSE: To establish a program to ensure hazards are assessed in the workplace and employees are provided with personal protective equipment that provides adequate protection.

STATEMENT OF POLICY: It is the policy of the Town of Laurel Park to ensure a safe and healthy workplace. Hazard assessment and the use of personal protective equipment enhance safety in the workplace where hazards associated with work tasks can not be abated by engineering controls.

I. GENERAL REQUIREMENTS

Protective equipment, including personal protective equipment (PPE) for eyes, face, head, extremities, protective clothing, respiratory devices, and protective shields and barriers will be provided, used, and maintained in a sanitary and reliable condition.

Protective equipment will be provided wherever it is necessary by reason of hazard assessment. Samples of hazards associated with work tasks or work environment are chemical hazards or mechanical irritants encountered in a manner capable of causing injury or impairment in the function of any part of the body through absorption, inhalation, or physical contact.

II. EMPLOYEE OWNED EQUIPMENT

If employees provide and/or use their own protective equipment, the equipment must be approved for use by the department head and the equipment must meet all applicable rules, procedures, standards, codes, and regulations. Also, proper maintenance and sanitation of the equipment is required.

III. DESIGN

The Public Works Superintendent will assess all personal protective equipment to ensure a safe design and construction for the work to be performed. Applicable standards, codes, and regulations are to be followed in the design and construction of protective equipment.

IV. HAZARD ASSESSMENT

The Public Works Superintendent will assess the workplace to determine if hazards are present requiring the use of PPE. This will be performed using a written certification form (PPE Hazard Assessment Certification). After hazard assessment, the Public Works Superintendent will select the proper PPE, communicate the selections to the affected employee, and assure that the selection fits the affected employee.

V. HAZARD IDENTIFICATION

The Public Works Superintendent will maintain a Hazard Assessment Worksheet that identifies all hazard source tasks and the required PPE. The Hazard Assessment Worksheet shall be easily accessible to all employees for review.

VI. TRAINING

The Public Works Superintendent will provide training to each affected employee required to use PPE. Minimum training will include the following: when PPE is necessary, what PPE is necessary, how to wear PPE, limitations of PPE, and proper care and maintenance of PPE. The employee should retain an understanding and the skill required for the trained task. Training must be documented using a written certification form (Selection and Training Certification).

VII. OCCUPATIONAL HEAD PROTECTION

Helmets (safety hard hats) provided for the protection of employee heads from impact and penetration from falling and flying objects and from limited electric shock and burns will meet the requirements and specifications per ANSI Standard Z 89.1.

VIII. OCCUPATIONAL EYE AND FACE PROTECTION

Eye and face protection is required for employees whose task routinely has flying fragments, large chips, particles, sand, dust, dirt, hot sparks, liquids, etc. All eye and face safety protection provide will meet the requirements and specifications of ANSI Standard Z 87.1.

IX. OCCUPATIONAL HAND PROTECTION

Hand protection is required for employees who are exposed to hazards such as those from skin absorption, severe cuts or lacerations, severe abrasions, punctures, chemical and thermal burns, and harmful temperature extremes. Selection will be based on the evaluation of the job to be performed.

X. REASSESSMENT OF HAZARDS

The Public Works Superintendent is responsible to reassess the workplace hazard situation as necessary, by identifying and evaluating new equipment and processes, reviewing accident reports, and reevaluating the suitability of previously selected PPE.

EFFECTIVE DATE: 11/19/02

LAST REVISED: 11/19/02

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: CHEMICAL HAZARD COMMUNICATION PROGRAM

PURPOSE: To establish a Chemical Hazard Communication Program to prevent occupational injuries and illnesses related to chemical exposure by educating employees about workplace chemical hazards.

STATEMENT OF POLICY: It is the policy of the Town of Laurel Park to ensure a safe and healthy workplace. A Chemical Hazard Communication Program enhances safety in the workplace when dealing with hazards related to chemical exposure. The Chemical Hazard Communication Program is designed to comply with the Occupational Safety and Health Administration (OSHA) Hazard Communication Standard.

I. SCOPE

The Chemical Hazard Communication Program applies to all work areas where hazardous chemicals are known to be present both under normal conditions and in a foreseeable emergency. The Public Works Superintendent has the responsibility for overall coordination of the Chemical Hazard Communication Program.

The Chemical Hazard Communication Program has four major components:

- Container labeling and other forms of warning,
- Material Safety Data Sheets (MSD's),
- Written program and chemical inventory,
- Employee education and training.

II. HAZARDOUS CHEMICALS

The definition of “hazardous chemicals” as given by OSHA is “any chemical which is a physical hazard or health hazard”.

Chemical physical hazard characteristics include substances which are:

- combustible,
- compressed gases,
- explosive,
- flammable,
- organic peroxides,
- oxidizers,
- pyrophoric, or
- unstable (reactive) or water reactive

Chemical health hazard characteristics include substances which are:

- toxic or highly toxic,
- irritants,
- sensitizers,
- carcinogens,
- and those with target organ effect

III. CHEMICAL HAZARD COMMUNICATION PROGRAM

This written Chemical Hazard Communication Program outlines and describes how the following information will be organized and transmitted:

- A. List of hazardous chemicals known to be present in the workplace.
- B. Information on precautionary labels and other forms of warning for known hazardous chemicals in the workplace.
- C. Material Safety Data Sheets (MSDS's) for known hazardous chemicals in the workplace.
- D. Methods used to provide employee information and training.
- E. Methods used to inform employees of hazards of non-routine work.
- F. Methods used to inform contractor employers of any hazardous chemicals to which contractor employees may be exposed.

The Hazard Communication Program is available for review by all employees upon request to their department head.

IV. CHEMICAL INVENTORY LIST

The Public Works Superintendent has the responsibility to maintain an inventory list of known chemicals in the workplace. Any changes to the inventory list should be approved by the Public Works Superintendent and reviewed by the Town Manager.

The chemical inventory list is available to employees during their work shift and is located in their work area. Employees who have questions about the chemical inventory list should contact their department head.

V. PRECAUTIONARY LABELING

A. Containers in the Workplace

The Public Works Superintendent has the responsibility to ensure that all known hazardous chemicals present in the workplace must display, in English, a precautionary label stating:

- Identity of the hazardous chemical(s)
- Appropriate hazard warning(s)

In the event of an improperly labeled hazardous chemical container, a proper label will be requested, by telephone and letter from the chemical supplier. Failure of a supplier to correct labeling deficiencies within 60 days will result in suspension of use of the affected product.

Labels on incoming chemicals must not be defaced in any way. Observation or other detection of defaced labels must be immediately reported to Public Works Superintendent so appropriate labels can be applied.

B. Temporary Storage Tanks

Temporary storage tanks normally do not have permanently fixed warning labels. If a temporary storage tank is used for storing a hazardous chemical, a hazard warning label will be prepared and fixed to the storage tank.

C. Portable Containers

All portable containers of hazardous chemicals require labeling. The employee who uses the portable container is responsible for ensuring the container is properly labeled.

D. Product Containers Leaving the Workplace

All hazardous chemical containers that are shipped shall be labeled and shall include the following information:

- Identity of the hazardous chemicals(s);
- Appropriate hazard warning(s); and
- Name and address of the chemical manufacturer or other responsible party.

E. Update and Review

The Public Works Superintendent is responsible for reviewing the labeling system annually and updating if necessary. Changes in the labeling system will be transmitted to affected employees.

VI. MATERIAL SAFETY DATA SHEETS (MSDS'S)

A. MSDS Format

MSDS's are written or printed material concerning product hazard determination which are prepared and distributed with chemicals by chemical manufacturers and distributors. MSDS's are written in English and contain the following information:

- Identity of the chemical as provided on the container label;
- Physical and chemical characteristics of the material;
- Physical hazards of the material;
- Health hazards of the material;
- Primary route(s) of entry;
- Exposure limits, Threshold Limit Value (TLV), OSHA Permissible Exposure Limit (PEL), or Supplier recommended limits;
- Whether or not the material or components have been found to be a potential carcinogen by the International Agency for Research on Cancer (IARC), National Toxicology Program (NTP), or by OSHA;
- Applicable precautions for safe handling and use;
- Applicable control measures;
- Emergency and first-aid procedures;
- Date of preparation or date of last change;
- Name, address and telephone number of the chemical manufacturer, importer, employer or other responsible party, who can provide additional information.

B. Obtaining MSDS's

On all Purchase Requisitions for any chemicals, the Public Works Superintendent will verify: "MSDS on file," or "MSDS required," or "material exempt." A MSDS will be available for every hazardous chemical listed on the inventory list.

In the event a MSDS is not available, the Public Works Superintendent will use the following procedures to obtain MSDS's:

1. The supplier will be contacted by telephone and letter, and all correspondence and communication will be documented as proof of effort to comply.
2. If a supplier should not satisfy the first written request within 30 days, a second request for a MSDS should be sent to the supplier and the Department of Labor will be contacted if MSDS is not received within 15 days.
3. All requests to suppliers and the Department of Labor including letters and telephone calls must be documented and maintained on file.

C. Review of MSDS's

The Public Works Superintendent is responsible for reviewing all incoming data sheets for new and significant health/safety information. Any new information will be transmitted to employees so appropriate measures can be taken.

If deficiencies exist or additional information is needed concerning MSDS's, the chemical manufacturer or supplier will be contacted to obtain necessary information.

D. MSDS Maintenance

The Public Works Superintendent is responsible for maintaining the MSDS's and ensuring they are accessible to employees during each workshift.

If MSDS's are not available or new chemicals in use do not have MSDS's, employees should contact the Public Works Superintendent.

VII. EMPLOYEE TRAINING AND EDUCATION

Effective employee training and education is the most critical component of the chemical hazard communication program. A properly conducted training program will ensure that employees are aware of hazards in the workplace and appropriate control measures to protect themselves.

The Public Works Superintendent coordinates the employee training and education program.

A. Program Outline

All employees who work in areas where hazardous chemicals are used and/or maintained are involved in the employee training and educational program. The program is presented in two phases:

1. General Information Training

- Explanation of the Chemical Hazard Communication Standard;
- Location and availability of written hazard communication program;
- Operations in the work area where hazardous chemicals are present;
- General introduction of chemical hazards, labeling and Material Safety Data Sheet (MSDS's).

General information training is administered by the Public Works Superintendent during the employee initial orientation.

2. Specific Hazard Training

- Location of hazardous chemicals in the work area;
- Discussion of methods and means of determining/detecting the presence/release of hazardous chemicals in the work area;
- The chemical, physical, and health hazards in the work area;
- Explanation of internal labeling system;
- Review of appropriate work practices, personal protective equipment emergency procedures;
- Access to safety and health information;
- Work area list of hazardous chemicals and Material Safety Data Sheets;
- How to obtain additional information.

Specific hazard training is administered by the Public Works Superintendent.

All employees who receive general information and specific hazard training shall sign a chemical training sheet as documentation.

B. New Hires

Whenever a person is hired for employment, Chemical Hazard Communication training and education will be provided at the time of their initial assignment by the Public Works Superintendent.

New hires will sign the chemical training sheet as documentation.

C. New Hazard

Whenever a new hazard is introduced, the Public Works Superintendent is responsible for providing specific hazard training to all affected employees prior to the introduction of the hazard.

Employees will be required to sign a new chemical training sheet.

VIII. CONTRACTORS

It is Laurel Park's policy that when contractors are working on Town property they must comply with all OSHA standards and requirements, where applicable. The Chemical Hazard Communication Standard requires all contractors working on Town property be informed where applicable workplace hazardous chemicals exist which the contractor's employees may be exposed to while performing their work and be informed of appropriate protective measures. This information is provided so contractor employers can properly train their employees. In addition, the contractor will inform the Town about hazardous chemicals that the contractor brings onto Town property so that precautions can be taken.

IX. AUDIT

The Chemical Hazard Communication Program will be audited at least annually by the Public Works Superintendent. A report will be generated from the audit review and sent to Town Manager.

EFFECTIVE DATE: 08/18/92

LAST REVISED: 11/19/02

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: HEARING CONSERVATION PROGRAM

PURPOSE: To establish a program designed to protect employees from the effects of overexposure to noise.

STATEMENT OF POLICY: The policy specifies requirements, personnel roles, testing, and training for the Town’s Hearing Conservation Program.

I. HEARING CONSERVATION PROGRAM

Hearing conservation is an important aspect of the overall safety and health program. Workplace noise can cause hearing loss, create physical and psychological stress, and contribute to accidents by making it difficult to communicate.

Noise exposure can be controlled. Every effort will be made to use quieter processes, machinery, and equipment. When engineering controls do not reduce the noise level to or below the OSHA permissible exposure limit (PEL) of 90 dBA, proper hearing protectors will be used. Also, all employees exposed to noise levels above 85 dBA are included in the hearing conservation program. This program shall apply to the Public Works Department.

Some reasons for providing an effective hearing conservation program are:

- protecting an important resource – the employee,
- providing a safe and healthful workplace, and
- complying with governmental regulations.

Management, supervisory, and employee commitment to hearing conservation and positive attitude are important aspects of the overall hearing conservation program. The key elements of the Town’s hearing conservation program are:

1. Noise exposure measurement,
2. Education,
3. Personal hearing protection,
4. Audiometric testing and follow-up, and
5. Engineering and administrative noise exposure control.

II. NOISE EXPOSURE MEASUREMENT

The success of the hearing conservation program depends on an accurate knowledge of the existing noise environment. Accurate surveys define areas within acceptable guidelines for noise exposure and areas where potentially harmful noise exposure exists.

The initial survey is performed using measurement techniques prescribed in the OSHA regulations. Measurements are made at employees' normal working positions. Follow-up measurements are made whenever changes in work practices or methods change workplace noise exposures. The results of all measurements are recorded and employees are notified of their exposure level.

III. EMPLOYEE EDUCATION

The Town recognizes the need for a strong educational program. The educational program consists of an initial presentation by the Department Head concerning the need for an effective hearing conservation program. Topics covered include the effects of noise on hearing, the purpose of hearing protectors, the purpose and procedures of audiometric testing, the results of any noise exposure surveys, and instructions on the selection, fitting, use, and care of protectors.

The Department Head will regularly remind employees of the necessity for preserving their hearing. The Educational Phase begins when employees are hired and continues annually thereafter.

At least annually, all new employees and those with a time-weighted average exposure level of 85 dBA and above are reminded of the need for an effective hearing conservation program. During this training, the topics listed in paragraph one of Employee Education section shall be covered.

IV. PERSONAL HEARING PROTECTION

Appropriate personal hearing protective devices are made available and issued to noise-exposed employees. Fitting and issuing of hearing protective devices begins when employees are hired. As with all personal protective safety equipment, the wearing of hearing protection for specified tasks or in required areas is mandatory.

The Department Head shall enforce hearing protection requirements. Continual failure of an employee to properly wear the protection provided could result in the termination of employment with the Town.

V. AUDIOMETRIC TESTING PROGRAM

The objective of the hearing conservation program is the preservation of the hearing of the Town employees. This program includes audiograms at time of hire and an annual audiometric test thereafter.

The success of the hearing conservation program with regard to each individual employee is evaluated by comparing annual audiograms to the initial baseline audiogram. Audiogram reviews shall be performed by an audiologist or physician. This procedure assists in determining the effectiveness of the hearing protection program and, as a result, ensures the protection of employees' hearing.

VI. ENGINEERING AND ADMINISTRATIVE NOISE CONTROLS

The Town recognizes the desirability of controlling existing noise levels by engineering and/or administrative controls where feasible. Therefore the feasibility of such controls will be carefully considered.

Operational procedures and task assignments will be modified as necessary so that allowed exposure times will be minimized where practical.

EFFECTIVE DATE: 08/18/92

LAST REVISED: 12/17/02

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: TOWN MANAGER POSITION DESCRIPTION

PURPOSE: To establish a position description for the Town Manager.

STATEMENT OF POLICY:

1. General Description of Duties

Performs difficult management, professional, and administrative duties as the Chief Executive Officer (CEO) for the Town administering all aspects of Town operations in accordance with guidelines and policies of the Town Council and in compliance with all local, state, federal laws, and ordinances and regulations.

2. Distinguishing Features of the Class

An employee in this class plans, organizes, manages, directs, and implements the goals and objectives of the Town Council as determined by the citizens. Services provided are accomplished through department heads that manage operational details. Duties include short and long range planning, creating and articulating a vision of excellence for the organization, performing long range and current planning and zoning administration, establishing and implementing human resource management systems that staff the organization with productive employees, budgetary direction and guidance, capital improvement planning, and working closely with the Council on major initiatives and priorities. The employee must utilize independent judgment and initiative in planning and directing the fiscal control system and human resource management systems and providing guidance to the Council in administrative matters. Work is performed in accordance with established municipal finance procedures, local ordinances, and the North Carolina General Statutes. Work is performed under the general direction of the Mayor and Council members and is evaluated through conferences, reports, records, the effectiveness of legal compliance with applicable statutes, and by public satisfaction with services provided.

3. Essential Duties and Tasks

Manages and supervises the department heads in Town government; works with them to establish long and short range goals and assure effectiveness and efficiency of services provided; communicates organizational mission, vision, and goals and helps department heads enhance these goals and implement programs consistent with them.

Works with the Mayor and Council to develop consensus on a clear vision of the future of the community and the organization; coordinates and works with the Mayor and Council on planning and policy development to put this vision into effect for Town services; develops agendas for Council meetings; and assures resources and supporting documentation for actions are present.

Serves as chief budget developer for the Town; balances budget, seeks innovative and creative methods of financing, and makes professional and reasonable recommendations for expenditures of Town's funds; assures proper and timely investment of Town's funds.

Performs long range and current planning, zoning and development administration for the Town; researches and recommends trends and strategies to enhance the aesthetics and value of the Town; researches and recommends zoning ordinances, land uses, transportation planning issues, and related planning and zoning issues; interprets and applies these ordinances and plans; participates with a wide variety of state, regional, and local agencies and jurisdictions to represent the interests and needs of the Town; works with citizens, developers, and contractors to insure that development meets Town guidelines.

Maintains accountability for the hiring, training, performance, retention, and separation of all town employees; establishes a modern human resource management program for the Town; ensures staffing of departments with qualified and highly productive employees; directs and monitors systems of employee communication, motivation, reward, compensation, training and employee development; performance coaching and review.

Provides professional and technical advice to the Council on policy and legal matters; researches and makes recommendations to the Council on new programs, services, and initiatives.

Coordinates and works with department heads in assuring policies, laws, and ordinances are workable, enforced, and fairly implemented.

Meets with and speaks with community groups, citizens, and other public agencies about specific programs, services, policies, and other issues as needed; establishes and maintains effective communications with media to keep citizens informed about the Town's programs and progress.

Demonstrates leadership and sound decision making skills in emergency and controversial situations; participates in finding collaborative resolutions to conflicts.

Submits periodic progress reports, annual status of goals achieved, financial statements, and other reports to the Town Council.

4. Additional Job Duties

Responds to numerous questions regarding many phases of government operations from both staff and general public.

Performs special projects and does research for Council information.

Performs related duties as required.

5. Recruitment and Selection Guidelines

Thorough knowledge of North Carolina General Statutes and of local ordinances governing the responsibilities of the Town Manager, Town Council, and other public officials.

Thorough knowledge of methods and techniques for developing local policies and ordinances regarding all governmental operations.

Thorough knowledge of the principles and practices of public finance administration, including principles and practices of municipal accounting.

Thorough knowledge of the principles and practices of employee motivation, communication, performance coaching and review, hiring, discipline, group facilitation, and conflict resolution.

Considerable knowledge of long range and current land use planning and zoning principles, practices, and methodology.

Considerable knowledge of laws, policies, and current practices in a variety of phases of municipal administration including budget, purchasing, public works, parks and recreation, planning and other functional areas.

Considerable knowledge of the application of computer technology to municipal services.

Skill in collaborative conflict resolution.

Ability to conceive and articulate a vision of organizational excellence that inspires staff and community to high levels of achievement.

Ability to help build consensus among staff and elected officials and make decisions consistent with organizational goals and values.

Ability to plan, project, and determine priorities for service delivery to citizens.

Ability to exercise sound judgment in making decisions in conformance with laws, regulations, and policies.

Ability to coordinate and direct a wide variety and array of Town services through department heads and other staff support positions.

Ability to develop and maintain effective working relationships with the other governmental jurisdictions, the Town Council, elected and appointed officials, community groups, employees, and the general public.

Ability to communicate effectively in oral and written forms.

6. Physical Requirements

Must be able to physically perform the basic life operational functions of standing, walking, fingering, feeling, talking, seeing, and hearing.

Must be able to perform sedentary work exerting up to 10 pounds of force occasionally and/or a negligible amount of force frequently or constantly to lift objects.

Must possess the visual acuity to prepare and analyze data and figures, operate a computer, do extensive reading, and perform visual inspections.

7. Desirable Education and Experience

Graduation from a four year college or university with a major in public administration, business management, or related field and considerable supervisory experience at a management level with a public sector organization, preferably in a municipal environment; graduate degree in public administration or related field preferred; or an equivalent combination of education and experience.

8. Special Requirement

Possession of a valid North Carolina drivers license.

9. Organizational Relationships

Reports To: Town Council

Supervises: Chief of Police
Public Works Superintendent
Town Clerk

EFFECTIVE: 11/01/98

LAST REVISED: 10/15/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: ADMINISTRATION DEPARTMENT DUTIES AND FUNCTIONS

PURPOSE: To establish general duty and function guidelines for the Administration Department.

STATEMENT OF POLICY: The primary duties and functions of the Administration Department are to insure efficient and effective operations within the Town office, these activities include but are not limited to the following:

1. Record and maintain all the Town records including minutes of Council meetings.
2. Maintain all Town ordinances, resolutions, and regulations.
3. Clerical and bookkeeping activities.
4. Handling of incoming telephone and personal contacts.
5. Collect and disburse Town funds, maintaining records relative to such activities.
6. Collect and record tax payments.
7. Calculate town's payroll, prepare commercial and payroll checks and journal entries.
8. Record payments of employee benefits and other bills.
9. Administer employee health and life insurance and other employee benefit programs.
10. Prepare periodic statistical reports for state and other government agencies.
11. Organize income and expense data and assists in budget preparation; record budget amendments.
12. Implement water user changes, collect payments and prepare water billing and reports.

EFFECTIVE: 11/01/98

LAST REVISED: 01/01/05

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: ADMINISTRATION DEPARTMENT POSITION DESCRIPTIONS

PURPOSE: To establish position descriptions for all personnel in the Administration Department.

STATEMENT OF POLICY:

Title: Town Clerk / Finance Director

1. General Description of Duties

Performs responsible supervisory and administrative work serving as Finance Director, Town Clerk, and Tax Collector for the Town.

2. Distinguishing Features of the Class

An employee in this class plans, performs, and supervises the disbursement and accounting of revenues and expenditures for the Town. Work involves performing the budgetary accounting, general ledger, financial reporting and other fiscal tasks for the town and assisting the Town Manager with risk management, budget preparation, and related fiscal tasks. The employee also performs payroll, serves as Tax Collector, performs investments, and supervises accounts payable and utility billing, collections, and customer services functions. In addition, the employee performs the statutory Town Clerk role, attends meetings of the Town Council to serve as the Town Clerk and to present requested financial reports and information, and supervises administrative support for the Mayor, Council, and Town Manager. The employee must exercise considerable independent judgement and initiative in performing the fiscal control system. Work is performed in accordance with established municipal finance procedures, local ordinances and North Carolina General Statutes governing the responsibilities of local government accountants. Work is performed under the direction of the Town Manager and is evaluated through conferences, reports, and by an independent audit of financial records.

3. Essential Duties and Tasks

Plans, organizes, and performs fiscal operations for the Town including accounting of municipal funds, financial reporting, journal entries, budgetary accounting, payroll, cash investments, and advising the Town Manager on fiscal issues; maintains a general accounting systems for the Town; maintains financial records for each department; maintains separate accounts for items of appropriation in the budget; manages receipt of Town revenues; reviews and monitors ongoing administration of the budget, monitors revenues and expenditures; supervises the accounts payable and utility billing, collections and customer services functions.

Assists the auditor during the annual audit of Town financial records; follows up on findings to improve financial systems.

Performs statutory Town Clerk responsibilities; distributes agendas and related materials; takes and insures preparation of Council minutes; serves as custodian of official Town records including minute books and minutes of all official town councils and committees; maintains and affixes the Town seal.

Serves as Tax Collector; supervises and participates in the conversion of County Tax records of Town billing software; reviews tax scrolls and bills; supervises the preparation and mailing of bills for property owners and mortgage companies; collects taxes; advertises and collects delinquent taxes.

Supervises administrative support to Town Manager and Council including correspondence, document production, file management, and related tasks.

Administers risk management and insurance programs; supervises the enrollment of new employees and termination of exiting employees.

Assists the Town Manager with budget preparation.

Makes employee changes regarding position, salary, deductions and other changes in employee data base; prepares payroll and submits a variety of state and federal reports.

Prepares a variety of financial reports for the Town, and various federal and state agencies.

4. Additional Job Duties

Performs related duties as required.

5. Recruitment and Selection Guidelines

Thorough knowledge of North Carolina General Statutes and of local ordinances governing municipal financial practices and procedures and the statutory role of Clerk.

Thorough knowledge of the Town's personnel, purchasing, and budgeting policies and procedures.

Considerable knowledge of the principles and practices of public finance administration, including principles and practices of municipal accounting and investments.

Considerable knowledge of the North Carolina Machinery Act and the laws, policies, and practices of ad valorem tax collection.

Considerable knowledge of the principles and practices of automated financial systems and their use in a municipal environment.

Working knowledge of risk management including employee benefits, workers, compensation, property, casualty, and liability insurance.

Skill in document production including word processing at the desired speed and accuracy, and in the accurate preparation of minutes.

Ability to evaluate financial systems and formulate and install accounting methods, procedures, forms, and records.

Ability to supervise, communicate effectively with, train, and motivate staff.

Ability to design and prepare analytical or interpretative financial statements.

Ability to establish and maintain effective working relationships with the public, departmental heads, governmental officials, and with other Town employees.

Ability to conduct long range fiscal planning.

Accuracy and thoroughness in the analysis and preparation of financial records and reports.

6. Physical Requirements

Must be able to physically perform the basic life operational functions of reaching, standing, fingering, grasping, feeling, talking, hearing, and repetitive motions.

Must be able to perform light work exerting up to 20 pounds of force occasionally, and/or up to 10 pounds of force frequently, and/or a negligible amount of force constantly to lift objects.

Must possess the visual acuity to prepare and analyze data and figures, perform accounting processes, operate a computer terminal, and do extensive reading.

7. Desirable Education and Experience

Graduation with a bachelor's degree in accounting or business, and considerable experience in public finance administration; or an equivalent combination of education and experience. Preference given to those with a CPA.

8. Special Requirement

Ability to obtain Municipal Clerk certification.

9. Organizational Relationships

Reports To: Town Manager

Supervises: Deputy Town Clerk and Administrative Assistant/Water Billing Clerk

Functional Relationship: Mayor and Commissioners

Title: Deputy Town Clerk / Accounts Payable Clerk

1. General Description of Duties

Performs paraprofessional fiscal, administrative, and administrative support work for the Town

Clerk functions of the Town.

2. Distinguishing Features of the Class

An employee in this class is responsible for assisting and supporting the Town Clerk/Finance Director in a variety of fiscal, administrative and administrative support activities. Work involves transcribing minutes and assisting with the maintenance of official Town documents; assisting with programming and processing various benefits and insurance programs, performing accounts payable; and providing significant assistance in the collection of ad valorem taxes. Attention to detail and accuracy are required in the completion and processing of accounts payable and various forms and for maintaining confidential and accurate records. The employee is also required to have knowledge of paraprofessional accounting principles and practices and of the General Statutes related to the Town Clerk role and the Tax Collector role. Analysis is required in screening activities, compiling statistics, and assisting employees with forms. Judgment and initiative are required in the performance of duties. Tact and courtesy are needed in working with the general public, with job applicants, and with employees and supervisors throughout the Town. Work is performed under the regular supervision of the Town Clerk/Finance Officer and is evaluated through review of completed assignments, reports, performance appraisals, and through observation and feedback.

3. Essential Duties and Tasks

Transcribes minutes for Town Board and other board meetings; assists in compiling information for agendas and agenda packets; makes copies of agenda packets; assists with placing and checking legal notices and advertisements; assists the public with a variety of information from official Town documents; serves in the absence of the Town Clerk/Finance Officer.

Performs new employee enrollment and exiting employee disenrollment for various benefits, pension, and insurance programs; completes and processes a variety of forms for new hires, changes and exiting employees.

Performs accounts payable function; receives invoices from vendors; insures compliance with Town policies and procedures for requisitions and purchase orders; distributes invoice amounts among funds and captures sales tax for reimbursement; prints checks, obtains signatures and mails checks; prepares accounts payable reports and exports files to general ledger; balances accounts payable for month end; prints and mails 1099s and related reports; enters various utility accounts into spreadsheets.

Participates in the ad valorem tax collections for the Town; sets up tax information in data base; posts monthly interest to delinquent accounts; produces monthly tax release and adjustment reports; coordinates conversion of County tax files to Town billing software; reviews tax scrolls and bills for accuracy; updates tax files as needed; participates in mailing tax bills to property owners and mortgage companies; assists with preparation and mailing of delinquent notices and advertisements; assists in research and processing delinquent tax collections.

Performs a variety of administrative and administrative support duties including composition, and production of a variety of documents, correspondence, memoranda, forms, etc.; reads and routes incoming mail.

Receives and screens visitors and telephone calls; provides back up for the customer service, Utility billing and collections function and other related duties; answers and handles many of the Deputy Town Clerk/Tax Collector

4. Additional Job Duties

Performs related duties as required.

5. Recruitment and Selection Guidelines

Considerable knowledge of the laws, regulations, principles and practices related to official Town Clerk duties in North Carolina.

Working knowledge of state laws and practices related to ad valorem tax collections.

Knowledge of paraprofessional accounting principles and practices especially related to the accounts payable function.

Considerable knowledge of personnel records and filing systems and the confidentiality required in maintaining human resources records.

Knowledge of basic math.

Considerable knowledge of Town Personnel policies and procedures and benefits, purchasing policies and procedures, and related policies and procedures.

Considerable knowledge of the application of information technology and office technology to human resource administration and maintenance of official Town documents.

Working knowledge of risk management practices and principles related to employee insurances, workers' compensation, property, and liability insurances.

Skill in the operation of personal computers at a moderate speed with good accuracy.

Ability to administer personnel policies, procedures and fringe benefits programs.

Ability to maintain complex files and records relating to various Town functions.

Ability to communicate effectively in oral and written forms.

Ability to establish and maintain effective working relationships with elected officials, Town management, department heads, Town employees and the general public.

Ability to use confidentiality, tact and courtesy in dealing with Town employees and the general public.

6. Physical Requirements

Must be able to perform the basic life operational skills of stooping, kneeling, reaching, walking,

lifting, fingering, talking, hearing, and repetitive motions.

Must be able to perform sedentary work, exerting up to 10 pounds of force occasionally, and/or a negligible amount of force frequently and constantly to move objects.

Must possess the visual acuity to prepare and analyze data and figures, operate a computer terminal and type, proofing human resources pay and employee actions, and extensive reading.

7. Desirable Education and Experience

Graduation from a two-year community college or business school with an associate degree in accounting and related experience; or an equivalent combination of education and experience.

8. Special Requirement

Ability to obtain Municipal Clerk certification, if required.

9. Organizational Relationships

Reports To: Town Clerk

Title: Administrative Assistant/ Customer Services Representative

1. General Description of Duties

Performs responsible administrative support and fiscal work in support of the utility and other customer services.

2. Distinguishing Features of the Class

An employee in this class is responsible for providing reception, customer service, and accounts receivable work for the Town. The employee also performs a variety of administrative support work and provides back up for other staff. Work involves heavy public contact functions and coordination with other departments within the Town's organizational structure. Work also requires considerable knowledge of the Town's utility customer service policies and field activities. Considerable tact and courtesy are required in these public contact functions. Work is performed under regular supervision and is evaluated through conferences, by review of appropriate records and reports, and the accuracy and thoroughness of assigned responsibilities.

3. Essential Duties and Tasks

Serves as telephone and visitor receptionist for Town Hall; directs visitors and calls to proper location; answers incoming calls for general Town government; provides general information to citizens; forward calls to proper location; takes messages when necessary; answers complaints from citizens, researches problems, and renders decisions or answers to their questions; refers precedent setting issues to higher level management for advice and consultation.

Collects incoming revenue from utility customers, and other fees, taxes, and other sources; inputs

collections into computer system; collects revenues in person and through the mail; keys in account number; enters meter readings to create usage data base; prints and reviews bill edit lists; prepares and reviews customer utility service disconnection lists and coordinates with field staff; prints and mails utility bills; processes bank drafts; assists customers with establishing utility accounts; describes and assists customers with utility, solid waste and other municipal services; establishes customer account data base; coordinates connection and disconnection of service with field staff; trouble-shoots billing problems with customers, developers and others; makes decisions on what and how to adjust accounts to correct errors, for broken lines, etc.; prepares final bills when customers move; maintains updated data base on meter numbers and locations; collects delinquent accounts; performs inquiry on accounts to solve customer billing and payment problems; coordinates with utility billing staff as needed.

Serves as liaison with Town computer software and hardware vendors; monitors water tank SCADA system for proper operations; and updates phone system as people change.

Reconciles daily cash receipts with data entry by revenue account; prepares various logs and reports as needed.

Performs general office support work including typing, word processing, maintenance of various logs and manual records and files; composes and lays out brochures; creates spreadsheets; assists with production of newsletters; maintains various data bases of information.

Assists in preparation, review, and mailing of ad valorem tax bills.

4. Additional Job Duties

Assists and backs up other staff.

Performs related duties as required.

5. Recruitment and Selection Guidelines

Considerable knowledge of local policy and state statutes regarding utility billing and utility maintenance.

Considerable knowledge of standard operating practices involved in modern office operation and serving the public.

Working knowledge of computer operations and their application to collections and accounts maintenance and general office work.

Some knowledge of the laws and practices involved in ad valorem tax billing and collections.

Some knowledge of paraprofessional accounting principles and practices.

Skill in customer relations and public contact.

Ability to deal effectively with the public in a tactful and effective manner.

Ability to create and maintain accurate records, reports, and files in support of a customer oriented operation.

Ability to operate calculator, computer terminal, typewriter, cash register, and related office equipment.

Ability to establish and maintain effective work relationships.

Accuracy in the entry of data and compilation of records.

6. Physical Requirements

Must be able to physically perform the basic life operational functions of stooping, kneeling, crouching, reaching, standing, walking, pulling, fingering, grasping, feeling, talking, hearing, and repetitive motions.

Must be able to perform light work exerting up to 20 pounds of force occasionally, and/or up to 10 pounds of force frequently, and/or a negligible amount of force constantly to move objects.

Must possess the visual acuity to work with data and figures, operate a computer terminal, and work with detailed use of the eyes.

7. Desirable Education and Experience

Graduation from high school, supplemented by courses in business or accounting, and experience in a collections or billing operation involving heavy public contact; or an equivalent combination of education and experience.

8. Organizational Relationships

Reports To: Town Clerk

EFFECTIVE: 11/01/98

LAST REVISED: 10/15/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: Purchasing Policy

PURPOSE: To establish a uniform purchasing policy for the Town of Laurel Park.

STATEMENT OF POLICY: The goals of the Town’s purchasing program are 1) To comply with the legal and ethical requirements of public purchasing and procurement, and 2) To provide Town departments the required goods, equipment, and services at the time and place needed and in the proper quantity and quality.

PURCHASING PROCEDURES – Supplies, Materials, Equipment, or Services

Less Than \$500 - Such purchases are normally made at the Department level. Upon receipt of the item, the invoice must be submitted to the Deputy Town Clerk in a timely manner. Under no circumstances may an order be split to stay under the \$500 threshold.

(\$500 - \$999) - For all purchases \$500 and over, a quote and completed Purchase Requisition Form must be submitted to the Town Manager for approval (same exceptions apply as stated below for purchase orders). The person originating the requisition shall be responsible for contacting competing vendors to obtain the best price for the product to be purchased. Requisitions must show the account number to which the cost of the purchase shall be charged.

\$1,000 and Greater - Departments must follow the procedures above. Upon receipt of a Purchase Requisition for \$1,000 or greater, a Purchase Order will be issued, as detailed below.

HOW A PURCHASE ORDER IS ISSUED

A Purchase Order will be issued by the Town Clerk for all expenditures exceeding \$1,000, usually within one (1) working day following receipt of a properly approved requisition. All requisitions where the proposed expenditure exceeds \$2,500 shall also be approved by the Finance Officer and another Council member. If the Finance Officer is unavailable for signature, the other commissioners or Mayor may approve.

A purchase order issued to a local vendor will be returned to the appropriate Department Head for pick-up. Purchase orders to out-of-town vendors will be mailed unless the Deputy Town Clerk is given different instructions.

WHAT SHOULD BE ORDERED BY PURCHASE ORDERS

With the above statements in mind, there are a variety of exceptions to the Purchase Order requirement. If an item is not listed, Departments should assume the Purchase Order process applies.

Purchases Not Requiring a Purchase Order:

Professional services (*accounting, legal, planning, engineering, architectural, etc.*)

Other services provided by a current contract (*waste collection, tank maintenance, etc.*)

Items or services that are procured from a vendor with whom the Town maintains a limited charge account for purchasing.

Advertising (*legal ads, etc.*)

Annual dues & memberships

Insurance premiums

Land purchases

Refunds

Utility services

WHEN A PURCHASE ORDER OR PURCHASE REQUISITION IS NOT REQUIRED

When a procurement can be made without a purchase order or purchase requisition, a Department Head or his designee may purchase the item and obtain an invoice or statement from the vendor. The approved invoice, including the Department Head signature and account number to which the purchase is to be charged, must then be submitted to the Deputy Town Clerk for payment.

PAYMENT PROCEDURE

After receipt of all material or services ordered, the Department Head will sign one (1) copy of the invoice, and if applicable, receiving report, and return the item(s) to the Deputy Town Clerk. The Deputy Town Clerk will attach the vendor's invoice to the receiving report before payment is made.

Except in an emergency or a specific request from the Town Manager or Town Clerk, the Deputy Town Clerk will accumulate invoices and issue payment checks on the 10th and 25th of each month for purchases made during the previous month. Checks are normally signed by the Town Clerk and Town Manager. If either is unavailable, the Deputy Town Clerk or any member of the Council can substitute as the second signature. Under no circumstances may a check be signed by both the Town Clerk and Deputy Town Clerk, or two (2) Council members.

EMERGENCY PURCHASES

In cases of emergencies, the Department Head or his designee may purchase directly from any vendor supplies or services whose immediate procurement is essential to prevent delays in work which may affect the life, health, safety, or convenience of Town employees or citizens. The user Department shall exercise good judgment and use established vendors when making emergency purchases. Not anticipating needs does not constitute an emergency situation. The Town Manager must be notified if a Department is making an emergency purchase and the appropriate documentation must be provided to the Deputy Town Clerk for processing the next business day. The Department Head must also provide a written explanation of the nature of the emergency.

PURCHASE CARDS

The use of Purchasing Cards is authorized in order to reduce or eliminate certain types of paper-based processing, thereby saving Town employees time and effort. The use of the Purchasing Card (P-Card) is not intended to change what items are purchased—only the method by which they are purchased. *All purchases must comply with the Purchasing Policy, including the Purchase Requisition Form requirement.*

Purchasing Cards are issued to those permanent full-time employees who routinely make purchases on behalf of the Town. P-cards are not tied to job description, and the Town Manager may use discretion when assigning cards. The employee must sign a “Purchasing Card Employee Agreement” verifying agreement to conditions of use. This agreement may be periodically updated and all P-card users must sign the most current form in order to continue using the card.

Authorized Transactions - All authorized uses listed below assume unencumbered funds are available in the appropriate department.

- a) Payment for all approved Town purchases.
- b) Lodging reservations and payment for Town-approved conferences or meetings.
- c) Online and telephone purchases.

Unauthorized Transactions

- a) Personal use
- b) Any nonofficial purpose
- c) Fuel for private automobiles. Travel is reimbursed at the mileage rate.

STATE REQUIREMENTS FOR PURCHASING AND CONTRACTING

The General Statutes of the State of North Carolina establish dollar thresholds that trigger the formal bidding process for both construction or repair and purchase of apparatus, supplies, materials, and equipment. Where formal bids are required, the Town will follow the procedure outlined in G.S. 143-129.

Purchases of less than \$30,000 will be made in the open market and every effort should be made to obtain three (3) written quotes.

For all purchases above \$30,000 and below the state mandated thresholds for formal bids, informal bids must be obtained as outlined in G.S. 143-131. If it is expected that a purchase may exceed \$30,000, the requesting Department shall solicit quotations from two (2) or more qualified vendors. It shall be the duty of the requesting Department to keep a record of all bids submitted, and such record shall not be subject to public inspection until the contract has been awarded. The information obtained shall be filed by the Town Clerk with a copy of the Purchase Order.

EFFECTIVE: Immediately

DATE: 11/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 03/21/17

SUBJECT: Cash Management and Investments Policy

PURPOSE: To establish a policy to effectively manage all funds available to the Town of Laurel Park for conducting Town operations.

STATEMENT OF POLICY: The cash management and investments policy objectives are to increase the amount of idle money invested, thus generating greater amounts of non-tax revenue through increased investment earnings and simultaneously providing adequate safety and liquidity of the Town's money. This plan addresses five areas: cash receipts, cash mobilization and management of available resources (deposits/investments), cash disbursements, banking relations, and monitoring/reporting on the policy.

In addition to establishing a cash management and investments policy, the Finance Officer and Town Manager will implement a series of internal controls which are designed to prevent the loss of public money arising from fraud, employee error, misrepresentation by third parties, or imprudent actions by employees and officers of the Town. The Finance Officer and Town Manager will ensure, whenever possible, separation of duties of the procedures for handling public funds and other assets.

A. CASH RECEIPTS

Deposits. The Finance Officer and Town Manager shall devise and implement a central depository system for the Town. This system shall include the creation of two types of fund accounts: a cash reserve account and a payables account. The cash reserve account shall be invested in the North Carolina Cash Management Trust in one of their interest bearing portfolios or in collateralized CDs. The payables account shall be a checking account at an official depository approved by both the State of North Carolina and the Town Council.

The State Treasurer enforces standards of minimum capitalization for all pooling method financial institutions. The Town relies on the State Treasurer to monitor those financial institutions. The Town analyzes the financial soundness of any financial institution used by the Town. The Town complies with the provisions of G. S. 159-21 when designating official depositories and verifying that deposits are properly secured.

In accordance with G. S. 159-32, deposits are to be made daily when money on hand exceeds \$250.00. In any event, a deposit is to be made on the last business day of the month.

For checks received and deposited, which are returned to the Town Clerk due to insufficient funds, prompt action will be undertaken to collect good funds. Any fees incurred by the Town in the collection of bad checks will be added to the bill as an additional service fee.

Any adjustments or corrections for either overpayment or underpayment will be made after the money has been deposited. For routine deposits, checks will rarely be returned because they were made out in the wrong amount. There should be no delay in depositing money for errors of this type on a regular basis.

All money received from the State shall be received through the State Treasurer’s Electronic Payment System (STEPS). The Finance Officer will establish an account with the North Carolina Cash Management Trust and execute a STEPS agreement with the State Treasurer to implement the Town's participation in this system.

Billings. Applications and reports to the State or Federal Government for reimbursement or claims are to be filed promptly. Examples of claims for reimbursement are listed below.

<u>Revenue Source</u>	<u>Due Date for Claim</u>
Powell Bill	Between July 1 and 21
Gasoline Tax Refund	Within 30 days after the end of each calendar quarter
Refund of State Sales and Use Tax	Within six months after June 30
Refund of Local Sales and Use Tax	Within six months after June 30

Water Billing. The Town bills for water/sewer services on a bi-monthly basis. The normal bi-monthly water/sewer billing cycles end in February, April, June, August, October, and December. Water meters are read during the last part of these months. Bills are prepared and mailed no later than the 5th day of the following month. The due date for water/sewer customers shall be the last business day of the month in which the bills are mailed. A late payment charge will be assessed to delinquent accounts the first day after the due date (Town Policy 960.01 Water/Sewer Billing Procedures provides specific details).

Tax Billing. The tax bills are to be mailed prior to September 1. A second notice will be mailed to all delinquent taxpayers after January 6. At the first meeting of the Town Council in April, a list of all delinquent taxpayers will be presented to discuss further collection measures. The Town Council directs the Tax Collector to advertise tax liens on real property for failure to pay in accordance with G. S. 105-369 between March 1 – June 30.

**B. CASH MOBILIZATION AND MANAGEMENT OF AVAILABLE RESOURCES
(DEPOSITS/INVESTMENTS)**

Money will be deposited into the cash reserve account by either electronic transmission using remote deposit capture or by taking the deposit to the authorized local bank before the end of the banking day. The deposit shall be made by employees duly authorized to do so, and supervised by the Finance Officer and/or Town Manager. The Town Manager and Town Clerk shall decide which funds shall be transferred to and from the NCCMT as required.

All money received by the Town from the State shall be wired through the State Treasurer's Electronic Payment System (STEPS) in order to ensure immediate investment on the transfer date.

The Town shall remain 100% invested at all times with the exception of money held for petty cash and change purposes.

Deposits/Investments: Eligible deposits and investments shall be limited to obligations of the U. S. Government, such as Treasury Bills, Bonds, and Notes; time deposits with any financially sound bank or savings institution whose principal office is in North Carolina; and the North Carolina Cash Management Trust.

The Town limits investments to the provisions of G. S. 159-30 and restricts the purchase of securities to the highest possible ratings whenever particular types of securities are rated.

Collateralization: Collateralization for deposits shall be in accordance with Title 20, Chapter 7 of the North Carolina Administrative Code (NCAC). All deposits for the Town shall be secured by deposit insurance, surety bonds, eligible collateral securities, or investment securities. The Finance Officer shall notify the depository when an account is opened that the money deposited is public funds subject to collateralization and shall file a "Public Deposit Status Report" with each depository and the State Treasurer promptly after June 30.

Custody: The Finance Officer shall be responsible for custody, safekeeping, and accuracy of records of securities and deposit certificates according to G. S. 159-30 (d).

The Town shall utilize a third party custodial agent for book entry transactions, all of which shall be held in the Town's name. The custodial agent shall be a trust department authorized to do trust work in North Carolina who has an account with the Federal Reserve. Certificated securities shall be in the custody of the Finance Officer.

Diversification/Maturity Scheduling: The finance officer shall ensure proper diversification of the investment portfolio in order to minimize the risks brought on by economic and market changes.

Projecting Cash Flows: The Finance Officer and Town Manager shall prepare a cash flow forecast and update it monthly. The objectives of this forecast shall be to ensure sufficient funds will be available to meet the Town's commitments and that the timing and amount of excess funds are known so as to maximize the amount of money available for investment.

C. CASH DISBURSEMENTS

The Finance Officer shall ensure Town money is expended pursuant to G. S. 159-28 (b).

To create the maximum amount of funds available for investment, the Town shall pay obligations on the 10th and 25th of the month or the last business day before those dates if they fall on a non-business day. The Town shall pay obligations by the due date after first determining whether

early payment to obtain a discount is more beneficial than payment on the billing's due date. The finance officer shall periodically review the disbursement cycle and changes shall be instituted if necessary.

The finance officer shall require that all departments consolidate payments to one vendor. The finance officer shall ensure that all departments using the same vendor(s) receive the same due date and discount date. All checks shall be mailed in the afternoon provided this afternoon mailing will not result in missing the discount date or payment due date.

Payroll checks for all employees shall be issued every Thursday. In addition, payroll taxes shall be submitted on the due date.

D. BANKING RELATIONS

The Town Clerk and Town Manager shall maintain an average daily balance in the checking account equal to either one week's expenditures or an amount sufficient to offset the costs associated with the account, whichever is greater. The finance officer shall periodically review the activity of the account to determine target balances to accomplish the objective of bank compensation and expenditure coverage.

E. MONITORING AND REPORTING ON THE POLICY

The Finance Officer shall provide reports monthly to the Town Council concerning the status of investments. The report shall include that amount of Town money invested and maturities. A loss or potential loss on the liquidation of investments shall be disclosed at the next Council meeting after the loss becomes known.

The Finance Officer shall provide reports monthly to the Town Council concerning the actual receipts and disbursements for the month versus the budgeted receipts and disbursements. Any overages or shortages shall be explained.

The Finance Officer shall semiannually report to the secretary of the Local Government Commission on January 1 and July 1, the amounts of funds in custody, the amounts of deposits of such funds in depositories, and a list of all investment securities and time deposits held, pursuant to G. S. 159-33 and 33.1.

EFFECTIVE: Immediately

DATE: 03/19/02

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 01/15/08

SUBJECT: Fiscal Policy

PURPOSE: To establish a fiscal policy to effectively plan, manage, and utilize the resources available to the Town of Laurel Park.

STATEMENT OF POLICY: The fiscal policy objectives are to effectively and efficiently, using best management and administrative practices, plan, manage, and utilize the resources available to the Town of Laurel Park to preserve and enhance Laurel Park's unique quality of life. This plan addresses six areas: revenue, operating budget, capital improvements, accounting, debt, and reserve.

A. Revenue.

1. As provided by the North Carolina Local Government Budget and Fiscal Control Act:
 - a. The Town shall operate under an annual balanced budget ordinance adopted and administered in accordance with GS 159-8.
 - b. The tax rate shall be set each year based on the cost of providing general government services and demand for new services.
 - c. The estimated rate of tax collection of the tax levy shall not exceed the actual tax collection rate of the preceding fiscal year.
 - d. Other revenue sources are to be estimated based on historical trends, economic trends, and growth patterns in a conservative manner.
2. The Town sets fees that will utilize user charges in lieu of Ad Valorem Taxes for services that can be individually identified, and where the costs are directly related to the level of service:
 - a. To the extent possible, user charges for water and sewer will be sufficient to finance all operating, capital, and debt service costs.
 - b. Development and code enforcement activities will be funded through user charges in the form of permit fees, plan review fees, and inspection fees.
 - c. To the extent practical, any general Town service which benefits specific recipients, instead of the general public, shall be supported by user fees designed to recover the operating costs associated with these activities.
 - d. Where user fees are based on cost recovery, said costs shall be reviewed annually and fees adjusted as practicable.

B. Operating Budget.

1. Current operating revenues will be sufficient to support current operating expenditures.
2. Before April 30 of each fiscal year (or an earlier date fixed by the budget officer), each department head shall transmit to the budget officer the budget requests for their department for the budget year.
3. Upon receipt of the budget requests, the budget officer shall prepare a budget for consideration by the Council in such form and detail as may be prescribed by the budget officer or the Council.
4. The budget, together with a budget message, shall be submitted to the Council not later than June 1 and the budget officer shall file a copy of the budget with the Town Clerk where it will remain available for public inspection until the budget ordinance is adopted.
5. Not earlier than 10 days after the day the budget is presented to the Council and not later than July 1, the Council shall adopt a budget ordinance.
6. Prior to adopting the budget ordinance, the Council shall hold a public hearing at which time any persons who wish to be heard on the budget may appear.

C. Capital Improvements.

1. The Town will update and re-adopt annually a five year capital improvements program which details each capital project and estimated cost.
2. The capital improvements program will address acquisition of fixed assets and infrastructure improvement programs.

D. Accounting.

1. The Town will establish and maintain the accounting systems according to the North Carolina Local Government Budget and Fiscal Control Act.
2. An annual audit will be performed by an independent certified public accounting firm which will issue an official opinion on the annual financial statements, with a management letter detailing areas that need improvement, if any.
3. Full disclosure will be provided in the financial statements.
4. Financial systems will be maintained to monitor expenditures and revenues on a monthly basis.

- 5. The data on the computerized financial accounting system, including utility billing, shall be backed up to an appropriate media on a daily basis. The Town rotates five back up copies on a working day basis. The most recent copy is stored outside of Town Hall during non working hours. Additional back ups are stored in the Town’s fire proof cabinet.
- 6. The Town will maintain fixed assets accounts as appropriate by funds. The minimum fixed asset capitalization threshold is set at \$1,000.

E. Debt.

- 1. The Town shall not knowingly enter into any contracts creating significant unfunded liabilities.
- 2. If utilized, general obligation debt of the Town will not exceed eight percent (8%) of the assessed valuation of the taxable property of the Town.

F. Reserve.

- 1. The Town will maintain as a minimum a general fund balance, less *restricted funds, to be used for unanticipated emergencies of forty percent of the General Fund. These funds will be used to avoid cash-flow interruptions, generate interest income, eliminate need for short-term borrowing, and assist in maintaining an investment grade bond rating.
- 2. The Town’s Annual Budget Report will include a section which shows the Town’s ending Fund Balance, and also show this Fund Balance as a percentage of expenditures.
- 3. In the event the Town’s targeted minimum Fund balance drops below forty percent, each annual budget ordinance shall address, at a minimum, actions to be taken by Council to increase the fund balance back to forty percent.

* Restricted Funds: Portion of fund balance that is available for appropriation but legally segregated for a specific use (e. g. Powell Bill funds).

EFFECTIVE: Immediately

DATE: 04/16/02

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 04/16/02

Page 3 of 3

920.03

SUBJECT: Minority Business Participation Outreach Plan

PURPOSE: To develop and implement a minority participation outreach plan in order to identify minority businesses that can perform public building and construction projects and to implement outreach efforts to encourage minority business participation in these projects.

STATEMENT OF POLICY: The policy objectives are designed to secure minority business participation in all activities where public funds are used in accordance with the monetary limits established pursuant to N.C.G.S. 143-128.2.

Objective 1. The Town of Laurel Park has established the verifiable percentage goal for participation by minority business enterprises in building construction and repair contracts for the Town of Laurel Park at 10 percent.

Objective 2. The Town of Laurel Park will develop and maintain a list of sources related to minority business for consideration by the Town Council in attaining stated minority business participation goals in building construction and repair contracts.

Support agencies and resources that may further help minority owned business:

1. Buncombe County and City of Asheville Minority Affairs Business Directory.
2. NC Department of Transportation.
3. Office of Historically Underutilized Business (HUB).
4. Asheville Business Development Center.
5. Small Business and Technology Development Center.

Objective 3. The Town will implement as a minimum the following procedures to encourage minority business participation.

1. Utilize the support agencies and resources list, and other sources as appropriate, send solicitation letters to a minimum of three contractors identified. The solicitation letter must include all the elements as described in NCGS 143-128.2(e).
2. Hold a pre bid conference at least 10 days prior to the bid opening to discuss the project and cover with the contractor the good faith efforts required to meet the minority business participation goals.
3. Ensure non-minority contractors who bid on building construction and repair contracts file appropriate affidavits with the Town that identify the good faith actions undertaken by the bidder to recruit minority business participation in the contract.

EFFECTIVE: Immediately

DATE: 03/19/02

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 03/19/02

SUBJECT: Planning and Zoning Fee Schedule

PURPOSE: To establish a Planning and Zoning fee schedule for the Town Of Laurel Park.

STATEMENT OF POLICY: In accordance with the Zoning Ordinance of the Town of Laurel Park, North Carolina, the Town Council shall establish a fee schedule for the administration of the ordinance pertaining to applicable permits, variance requests, conditional use requests, and rezoning requests.

ZONING FEE SCHEDULE:

- | | |
|---|--|
| 1. Compliance to Zoning Permit | |
| a. Single Family Residential | \$40.00 |
| b. Medical, Institutional, Cultural;
Commercial; or Industrial | \$80.00 (plus any cost incurred by the
town resulting from request) |
| c. Planned Unit Development | \$80.00 (plus any cost incurred by the
town resulting from request) |
| d. Sub-Division Request | \$80.00 (plus any cost incurred by the
town resulting from request) |
| e. Additions, extensions, decks, etc. | \$20.00 |
| f. Interior remodeling | \$ 0.00 |
| 2. Land Disturbing Permit | \$ 0.00 |
| 3. Sign Permits | |
| a. New Permit | \$20.00 |
| b. Replacement Permit | \$ 0.00 |
| 4. Conditional Use Permit | \$80.00 (plus any cost incurred by the
town resulting from request) |
| 5. Variance Request | \$40.00 (plus any cost incurred by the
town resulting from request) |
| 6. Rezoning Request | \$80.00 (plus any cost incurred by the
town resulting from request) |

For anyone desiring to purchase the Laurel Park Zoning Ordinance, the Laurel Park Subdivision Ordinance, or the Laurel Park Land Use Plan, they may be purchased in the Administration Office located within Town Hall at a cost of \$5.00 each.

EFFECTIVE: Immediately

DATE: 11/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 11/01/98

SUBJECT: POLICE MISSION STATEMENT, DUTIES, AND FUNCTIONS

PURPOSE: To establish a mission statement with duty and function guidelines for the Laurel Park Police Department.

THE MISSION OF THE LAUREL PARK POLICE DEPARTMENT IS TO PROVIDE SERVICES AND PROTECTION TO RESIDENTS, BUSINESSES, AND VISTORS THROUGH COMMUNITY POLICING, WHERE THE POLICE ARE RESPONSIVE TO THE NEEDS OF THE COMMUNITY.

The primary duty and concern of the Police Department is the maintenance of the peace and security of the Town of Laurel Park.

Police officers are expected to enforce the laws and ordinances which apply to the Town of Laurel Park in a strictly impartial manner and to exercise good, professional judgment in determining whether a situation requires only a warning or admonition or if strict enforcement of the letter of the law is required.

All officers are expected to keep themselves physically, emotionally and mentally fit and to conduct themselves in both professional and private matters in such a manner that the community may take pride in its Police Department

PATROL: Patrol is the major function of the department. An effective patrol must be highly visible and must appear random and unexpected rather than follow a fixed, predictable pattern. Such patrolling should result in:

- Protection of life and property.
- Safe movement of vehicular traffic.
- Minimization of opportunity for successful commission of crime.
- Maintenance of public order.

NOTIFICATION OF THE CHIEF OF POLICE: The Chief of Police will be notified as soon as possible of all major incidents occurring involving Laurel Park Police Officers. Major incidents are to include but not limited to: murder, rape, robbery, felony assault, breaking and entering, assault on a law enforcement officer, vehicle pursuits, uses of force, manhunts, officer accidental injuries, or any other major incident. Once notified, the Chief of Police will make the determination for further investigation or assistance.

EFFECTIVE: Immediately

DATE: 09/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 05/18/99

SUBJECT: PERSONNEL POLICY

PURPOSE: To specify and clarify any differences with the basic personnel polices established by the Town of Laurel Park and the Police Department.

STATEMENT OF POLICY: The Personnel Policies for the Town of Laurel Park as described in Sections 1-8 of this manual shall apply in its entirety to the Police Department except for the following specific differences.

1. **HOURS OF WORK:** Due to the nature of police work, hours cannot be uniform for all officers. Routine police functions may be required at any hour of the day or night as well as on holidays and weekends. Each officer will be assigned to a shift based on a 28-day cycle of 12-hour shifts by the Chief of Police. The officer’s preference will be honored if practicable. The Chief of Police shall work an eight-hour daytime shift, Monday through Friday, whenever possible.

Overtime will be paid only those hours in excess of 171 during the 28-day cycle. When attending school or training, all officers will receive straight (regular) pay, not to exceed their scheduled work hours.

2. **HOLIDAYS:** The Police Department observes the holidays listed in *Policy 600.01, Holidays*. If an officer's schedule requires the officer to work on a holiday, the officer will be compensated at 1.5 times the number of hours worked plus eight hours holiday pay at the regular hourly rate. If a holiday falls on an officer's regular day off, the officer shall receive eight hours holiday pay at the regular hourly rate. Holiday pay is to be compensated for the day the officer’s shift begins.

3. **MEAL BREAK:** Officers are allowed to take a meal break while on duty. Officers will remain within 10 minutes at normal driving speed from Laurel Park during the break. Officers are responsible for answering calls which may occur during their meal break. Officers will be compensated the same for their shift whether they utilize a meal break or not.

EFFECTIVE: 09/0198

LAST REVISED: 03/20/12

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: POLICE POSITION DESCRIPTIONS

PURPOSE: To establish position descriptions for the Chief of Police, Police Lieutenant, Police Sergeant, and Police Officers in the Laurel Park Police Department.

STATEMENT OF POLICY:

Title: Chief of Police

1. General Description of Duties

Performs difficult supervisory, administrative, and specialized law enforcement work in directing the activities of the Police Department.

2. Distinguishing Features of the Class

An employee in this class plans, organizes, and directs the law enforcement program of the Town. Work involves responsibility for the protection of life and property through a varied program of enforcement, detection and prevention of crime and accidents, and planning and directing emergency response activities. Work also involves a full managerial and supervisory role including the establishment of policy, evaluation and adherence to prescribed standards, planning for and implementing special enforcement activities, preparing special state, federal and local reports, analyzing crime and accident trends, cooperating with other law enforcement and local agencies, budget preparation and management and supervision of all department personnel. Work is performed in accordance with Town policy and state and federal law. The employee may be subject to hazards in law enforcement work including working in both inside and outside environments, in extreme hot and cold weather, and exposure to various hazards such as dangerous persons, loud noises, and hazardous spills with fumes, oils, gases or flammable liquids. Work in the law enforcement duties is also subject to the final standards of OSHA on bloodborne pathogens. Work is performed under general supervision and is evaluated through review of reports and conference for effectiveness of programs and acceptance of the community.

3. Essential Duties and Tasks

Recruits, selects and oversees the training of and sworn personnel for the department; advises, directs, and consults with subordinate officers and Town Manager on matters of training, work assignments and scheduling, work performance, promotions, and discipline.

Meets with staff on a regular basis to clarify mission and objectives, build a sense of team within the department, insure that all are informed, and obtain input on decisions and issues.

Prepares and recommends annual budget; supervises and participates in the application for grants.

Receives and investigates inquiries or complaints from the public concerning police activities and services.

Supervises all departmental personnel; establishes policy; sets priorities; evaluates the department and its personnel.

Serves as Town coordinator for emergency management.

Develops emergency response plans and oversees their implementation during emergency situations including emergency storm evacuation and Homeland security.

Supervises the preparation of periodic reports of crime and accident activity and police department activities in relationship to this information; analyses data for trends.

Works with the public on difficult or unusual crime situations; cooperates with other law enforcement agencies in crime prevention, detection, and investigative activities.

Promotes the department's work and goals to the general public through individual contact and addresses to civic groups, school groups, and other organizations.

Supervises routine patrol, emergency response, criminal investigations, and records management programs within the department.

Serves as department media spokes person.

4. Additional Job Duties

Performs other related duties as required.

5. Recruitment and Selection Guidelines

Thorough knowledge of law enforcement principles, practices, methods, and equipment.

Thorough knowledge of state and federal laws, local ordinances and policies of the police department.

Thorough knowledge of the physical, economic, and social characteristics of the Town.

Considerable knowledge of the application of community policing techniques to modern law enforcement principles and practices.

Considerable knowledge of modern and effective supervisory principles and practices including leadership, communications, performance feedback and coaching, motivation, and conflict resolution.

Considerable knowledge of the Town's budgeting, purchasing, and personnel policies.

Skill in the use of firearms and other police equipment and in the application of self-defense tactics.

Skill in collaborative conflict resolution.

Ability to manage effectively and efficiently a department including all related administrative and supervisory functions (including personnel and budget administration).

Ability to provide vision and clarify mission and to lead and inspire confidence among subordinate officers; skill in team building, counseling, coaching, motivation, communication, and performance evaluation with subordinates.

Ability to act with sound judgment in routine and emergency situations.

Ability to plan and direct special programs and events related to law enforcement.

Ability to prepare clear and concise activity reports.

Ability to build and maintain effective public relations with the citizens.

6. Physical Requirements

Must be able to physically perform the basic life operational functions of standing, reaching, walking, pushing, pulling, lifting, fingering, grasping, talking, hearing and repetitive motions.

Must be able to perform light work exerting up to 20 pounds of force occasionally; 10 pounds frequently and/or a negligible amount of force constantly.

Must possess the visual acuity to prepare and analyze data, operate a computer terminal, and perform extensive reading.

7. Desirable Education and Experience

Graduation with a bachelors degree in criminal justice, public administration, or other related field, supplemented by basic and advanced courses in police science, supervision, and administration; and considerable responsible law enforcement management experience; or an equivalent combination of education and experience.

8. Special Requirement

Before assignment to this class, employees must possess a valid North Carolina driver's license and have completed the minimum requirements established by the North Carolina Justice Training and Standards Council for certified law enforcement officers.

9. Organizational Relationships

Reports To: Town Manager

Supervises: Police Department

Title: Police Lieutenant

1. General Description of Duties

Performs supervisory and specialized advanced law enforcement work in directing and participating in the activities of patrol, conducting criminal investigations, and related tasks within the Police Department; serves as department head in the absence of the Police Chief.

2. Distinguishing Features of the Class

An employee in this class is assigned to specialized advanced responsibilities within the department. Work includes working a special shift providing supervision, technical guidance and participation in patrol activities; conducts criminal investigations exercising independence and discretion; and performs general law enforcement work. Supervisory responsibilities include managing the daily work activities; insuring proper training, certification and motivation of assigned staff; making assignments; and, providing technical direction on matters related to patrol and community policing. Work is distinguished from lower level jobs by the degree of experience and training required to perform the tasks and by the degree of independent judgement and discretion exercised. Work involves frequent public contact that requires tact, firmness, and decisiveness. Work is performed in accordance with departmental policy and state and federal law, supplemented with specific directions from superior officers. The employee is subject to hazards associated with law enforcement including working in both inside and outside environments, in extreme cold weather, and exposure to various hazards such as atmospheric conditions, noise, vibration, and physical conditions. Employee is subject to Level III OSHA Standards on bloodborne pathogens, and may be required to work in close quarters. Work is performed under general supervision and is evaluated through observation and review of reports.

3. Essential Duties and Tasks

Directs and supervises all activities on a shift within the Police Department; assists in communicating department vision, mission, and philosophy of law enforcement; reviews officer reports; oversees and participates in field training of rookie officers; conducts performance counseling; ensures efficiency and effectiveness of patrol activities.

Conducts a variety of criminal investigations requiring independent research and case management; develops leads and informants; interviews witnesses and suspects; works cooperatively with other law enforcement agencies; prepares reports and processes evidence; presents testimony in court; interprets and applies various criminal laws; follows appropriate criminal process and court cases; provides technical guidance on charges and investigations activities to shift staff.

Participates in patrol functions to include responding to calls; serves papers; makes arrests; identifies, collects, and preserves physical evidence; and, prepares written reports of patrol activities.

Cooperates with local citizens, members of other local, state, and federal law enforcement and investigative agencies in the identification, location, apprehension, and arrest of offenders and in the investigation of criminal activities.

Performs special departmental projects such as researching new programs, coordinating vehicle maintenance, coordinating training programs, etc.

4. Additional Job Duties

Performs related duties as required.

5. Recruitment and Selection Guidelines

Considerable knowledge of modern law enforcement techniques, principles, and procedures.

Considerable knowledge of federal, state, and local laws and ordinances pertaining to law enforcement operations and investigative procedures.

Considerable knowledge of the physical, economic, and social characteristics of the Town.

Considerable knowledge of investigative procedures, principles, strategies, and methods.

Considerable knowledge of the geographical layout of the Town.

Skill in collaborative conflict resolution.

Working knowledge of supervisory functions and skills including motivation, communication, performance coaching and evaluation, and conflict resolution.

Working knowledge of the organization's personnel policies.

Skill in the use of firearms and other law enforcement equipment and in the application of self-defense tactics.

Ability to work calmly under conditions of high stress and physical and emotional fatigue.

Ability to prepare clear and concise records and reports.

Ability to establish and maintain effective working relationships with co-workers, citizens and community leaders, and the general public.

6. Physical Requirements

Must be able to physically perform the basic life operational functions of climbing, balancing, stooping, kneeling, crouching, crawling, reaching, standing, walking, pushing, pulling, lifting, fingering, grasping, feeling, talking, hearing, and perform repetitive motions.

Must be able to perform medium work exerting 50 pounds of force occasionally, and 20 pounds of force frequently, and 10 pounds of force constantly to move an object.

Must possess the visual acuity to perform extensive reading and perform administrative, computer, and measurement work.

7. Desirable Education and Experience

Completion of a two-year associate degree in Criminal Justice, completion of 40 hours of supervisory training, and minimum of five (5) years experience in law enforcement; or an equivalent combination of education and experience.

8. Special Requirement

Possession of a valid North Carolina driver's license and completion of the minimum requirements established by the North Carolina Justice Training and Standards Council for certified law enforcement officers.

Possession of the appropriate certificates as required by the Town.

9. Organizational Relationships

Reports To: Chief of Police

Title: Police Officer / Police Reserve Officer

1. General Description of Duties

Performs general duty law enforcement work to protect life and property in the Town.

2. Distinguishing Features of the Class

An employee in this class performs a full range of general law enforcement duties. Work includes patrolling the Town during an assigned shift on foot or in a police car; preventing, detecting and investigating disturbances and crime; performing traffic control work; apprehending suspects; and executing related assignments. Employees must exercise judgement, initiative and calm control when performing duties. Work involves frequent public contact that requires tact, firmness and decisiveness. Work is performed in accordance with departmental policy and state and federal law, supplemented with specific directions from superior officers. Employees are subject to hazards associated with law enforcement work including working in both inside and outside environments, in extreme hot and cold weather, and exposure to various hazards such as dangerous persons, loud noises, and hazardous spills with fumes, oils, gases, or flammable liquids. Work is subject to the final OSHA standards on blood borne pathogens. Work is performed under general supervision and is evaluated through observation, monitoring radio traffic, discussion, and review of reports for adherence to laws, department procedures, and proper judgement.

3. Essential Duties and Tasks

Patrols streets on foot, on bicycle, or in a police car; checks doors and windows; examines premises of unoccupied residences or buildings; detects unusual conditions, may maintain surveillance and observation for stolen cars, missing persons, or suspects; report dangerous or defective streets, sidewalks, sight distances, or other hazardous conditions.

Responds to calls for assistance, complaints, suspicious activity, domestic disputes, loud and disruptive behavior; completes calls by determining true nature of the situation and taking whatever legal or persuasive action is warranted; responds to emergency medical calls and assists staff.

Investigates traffic accidents; issues traffic citation; directs traffic and participates in other emergency operation activities.

Performs investigations of accidents or possible crimes through observation, questioning witnesses, and gathering physical evidence; performs investigative tasks, arrests and processes criminal suspects; presents findings in court.

Issues citations for violation of traffic regulations, serves warrants; apprehends and processes criminal suspects and transports to magistrate and/or County detention facilities.

Prepares records and reports of activities.

Regulates and directs vehicular traffic at busy times when situations require.

Operates a two-way radio to receive instructions and information from or to report information to police headquarters; maintains vehicle, weapons and other equipment in standards working order.

Advises the public on laws and local ordinances.

4. Additional Job Duties

Assists stranded motorists, gives information and directions to visitors and the general public.

Insures proper maintenance of assigned vehicles and equipment.

Performs other related duties as required.

5. Recruitment and Selection Guidelines

Considerable knowledge of state and federal laws, local ordinances and policies of the police department, especially relating to search and seizure, traffic control, pursuit, and arrest.

Working knowledge of law enforcement principles, practices, methods and equipment.

Some knowledge of scientific crime detection and criminal identification methods and procedures.

Skill in the use of firearms and other police equipment and in the application of self-defense tactics.

Skill in collaborative conflict resolution.

Ability to act with sound judgement in routine and emergency situations.

Ability to communicate effectively in oral and written forms.

Ability to present effective court testimony.

Ability to prepare clear and concise activity reports.

Ability to build and maintain cooperative and effective public relations with the citizens.

Ability to establish and maintain effective working relationships with coworkers, supervisors, and other public officials.

6. Physical Requirements

Must be able to physically perform the basic life operational functions of standing, walking, hearing, kneeling, reaching, feeling, grasping, pushing, pulling, bending, climbing, crawling, fingering, and performing repetitive motions.

Must be able to perform medium work exerting up to 50 pound of force occasionally; 20 pounds frequently; and 10 pounds constantly.

Must possess the visual acuity to operate a police vehicle and distinguish details and differences when observing people, places, or things on patrol.

7. Desirable Education and Experience

Graduation from high school and completion of basic law enforcement training; possession of a Basic Law Enforcement Certificate; or an equivalent combination of education and experience.

8. Special Requirement

Before assignment to sworn duties, employees must possess a valid North Carolina driver's license and have completed at least the minimum requirements established by the North Carolina Justice Training and Standards Commission for certified law enforcement officers.

9. Organizational Relationships

Reports To: Chief of Police

EFFECTIVE: 11/01/98

LAST REVISED: 10/15/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: POLICE DEPARTMENT RULES AND RESPONSIBILITIES

PURPOSE: To define, establish and reinforce general rules and responsibilities to be followed by the Laurel Park Police Department. Detailed policy guidance is contained in Section 941 Police Standard Operating Procedures.

STATEMENT OF POLICY:

1. ABUSE OF POSITION

A. Use of official position or identification. Police Officers shall not use their official position, official identification or badges:

1. for personal or financial gain,
2. for obtaining privileges not otherwise available to them except in the performance of duty, or
3. for avoiding consequences of illegal acts.

Officers shall not lend to another person their identification cards or badges or permit them to be photographed or reproduced without the approval of the Chief of Police.

B. Use of name, photograph, or title. Officers shall not authorize the use of their names, photographs, or official titles which identify them as officers in connection with testimonials or advertisements of an commodity or commercial enterprise, without the approval of the Chief of Police.

2. ACTS OR STATEMENTS BY OFFICERS

Officers shall not perform any act or make any statement, oral or written, for publication or otherwise which tends to bring the Department or its administrative officers disrepute or ridicule, or which destructively criticizes the Department or its administrative officers in the performance of their official duties and obligations, or which tends to interfere with or subvert the reasonable supervision of proper discipline of officers of the Department.

Employees shall not publicly criticize or ridicule the Department, its policies, or other officers by speech, writing, or other expression where such speech, writing, or expression is defamatory, obscene, unlawful, undermines the effectiveness of the Department, interferes with the maintenance of discipline or is made with reckless disregard for truth or falsity.

Employees shall not address public gatherings, appear on radio or television, prepare any articles for publication, release or divulge investigative information or any other matters of the Department while holding themselves out as representing the Department in such matters without proper authority.

3. ALCOHOL BEVERAGES AND DRUGS

Officers shall not store or bring into any police facility or vehicle alcoholic beverages, controlled substances, narcotics or hallucinogens, except those items which are held as evidence seized for destruction.

4. POSSESSION AND USE OF DRUGS

Officers shall not possess or use any controlled substance, narcotics, or hallucinogens except when prescribed for treatment by a physician or dentist. When controlled substances, narcotics, or hallucinogens are prescribed, employees shall notify their supervisors.

5. USE OF ALCOHOL ON DUTY OR IN UNIFORM

A. Employees shall not consume intoxicating beverages while in uniform or on duty except in the performance of duty and while acting under the proper and specific orders from a superior officer.

B. Employees shall not appear for duty, or be on duty, while under the influence of intoxicants or drugs to any degree whatsoever, or with an odor of intoxicants on their breath.

6. USE OF ALCOHOL OFF DUTY

Employees, while off duty, shall refrain from consuming intoxicating beverages to the extent that it results in impairment, intoxication, or obnoxious or offensive behavior which discredits them or the Department, or renders the officers unfit to report for their next regular tour of duty.

7. ASSISTANCE

All members are required to take appropriate police actions toward aiding a fellow police officer exposed to danger or in a situation where danger might be impending.

8. ASSOCIATIONS

Officers shall avoid regular or continuous associations or dealings with persons whom they know, or should know, are persons under criminal investigation or indictment, or who have a reputation in the community or the Department for present involvement in a felonious or criminal behavior, except as necessary in the performance of official duties, or where unavoidable because of the personal relationships of the officers.

Officers shall not knowingly visit, enter or frequent a house of prostitution, gambling house, or establishment wherein the laws of the United States, the State of North Carolina, or the local jurisdiction are regularly violated except in the performance of duty while acting under proper and specific orders.

9. AUTHORITY OUTSIDE OF TOWN OF LAUREL PARK

Laurel Park officers' powers do not extend beyond one mile outside the Town limits. Officers who observe offenses being committed outside their jurisdiction should give first consideration to causing appropriate action to be taken by the responsible law enforcement agency. Officers should bear in mind that while outside their jurisdiction, they are acting solely as private citizens and their decision to act or not is strictly an individual decision.

10. STANDARD OF CONDUCT

Department members, whether on duty or off duty, shall be governed by the ordinary and reasonable rules of good conduct and behavior and shall conduct their private and professional lives in such a manner as to avoid reproach or discredit upon the Department. Conduct unbecoming an officer shall not be tolerated.

11. TRUTHFULNESS

Members are required to be truthful at all times whether or not they are under oath. Falsehood and prevarication are prohibited.

12. CONDUCT TOWARDS THE PUBLIC

Officers and employees of the Department shall be courteous and orderly in their dealings with the public. They shall perform their duties quietly, not using harsh, violent, profane, or insolent language and always remain calm, regardless of provocation to do otherwise. Upon request, they are required to supply their names and badge numbers in a polite manner. They shall attend to requests from the public quickly and accurately, avoiding unnecessary referral to other units or members of the Department.

In dealing with citizens of the Town of Laurel Park, Police officers are expected to be responsive and courteous. Behavior in a manner contradictory to this policy will not be tolerated.

13. CONDUCT TOWARDS SUPERIOR AND SUBORDINATE OFFICERS

Members shall treat officers, subordinates, and associates with respect. They shall be courteous and civil at all times in their relationship with one another when on duty and particularly in the presence of other members, employees, or the public. Supervisory officers shall be referred by their full rank or title.

14. INSUBORDINATION

Officers shall promptly obey any lawful orders of a superior. This will include any orders relayed from a superior officer by another officer of the same or lesser rank.

15. CONFORMANCE TO LAWS, RULES, AND REGULATIONS

- A. Employees shall obey all laws of the United States and of any State and local jurisdiction in which the officer is present.
- B. Members shall observe and obey all laws and ordinances, all rules and regulations of the Department, and all General or Special Orders of the Department.
- C. A conviction of the violation of any law shall be prima facie evidence of a violation of this section.

16. CONFLICTING ORDERS

Upon receipt of an order conflicting with any previous order or instruction, the member affected will advise the person issuing the second order of this fact. Responsibility for countermanding the original instructions then rests with the individual issuing the second order. If so directed, the latter command shall be obeyed first. Orders will be countermanded or conflicting orders will be issued only when reasonably necessary for the good of the Department.

17. REPORTS AND APPEALS - UNLAWFUL, UNJUST, IMPROPER ORDERS

A member receiving an unlawful, unjust, or improper order shall, at first opportunity, report in writing to the next higher authority through official channels. This report shall contain the facts of the incident and the action taken. Appeals for relief from such orders may be made at the same time.

18. CONTRIBUTIONS

Officers and employees shall not collect or receive money or other things of value, nor shall they circulate subscription papers, sell tickets of any kind, or collect money from any person for any purpose without the express and individual permission of the Chief of Police.

19. GIFTS, GRATUITIES, FEES, ETC., ACCEPTANCE OF AND/OR SOLICITING

Members shall not accept either directly or indirectly any gift, gratuity, loan, fee, or any other thing of value arising from or offered because of police employment of any such activity connected with said employment. Members and employees shall not accept any gift, gratuity, loan, fee, or other thing of value, acceptance of which might tend to influence directly or indirectly the actions of said member or employee or any other member or employee in any manner of police business, or which might tend to cast an adverse reflection on the Department or any member thereof.

Members shall not under any circumstances solicit any gift gratuity, loan, fee when there is any direct or indirect connection between the solicitation and their Departmental membership.

20. DISPOSITION OF UNAUTHORIZED GIFTS, GRATUITIES, ETC.

Any unauthorized gift, gratuity, loan, fee, reward, or other thing falling into any of these categories coming into the possession of any member shall be forwarded to the office of the Chief of Police together with a written report explaining the circumstances therewith. The Chief of Police will inform the Town Manager of all incidents of this nature.

21. COOPERATION

All members are charged with establishing and maintaining a high spirit of cooperation within the Department.

22. COOPERATION WITH OTHER AGENCIES

Officers shall cooperate with all law enforcement agencies, other city and county departments, and public service organizations and shall give aid and information as such organizations may be entitled to receive consistent with Departmental orders.

23. CRITICISM AND MALICIOUS GOSSIP

No member shall criticize any member of the Police Department nor shall any member maliciously gossip regarding an officer or employee, order, policy, procedure, case, or event that should remain police information, or cause discredit, lower, or injure the morale of the Department or any individual of the Department. This does not prohibit a constructive criticism from a superior to a subordinate as a corrective measure.

24. DEBTS, PAYMENT OF

Members shall pay all debts and legal liabilities incurred by them. Each complaint of failure to pay a just debt shall be considered individually.

25. USE OF EQUIPMENT

Equipment owned or leased by the Town of Laurel Park (i.e., vehicles, radios, electronics, office equipment, etc.) may be used only for official activities. Property which is used by the Police Department in the performance of their job may not be used for personal reasons. Failure on the part of an employee to follow this rule will result in disciplinary action.

26. PERFORMANCE OF DUTY

All members shall perform their duties as required or directed by law, Departmental rules, policy or order, or by a superior officer. All lawful duties required by competent authority shall be performed properly as directed, notwithstanding the general assignment of duties and responsibilities.

27. REPORTING FOR DUTY

Employees shall report to duty at the time and place required by assignment or orders and shall be physically and mentally fit to perform their duties. They shall be properly equipped and cognizant of information required for the proper performance of duty so that they may immediately assume their duties. Judicial subpoenas when legally and properly served shall constitute an order to report for duty under this section.

28. DUTY RESPONSIBILITIES

Members of the Department are always subject to duty, although periodically relieved of its routine performance. They shall, at times, respond to the lawful orders from proper authorities, as well as calls for police assistance from citizens. Proper police action must be taken whenever required. The administrative delegation of the enforcement of certain laws and ordinances to particular sections of the Department does not relieve members of other sections from the responsibility of taking necessary action within the scope of those laws and ordinances when the occasion so requires. Members assigned to special duties are not relieved from taking proper action outside the scope of the specialized assignment when necessary.

29. ESTABLISHING ELEMENTS OF VIOLATION

Existence of facts establishing a violation of the law, ordinance, or rule is all this is necessary to support any allegation or provide a basis for a charge under this section. It is not necessary that a formal complaint be filed prior to the investigation establishing the elements of the violation. Nothing in these rules prohibits disciplining or charging members or employees merely because the alleged act or omission does not appear herein, in Departmental Orders, or in laws and ordinances within the cognizance of the Department.

30. EXTRA-DUTY EMPLOYMENT

Any officers desiring to perform extra duty (off-duty) work, in which their authority as a police officer is a consideration, must obtain approval from the Chief of Police with concurrence of the Town Manager.

31. EXTRA-DUTY EMPLOYMENT - RULES APPLICABLE

Any officer performing extra-duty employment, in which his authority as a police officer is a consideration, shall adhere to all rules and policies of the Department in effect at the time such extra-duty employment occurs.

32. FICTITIOUS ILLNESS OR INJURY REPORTS

Officers shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the Department as to the condition of their health.

33. FALSIFICATION OF REPORTS, MISREPRESENTATION OR DECEPTION OF FACTS

One of the purposes of a Police officer's assignment is to obtain and to communicate all facts relevant to an investigation. The report of an investigation becomes a permanent official document, the public record of the relevant information obtained during a particular investigation. Under no circumstances is an officer permitted to falsify or misrepresent the facts related to the reporting of an incident in which he is involved; such action on the part of an officer to falsify reports will result in disciplinary action.

34. IDENTIFICATION

Police officers shall carry their badges and identification cards on their persons at all times, except when impractical or dangerous to their safety or to an investigation.

35. IMMORAL OR INDECENT CONDUCT

Members of the Department are prohibited from engaging in any immoral or indecent conduct. Association with known prostitutes, gamblers, known criminals, individuals of questionable reputation is prohibited except in the line of duty, and only at the prior express direction of the Chief of Police.

36. INTEGRITY

The public demands that the behavior of its law enforcement officers be above reproach, and the dishonesty of a single officer may impair public confidence and cast scrupulously upon the entire Department. An officer must scrupulously avoid any conduct which might compromise the integrity of himself, his fellow officers or the Department.

37. KNOWLEDGE OF LAWS AND REGULATIONS

Every member is required to establish and maintain a working knowledge of all law and ordinances currently in force, the rules and policies of the Department, and the General and Special Orders of the Department. In the event of improper action or breach of discipline, it will be presumed that the member was familiar with the law, rule, or policy.

38. LEAVING DUTY POST

Employees shall not leave their assigned duty post during a tour of duty except when authorized by proper authority.

39. OBEDIENCE TO UNJUST ORDER

Members who are given orders which they feel to be unjust must first obey the order to the best of their ability and then may proceed to appeal as provided by Departmental Policy.

40. OBEDIENCE TO UNLAWFUL ORDER

Obedience to unlawful order is never a defense for an unlawful action. Responsibility for refusal to obey rests with the officer. He shall be strictly required to justify his action. No officer shall be required to obey any order which is contrary to the provisions of the federal or state Constitution, any federal or state law, or local ordinance, or is contrary to the rules or policies of the Department.

41. ORDERS, MANNER OF ISSUANCE

Orders from a superior to subordinate shall be in clear, understandable language and issued in pursuit of Departmental business.

42. ORDERS, UNLAWFUL

No officer shall knowingly issue any order which is in violation of any law or ordinance or Department rule.

43. QUESTIONS REGARDING ASSIGNMENTS

Members in doubt as to the nature or detail of their assignment shall seek from the Chief of Police the information necessary to carry out their assignment.

44. NEGLECT OF DUTY

Employees shall not play games or otherwise engage in entertainment while on duty and shall not engage in any activities or personal business that would cause them to neglect or be inattentive to duty.

45. LABOR ACTIVITY

A. Employee's rights to membership in a labor union and the Department's obligations regarding collective bargaining and making contracts with labor unions are governed by N.C. General Statute 95.98.

B. Employees shall not engage in any strike. "Strike" includes the concerted failure to report to duty, willful absence from one's position, unauthorized holidays, sickness unsubstantiated by a physician's statement, the stoppage of work, or the abstinence in whole or in part from the full, faithful, and proper performance of the duties of employment for the purposes of inducing, influencing or coercing a change in conditions, compensation, rights, privileges or obligations of employment.

46. LOYALTY

Loyalty to the Town, the Department and to associates is an important factor in the Department morale and efficiency. Members shall maintain loyalty to the Town, to the Department, and to their associates, as is consistent with the law, personal ethics, and professional standards.

47. NEIGHBORHOOD DISPUTES

Member shall not become involved in neighborhood disputes or quarrels. Such incidents shall be handled by disinterested officers, and the car in zone when necessary. This rule shall not be construed to mean that a member shall not take emergency action in a neighborhood dispute or quarrel when such action is necessary to avoid injury or other serious consequences.

48. OFF-DUTY SERVICE

Off-duty officers may perform necessary police service whenever and wherever they are aware of a criminal offense, excluding minor traffic incidents.

49. OFF-DUTY REPORTING IN EMERGENCIES

Off-duty officers shall, upon official notice, report for duty immediately upon request of notification and comply with instructions given at the time of notification. Officers and employees shall report immediately in the event of any major disaster.

50. PERSONAL USE OF PROPERTY

Officers and employees shall not convert to their own use or have any claim on found property, recovered property, or property held as evidence.

51. RELIGIOUS AND RACIAL DISCUSSIONS

No member shall enter into any discussion or voice any opinion of a racial or religious nature that will humiliate or belittle any person or will tend to incite any such situation.

52. REPORTING VIOLATION OF LAWS, ORDINANCES, RULES, OR ORDERS

Members knowing of other members or employees violating laws, ordinances, or rules of the Department, or disobeying orders, shall report same in writing to the Chief of Police.

53. REPRIMANDS IN PUBLIC

Supervisors shall not reprimand subordinates in the presence of other officers, employees, or the public.

54. REQUESTS FOR ASSISTANCE

When any person applies for assistance or advice, or makes complaints or reports, either by telephone or in person, all pertinent information will be obtained in an official and courteous manner and will be properly acted upon consistent with Department policies.

55. SECURITY OF DEPARTMENT BUSINESS

Members shall not reveal police information outside the Department except as required by law or competent authority, specifically information contained in police records, or information ordinarily accessible only to members and employees, and names of informants, complainants, witnesses, and other persons known to the police and considered confidential information. Violation of the security of this type of information reflects gross misconduct.

56. SLEEPING WHILE ON DUTY

No officer, while on duty, or who is responsible for answering the telephone is permitted to doze, sleep, or otherwise permit alertness to be impaired so that complete attention is diverted away from the officer's duties. Sleeping or dozing while on duty is a serious offense and will be dealt with in accordance with Town Policy 300.02, Disciplinary Action.

57. TRANSACTIONS

Members are prohibited from knowingly buying or selling anything of value from or to any complainant, suspect, witness, defendant, prisoner, or other person involved in any case which has come to their attention or which arose out of their Department employment except as may be specifically authorized by the Chief of Police.

58. UNSATISFACTORY PERFORMANCE

Employees shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Officers shall perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the functions and objectives of the Department. Unsatisfactory performance may be demonstrated by a lack of knowledge of the application of laws required to be enforced; and unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the officer's rank, grade, or position; the failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving police attention; or absence without leave. The following also constitutes unsatisfactory performance; repeated poor evaluations or a written record of repeated infractions of rules, regulations, procedures or policy of the Department.

59. USE OF NAME OF DEPARTMENT TO MAKE PURCHASES

Members shall not order, purchase, lease, or otherwise acquire any goods, merchandise, or services in the name of the Police Department, when such is for personal gain, or for any other purpose except when completing approved purchase order forms and when such purposes are for official use and billed to the town.

60. USE OF TELEPHONE

Police Department members are expected to answer the telephone in a courteous and responsive manner. The use of the telephone should generally be used for police-related calls; however, the Town of Laurel Park realizes that personal emergencies do arise during the work day that cannot be avoided. The use of the telephone for personal calls should be kept to a minimum.

61. VIOLATION OF LAW

Any members charged with a violation of a criminal or traffic law or ordinance will immediately report such fact in writing to the Chief of Police and include all pertinent facts concerning the alleged violations.

62. VIOLATION OF RULES

Employees shall not commit any acts or omit any acts which constitute a violation of any of the rules, regulations, procedures, policies of the Department or of the Town of Laurel Park.

63. PERSONAL APPEARANCE

All officers shall be neat and clean in their personal appearance. Good hygiene and grooming habits shall be adhered to. Officers should take pride in their uniform, and strive to look their best.

EFFECTIVE: Immediately

DATE: 09/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 09/01/98

SUBJECT: PROFESSIONAL RESPONSIBILITY OF POLICE

PURPOSE: To insure that members of the Laurel Park Police Department fully understand the Department's philosophy regarding their conduct and responsibility in the performance of their duties.

STATEMENT OF POLICY: As a guide for police officers in performing their duties and to inform the public, the official policy of this Department is hereby announced for the guidance of all citizens. The police of this state are charged with the responsibility of enforcing the laws and ordinances falling within their jurisdiction. The officers have no choice whatever as to what laws they will enforce, when, where, nor against whom. They are obligated by their oath of office to take appropriate action whenever there is a clear-cut violation of the law. Their only discretion is at the point of a decision as to whether the facts of a given case constitute a violation of the law. How officers will enforce laws is the subject of this policy statement.

Equal Protection Under the Law: The police of this state are for all the people and our belief in equal treatment under the law is sincere. They shall enforce the law impartially without regard to race, creed, color, national origin or situation in life. They shall be diligent in protecting all citizens in the exercise of their civil rights so long as their conduct does not violate the law.

Preservation of Public Order, Peace and Safety: It is the responsibility of the police to prevent crime insofar as possible, to search out violators of the law, to arrest them, and to present the facts of the case to the prosecuting agency. The responsibilities for prosecuting, judging, acquitting the innocent, sentencing, and punishing or reforming criminals rests with other agencies.

The police do not make the laws, but they are obligated to enforce regulations and impose restrictions as called for by laws and ordinances for the sole purpose of preserving public order, peace, and safety. This they shall do in the public interest and within the framework of the law. While the rights of persons will, at all times, be respected, individuals and private groups, must, of necessity, defer to the overall welfare of the community.

It is the policy of this Department that police officers will not use discourteous, abusive, or insulting language under any circumstances in the performance of their duties. Officers will enforce the law impartially and professionally. When it is necessary for them to give orders or otherwise address people, they will do so in ordinary, business-like language. Our policy is as follows:

- A. An officer will not use profanity or derogatory terms in the discharge of his duty.
- B. An officer will not address people in harsh, belittling or sarcastic terms nor use undue familiarity in the discharge of his duties.

C. When it is necessary for an officer to issue orders, give warning or request cooperation, he will do so in clear, positive terms using ordinary civil language. He is expected to speak affirmatively and emphatically if circumstances require.

EFFECTIVE: Immediately

DATE: 09/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 09/01/98

SUBJECT: ARRESTS

PURPOSE: To establish policy concerning both on-duty and off-duty arrests affected by the Laurel Park Department.

STATEMENT OF POLICY: There are many problems associated with a law enforcement officer's power of arrest. Sometimes, due to an unwillingness or reluctance on the part of a victim of a crime to file charges, officers fail to affect arrests even when a clear violation has occurred. On the other hand, there are circumstances where although there are grounds for a lawful arrest, better police practice dictates that an offender not be arrested. This is true even if an officer personally observes a violation. Arrests made by off-duty police officers create other problems relating to the public's recognition of pending law enforcement action, insurance coverage and jurisdiction.

I. If a violation of the law has occurred, it is the duty of an on-duty police officer, after considering the tactical situation, to take all steps reasonable, necessary, and consistent with their assignment regardless of a victim's willingness or unwillingness to file charges. In cases where witnesses exist, or when the victim can be called as a witness, or where the officer is a witness himself, officers of this Department are encouraged, in all but minor cases, to file charges.

II. Officers of this Department while off-duty shall not:

A. engage in controversies or attempts to exact police discipline, make arrests in their own quarrels, in those of their families, or in disputes arising between their neighbors, except under such circumstances as would justify them in using self-defense, to prevent injury to another or when a serious offense has been committed;

B. make arrests for trivial offenses except when the violations are willful and repeated, and all other means are exhausted;

C. arrest traffic violators except when the violation is of such a flagrant or dangerous nature that the officer is required to take the violator into custody to prevent the injury of another person.

III. The decision not to arrest - generally:

There are circumstances where although there are grounds for a lawful arrest, better police practice dictates that the offender not be arrested. However, in most cases, it is not the role of a police officer to decide whether an offense should be prosecuted: that is the responsibility of the court prosecutor. So any decision not to arrest must be reached only after the officer has carefully weighed following guidelines:

A. When the arrest would cause a greater risk of harm to the general public than the offending conduct did and the offender's remaining on the street would. For example, in crowd situations a police officer's decision to arrest may aggravate tension and lead to a riot or other serious disorder. There are situations where police resources are stretched to their limit, e.g., on a particularly busy night, arrests for minor offenses would take up officer's time to the point that they could not respond to really serious crimes. It should be remembered that even though there is no arrest at the time the offense is committed, at a later date the officer may go to court and swear out a complaint against the offender.

B. When the arrest would cause harm to an offender who poses no threat of danger to the public. The following are examples of this kind of situation:

1. The minor family dispute where tempers will pass by morning.
2. The intoxicated person who is harmless and at most needs a little assistance home.
3. The juvenile offender whose wrong-doing would best be handled through informal warnings, advice, etc., and a talk with the parents. In this way, getting a record of any kind can be avoided.

As mentioned above, a decision not to arrest when there are grounds for arrest is considered good police practice in the special circumstances given.
Consequently, if there is doubt that those circumstances exist, the Chief of Police should be notified for consultation.

IV. In making arrests, Laurel Park Police Officers shall strictly observe the laws of arrest and the following provisions:

A. Only necessary restraint to assure safe custody and the safety of the officer shall be employed.

B. The arresting officer is responsible for the safety and protection of the arrested person while in their custody.

C. The arresting officer is responsible for the security of the personal property in the possession of the arrested person or under his control at the time of the arrest until such property is turned over to another authorized person or agency.

D. The arresting officer will insure that those rights provided by the U.S. Constitution, to which the arrested person is entitled, are provided.

V. Set forth below in that part of North Carolina General Statutes 15A-401 pertaining to arrests by law enforcement officers:

A. Arrest by Officer Pursuant to a Warrant -

1. Warrant in Possession of Officer - An officer having a warrant for arrest in his possession may arrest the person named or described therein at any time and at any place within the officer's territorial jurisdiction.

2. Warrant Not in Possession of Officer - An officer who has knowledge that a warrant has been issued and has not been executed, but who does not have the warrant in his possession, may arrest the person named therein at any time. The officer must inform the person arrested that the warrant has been issued and serve the warrant upon him as soon as possible.

B. Arrest by Officer Without a Warrant -

1. Offense in Presence of Officer - An officer may arrest without a warrant any person who the officer has probable cause to believe has committed a criminal offense in the officer's presence (also known as an on-view offense).

2. Offense Out of Presence of Officer - An officer may arrest without a warrant any person who the officer has probable cause to believe:

- a. has committed a felony; or,
- b. has committed a misdemeanor, and:
 - (1) will not be apprehended unless immediately arrested, or,
 - (2) may cause physical injury to himself, or others, or damage property unless immediately arrested.

C. How Arrest Made -

1. An arrest is complete when:
 - a. the person submits to the control of the arresting officer who has indicated his intention to arrest, or
 - b. the arresting officer, with intent to make an arrest, takes the person into custody by the use of physical force.

2. Upon making an arrest, a law enforcement officer must:
 - a. identify himself as a law enforcement officer unless his identity is other apparent.
 - b. inform the arrested person that he is under arrest, and
 - c. as promptly as is reasonable under the circumstances, inform the arrested person of the cause of the arrest, unless the cause appears to be evident.
 - d. carry out other requirements pertaining to the person's rights.

EFFECTIVE: Immediately

DATE: 09/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 09/01/98

SUBJECT: POLICE VEHICLE OPERATION AND MAINTENANCE

PURPOSE: To establish departmental policy and procedure regarding the operation and care of police department vehicles.

STATEMENT OF POLICY: Police mobility is an important factor in the provision of police services and crime control within the community served. A deficiency in any part of a police department's transportation system can seriously impair police operations. If mobility is to be assured, care must be taken to establish and maintain a transportation system with component parts that will provide the greatest mobility in the safest most efficient manner.

1. Operation and Use of Police Vehicles

A. No police vehicle will be operated or otherwise used by anyone other than employees of the Laurel Park Police Department unless authorized by the Chief of Police.

B. No employee will operate or otherwise use a police vehicle without having a valid North Carolina driver's license in his possession at all times. Any employee whose license has been suspended or revoked shall notify the Chief of Police without delay, and subsequently forward a written statement to the Chief of Police.

C. The normal operation of police vehicles while stopped or standing, on routine patrol, or responding to non-emergency calls for service shall require the driver to obey the same laws, and/or ordinances applicable to the operation of any other motor vehicle.

D. No employee shall take, or cause to be taken, any department vehicle outside the jurisdiction of the Town of Laurel Park without proper authorization, unless he is in direct pursuit of a suspected law violator or for other "immediate" investigative purposes. Official trips outside town jurisdiction require authorization from the chief of police.

E. No police vehicle will be used for the purpose of pushing and /or towing any other vehicle unless that vehicle has been specifically designed or designated for that purpose.

F. Any police vehicle left parked or otherwise unattended any place at any time for an extended period of time shall be secured by: removing keys from ignition; deactivating all accessories and/or equipment; and locking all doors.

NOTE: The term "extended" period of time shall be interpreted as being any time over and beyond that required to complete any routine call or assignment. In any event, keys will be removed from the ignition whenever absolute security of the vehicle is in doubt.

G. No employee shall use a police vehicle for private use.

II. Police Vehicle Care and Maintenance

A. Each individual Police Officer shall be assigned a Town police vehicle, and shall be allowed to drive the vehicle back and forth to work. The vehicle is to be properly cared for and maintained. The officer is responsible for making sure his vehicle is serviced in a timely manner. The officer is also responsible for cleaning the vehicle once a week, on his own time, unless it can be done without jeopardizing coverage of the Town. The Town will pay for two car washes a month at the approved contract facility. Officers are to clear all service, except gas and washing, through the Chief of Police. Willful neglect or abuse of the police vehicle or equipment will result in disciplinary action.

B. Responsibilities of drivers

1. Upon assuming control of a police vehicle at the beginning of the watch, the following checks are recommended:

- a. Check all lights; this includes tail lights blue lights, spot lights, dash lights, inside dome light and emergency flashing lights.
- b. Check gas, oil, and water levels.
- c. Check the horn and siren.
- d. Check the brakes
- e. Check tires for proper inflation, tread wear, and cuts.
- f. Check all additional equipment assigned to the vehicle such as spare tire, shotgun release mechanism and ammunition, radio and protective screen.
- g. Check under and between the seats to insure that no lethal items or contraband was discarded by persons transported under the previous shift.
- h. Check vehicle exterior for dents, scratches or other damage.

C. If, during the work shift, the vehicle receives damage or becomes inoperative, the driver shall report it to the Chief of Police.

III. Emergency Operation

A. Emergency Calls: The term "emergency call" as it applies to police work cannot be defined with exactness. With few exceptions, emergency calls received by police officers are dispatched by radio communications. At that particular time the officer is instructed as to whether or not conditions warrant immediate police action for the protection of persons and property.

B. Motor Vehicle Law of North Carolina 20-156, Section B, states: "The driver of a vehicle upon a highway shall yield the right-of-way to police and fire department vehicles and public and private ambulances and rescue squad emergency service vehicles when the latter are operated upon official business and the drivers thereof giving warning signal by appropriate light and by bell, siren, or exhaust whistle audible under normal conditions from a distance of not less than one thousand feet. This provision shall not operate to relieve the driver of a police or fire department vehicle or public or private ambulance or rescue squad emergency service vehicle from the duty to drive with due regard for the safety of all persons using the highway, nor shall it protect the driver of any such vehicle from the consequence of any arbitrary exercise of such right-of-way."

C. Control of Vehicle: Each individual officer is urged to use every precaution while on patrol or in pursuit of another vehicle. Expect the unexpected and drive defensively. Remember that there are interference factors, hearing impairment, vision handicap, and other factors which may hamper the driving of others.

IV. Police Vehicle Accident/Damage Reports

A. Any police employee who is a driver of a police vehicle or any other vehicle in performance of police functions who becomes involved in a collision with another vehicle or object which results in bodily injury or property damage, if it be of value, will notify the Chief of Police as soon as possible and cause an investigation to be made at the scene of the accident.

B. The Chief of Police or his designee will assume responsibility for investigating the accident.

C. A standard accident report form will be completed by the investigating officer.

D. If an accident occurs outside the jurisdictional boundaries of the Town of Laurel Park, the employee involved should notify the appropriate law enforcement agency to conduct the accident investigation. The employee should also notify the Chief of Police by the quickest means possible.

E. Any extraordinary damage or equipment problems (anything that appears to be intentional or malicious damage or stolen property) is to immediately be investigated by the Chief of Police with investigative reports completed and submitted to appropriate authority.

EFFECTIVE: Immediately

DATE: 09/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 09/01/98

SUBJECT: PATROL PROCEDURES

PURPOSE: To define and establish the policy for patrol car procedures.

STATEMENT OF POLICY: An essential function of a law enforcement agency is the performance of patrol to prevent and detect crime. The purpose of patrol is to be highly visible in order to raise the anxiety of potential offenders of the law. Patrol is basic to Laurel Park.

These basic rules must be followed for successful single officer patrol:

A. Each officer must have the proper equipment with him at all times. You should be sure that you have the following equipment before leaving the station:

- | | |
|---------------------------------------|---|
| a) Sidearm and handcuffs | f) Citation book |
| b) Extra ammunition | g) Check siren, blue light, and spotlight on patrol car to be sure that they are in proper condition. |
| c) Club or baton | h) Portable walkie-talkie |
| d) Flashlight with adequate batteries | |
| e) Notebook | |

B. Each officer must patrol within the town limits unless he receives permission to leave it. The entire area within the town is your individual responsibility for your shift. You must concentrate your activities within your area. Even more important is the fact that if you leave the town limits without permission, you may be out of position and unable to help a fellow officer in need of assistance.

C. When an officer leaves his car, he should notify communications of his location and reason for leaving. The station must always be able to communicate with you, or if he cannot communicate with you, he must know your location so that he may reach you if it becomes necessary. When you leave the car without communications, you are endangering your life and the lives of your fellow officers. When giving your location to communications, be specific. Give a definite address, intersection, or known building or landmark. When stopping vehicles for traffic violations, or more serious offenses, always give the vehicle license number, make, and color to communications before leaving your patrol vehicle. This will only take a few seconds but may be very valuable in some instances.

D. When an officer returns to his car, he must advise communications. Communications may have an urgent call and be waiting to hear that you are available. If you are out of the car a long time and still must stay out of service, notify communications of the circumstances, if you can, and give communications an estimate of how much longer you will be out of service. It will make communications' job easier.

E. An officer must frequently leave his patrol car to perform foot patrol in certain areas. The primary reason that police have turned from foot patrol to motorized patrol is to improve officer's mobility and communication. However, in order to perform satisfactory, each officer must perform some foot patrol during his tour of duty. Many crime hazards are inaccessible to motorized patrol. You must leave your vehicle to properly check them out. When you come upon traffic congestion, you must be prepared to leave your vehicle to direct traffic if the situation requires it.

F. Officers must use extreme care and follow Department procedures in stopping any vehicle, especially suspicious vehicles or those carrying felony suspects. Experience has proven in many jurisdictions that officers in one-man cars are alert and less prone to accidental injury than two-man cars. The always hazardous business of stopping cars to issue citations and interrogate suspects presents some additional hazards for officers working alone.

EFFECTIVE: Immediately

DATE: 09/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 09/01/98

SUBJECT: NEWS MEDIA RELATIONS

PURPOSE: To establish a clear procedure that will allow the greatest possible access to police information for the news media without hindering the necessary Police Department operations.

STATEMENT OF POLICY: All members of the Laurel Park Police Department should be aware that it is the right and the responsibility of the news media to report the full range of activities carried out by the Department.

I. GENERAL DISCLOSURE GUIDELINES

News releases concerning the Police will be made by the Chief of Police. Special details on a crime under investigation may be requested from the Chief of Police by the news media but will only be released with the permission of the District Attorney's Office.

II. INFORMATION GUIDELINES

A. When giving information to the news media, it should be understood that most of the data contained by a police department is public record. As a general policy, the following information contained on records and reports may be made available to news media:

1. The name, age, residence, employment, and marital status of the individual (s) charged, and other similar background information.
2. The text or substance of the charge as it appears in a complaint, indictment, or information where appropriate, the identity of the complainant.
3. The identity of the investigating and arresting agency and the length of the investigation.
4. The circumstances immediately surrounding the arrest, including the time and place of arrest, resistance, pursuit, possession and use of weapons, and a description of items seized at the time of arrest.

B. ETHICS AND PUBLIC INFORMATION

Some information although technically public record, is often not used by the media. Examples of this type of information are as follows:

1. Victims of sex offenses.
2. Names of witnesses.
3. Deceased persons before proper notification of next of kin.
4. Prior criminal record, charges, and convictions.
5. Names of juvenile offenders/victims under the age of 16.

It will not be the policy of this Department to parcel out or limit available information such as that above, but the press will be asked to refrain from publishing such

information. Information will only be given to the media if it will not hamper an investigation by police or with the permission of the District Attorney's office.

C. Restricted Information

Special situations sometimes exist that make it necessary to withhold or delay the release of certain types of information. Some of these areas are:

A. Release of information regarding an incident under investigation will be released at the discretion of the Chief of Police.

B. Release of information concerning national security, current vice investigations, investigations where public knowledge would hinder the investigation, apprehension of suspects or rights of suspects, will not be made to either the public or members of the Department not working on the investigation.

C. Information of the following types will be cleared by the Chief of Police or his designated representative for publication:

1. Names of suspects not in custody and for whom a warrant has not been issued.
2. Any object, identifying documents, traces or details of evidence left at the scene of an accident.
3. Names of witnesses subject to harm as a result of their cooperation with the Police.
4. Personal opinions.
5. Names of children involved as suspects in criminal acts.
6. Contents of written or oral statements made by suspects.
7. Details of an incident which would compromise the successful completion of an investigation.

EFFECTIVE: Immediately

DATE: 09/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 09/01/98

SUBJECT: COURT APPEARANCES

PURPOSE: To establish guidelines regarding police officers' attendance, appearance, and testimony in court and involvement in No Contest pleas and plea negotiations.

STATEMENT OF POLICY: The role of a police officer is often the most important element in the successful prosecution of a criminal case. His appearance, manner, and attitude on the witness stand may determine how much weight is given to his testimony. Therefore, officers should understand and execute their duties in a manner consistent with accepted courtroom practices.

I. Attendance in Court

A. All police officers of this Department are to be present and available to testify in a court of law or other quasi-judicial hearings when their cases are scheduled to be heard or when subpoenaed. Failure to do so may result in a penalty levied by the court and/or Police Department action.

1. Any officer unable to appear in court when called must have prior approval from the prosecuting attorney or Chief Of Police.

2. Police officers will be responsible for reviewing court dockets whether on or off duty to insure against failure to appear in court when their cases are called.

B. When appearing in court, the police uniform shall be worn, unless the Chief of Police designates otherwise.

1. Weapons shall not be displayed except when wearing the police uniform.

2. Police officers should present a neat and clean appearance avoiding any mannerisms which would imply disrespect for the court such as smoking or gum chewing.

C. Police officers shall not volunteer to testify in any civil action and shall not testify unless legally subpoenaed.

1. Police officers will accept all legally served subpoenas.

2. Police officers shall notify the Chief of Police if they are subpoenaed to appear in a case as a result of departmental employment or involvement in a civil action resulting from departmental employment.

II. Testifying in court

A. Prior to offering testimony in court, police officers should thoroughly familiarize

themselves with the facts and circumstances surrounding the offense, the elements of the offense and a general review of the entire case, or any other civil action.

B. When testifying, an officer should speak in a normal conversational tone, loud enough for court personnel to hear and understand what is said.

1. Officers should not volunteer information not requested unless such information is viewed as necessary for the service of justice.

2. Officers should always maintain their composure and not engage in any argumentative and angry exchanges with court officials.

C. While giving testimony, police officers may refer to notes after requesting to do so to the judge. However, the defense attorney is entitled to examine material used by the witness for this purpose.

D. Police officers are required to be truthful at all times whether under oath or not. Any fabrication or false testimony discovered will result in penalties levied by the court and/or the Police Department.

E. Any police officer subpoenaed to testify for the defense in any trial or hearing or against the Town of Laurel Park or State of North Carolina shall notify the Chief of Police upon receipt of the subpoena.

F. An officer's conduct and conversation during court recess should be discreet. Contacts with the defendant and/or defense council should be avoided. In the event of a jury trial, no contact whatsoever should be made with the members of the jury.

III. Plea Negotiations

The negotiated plea is a result of an express agreement between the defendant and the prosecution often arrived at after a process of bargaining in which each side endeavors to secure the best arrangement possible. Police officers of this department are not to become involved in any way with the negotiations with defense counsel without knowledge of the prosecutor. Police officers do have a duty to remain informed of the outcome of any plea negotiations.

EFFECTIVE: Immediately

DATE: 09/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 09/01/98

SUBJECT: USE OF FORCE

PURPOSE: To define the limitations upon the use of force by the officers of the Laurel Park Police Department

STATEMENT OF POLICY: Situations will arise in which officers of this department will have to use force to carry out their responsibilities. It is important that each officer have a firm understanding of the types of force authorized and the situations in which an officer can use such force.

A. In no instance shall police officers of this department use force other than that necessary to lawfully and properly neutralize an unlawful assault upon his person or the person of another, or that which is necessary to overcome resistance by a person being taken into custody.

Obviously, there are varying degrees of force that may be justified, depending on the dynamics of the situation. For example, the justifiable force necessary in defense of the officer's life, or in the defense of the life of another, would be unlawful in most other circumstances.

In each individual event, lawful and proper force is restricted to only that force necessary to control and terminate unlawful resistance and to preclude any further attack against the police officer(s) or any other persons.

B. As long as members of the public are victims of violent crimes, and officers in the performance of their duties may be confronted with deadly force, it will remain necessary for police officers to be properly armed for the protection of society and themselves.

The general policy of this Department regarding the use of firearms or other deadly force by police officers, on or off duty, is the officer will discharge his weapon at another person only when he or she is legally justified and only as a last resort.

It shall be the policy of this Department that the use of deadly force shall be justified only in circumstances as defined by North Carolina General Statute 15A-401(d)(2); "A law enforcement officer is justified in using deadly physical force upon another person for a purpose specified in subdivision (1) of this subsection only when it is or appears to be reasonably necessary thereby:

- a. To defend himself or a third person from what he reasonably believes to be the use or imminent use of deadly physical force.
- b. To effect an arrest or to prevent the escape from custody of a person who he reasonably believes is attempting to escape by means of a deadly weapon, or who by his conduct or any other means indicates that he presents an imminent threat of death or serious physical injury to others unless apprehended without delay.
- c. To prevent the escape of a person from custody imposed upon him as a result of conviction for a felony. (It must be known by the officer that the fleeing felon is armed. Also, he must have reason to believe that his life or that of another may be in danger).

Nothing in this subdivision constitutes justification for willful, malicious, or criminally negligent conduct by any person which injures or endangers any person or property, nor shall it be construed to excuse or justify the use of unreasonable or excessive force.

Justification for the use of deadly force must be limited to what reasonably appears to be the facts shown or perceived by an officer at the time he decides to use such force. Facts unknown to an officer, no matter how compelling, cannot be considered in later determining whether the shooting was justified.

Regardless of the nature of the crime or the legal justification for firing at a suspect, officers are reminded that their basic responsibility is to protect the public. Officers are instructed to be particularly cautious when firing under conditions that would subject innocent bystanders to substantial degrees.

C. The use of force will not be resorted to in instances where the consequences of such use would be likely to outweigh the police purpose served by such use. As such, the following practices are specifically forbidden:

1. Firing a police weapon into crowds.
2. Firing a police weapon over the heads of crowds except on specific order of a commanding officer.
3. Firing from a moving vehicle unless being fired upon or about to be fired upon.
4. Firing warning shots in any situation.
5. Firing into a building or through doors when the person fired upon is not clearly visible except on specific order of a commanding officer.
6. Intentionally causing a vehicular accident in order to apprehend a suspect who is not an immediate threat to life.
7. Any force that is in excess of the minimum amount necessary to accomplish police business.

D. It shall be the policy of the Department that a police officer is justified in using force in an arrest situation as defined in North Carolina General Statute 15-401(d) (1):

“Use of Force in Arrest--

1. Subject to the provisions of subdivision (2), a law enforcement officer is justified in using force upon another person when and to the extent that he reasonably believes it necessary:
 - a. To prevent the escape from custody or to effect an arrest of a person who he reasonably believes has committed a criminal offense, unless he knows that the arrest is unauthorized; or

- b. To defend himself or a third person from what he reasonably believes to be the use or imminent use of physical force while effective or attempting to effect an arrest or while preventing or attempting to prevent an escape.”

E. It shall be the policy of the Department that a police officer is justified in using force to enter a private premise or a vehicle as defined in North Carolina General Statute 15A-401(e)(1) and (2). Officers shall familiarize themselves with this statute and its provisions.

NOTE: “The U.S. Supreme Court finds that a search warrant is required in order to enter lawfully a private dwelling to locate a prospective arrestee who is visiting, but not living, in the dwelling. However, if a valid consent to entry is obtained, or if emergency circumstances justify failure to obtain a search warrant, a warrant-less entry to arrest can be lawfully accomplished. Reference: N.C. Justice Academy, CRIMINAL JUSTICE BULLETIN, Vol. IV, No. 11, May 1981.

F. The pointing of a firearm directly at any person and the use of chemical mace or a chemical agent shall be deemed as use of force.

G. Pepper spray (also referred to as OC) is a liquid spray containing oleoresin capsicum (a derivative of cayenne pepper) in sufficient concentration to irritate the eyes, nose, and skin, and will produce a short period of pain, gagging, and loss of vision. OC is a non-lethal law enforcement weapon that can be used to temporarily disable a person, and therefore, reduce the need for using physical force.

It is the policy of the Police Department to provide officers with the tools necessary to do their job in a safe, effective, and productive manner. Officers are issued OC spray so that they may successfully defend themselves from combative, resisting, and/or violent individuals while reducing the risk of inflicting or receiving injury. OC spray is not necessarily a replacement or substitute for other authorized devices and techniques, and therefore, should be used only when it is the best choice for the circumstances in the opinion of the officer and/or his supervisor.

OC spray used in compliance with these guidelines is authorized, but not limited to, the following purposes:

- (1) effecting a lawful arrest;
- (2) preventing escape from lawful custody;
- (3) defending the officer or another from what the officer reasonably believes is the imminent use of physical force; or
- (4) restoring institutional integrity in a detention facility.

The use of pepper spray is considered a use of force and must be reported as required by departmental policy. The department’s use of force continuum will be presence, verbal control, soft hand control, OC spray, hard hand control, baton, or deadly force. (This is a guideline as each situation varies).

(1) Definitions

Pepper or OC spray: a derivative of cayenne pepper that is classified as an inflammatory and an irritant. OC exposure generally has the following characteristics:

- (a) it works very quickly;
- (b) the symptoms may last up to 45 minutes; and
- (c) there are no documented long lasting harmful effects to the person who is sprayed with OC.

(2) Guidelines on Use of OC Spray

All officers must be trained and successfully complete the departmentally approved OC training program before they will be issued OC.

OC spray should not be used against persons who:

- (a) submit peacefully to arrest and comply with lawful commands during a lawful arrest;
- (b) comply with lawful commands during a valid investigative stop or a stop for citation purposes, or while in custody or in detention;
- (c) are expressing mere verbal disagreement that does not threaten or incite others to threaten an officer, and who are not significantly delaying or obstructing an officer in the performance of his duties; or
- (d) are having trouble breathing or have some other known medical problem.

OC spray will only be used as a control and compliance measure, and will never be used for illegal or improper purposes, such as punishment or to interrogate a prisoner or arrestee.

Officers should attempt to use verbal persuasion and a warning prior to using OC spray, if circumstances allow without risk to the safety of the officer or others. Verbal persuasion and warning are not required when the defendant resists soft hand techniques or is passively resisting (refusing to comply with lawful commands), resists more substantial force, or when there is a risk to the safety of the officer or others if use of OC is delayed.

OC may be used in situations:

- (1) when verbal direction is ineffective or inappropriate; or
- (2) when an individual is passively resisting and officers may have to use physical force to maintain control.

Some examples of circumstances when OC use is acceptable are:

- (1) the situation does not warrant the use of deadly force;
- (2) deadly force could reasonably be used;
- (3) the officer could reasonably use an impact weapon as a striking tool and not merely as a restraining device;
- (4) the officer is confronted by a suspect/assailant who has an edged or impact weapon;
- (5) physical restraint of a person is not reasonable or practical to bring the person under control;
- (6) the officer reasonably believes that he will become engaged in a fight with a suspect or detainee;
- (7) to effect the removal of a person(s) from a locked or enclosed area such as a vehicle or cell when the person refuses to cooperate with a lawful command by an officer, and other attempts to enter or remove him pose a significant risk to the officer.
- (8) To prevent an officer from being attacked by an animal such as a vicious dog.

A warning before use of OC spray should be given if circumstances permit without risk of injury to persons or property. No warning is needed if there is an imminent threat to any person's safety.

3. Procedures for Use of OC Spray

The most effective use of OC spray is to fire well-aimed, one second bursts. The primary targets for OC application include the face, eyes, nose, and mouth. For maximum effect, OC aerosol may be used at distances of three to fifteen feet. Effective range will be determined by the type of aerosol being used, and the environmental factors that may affect it such as ventilation, wind, rain, snow, etc. Officers should exercise caution when using OC in windy conditions to prevent the chemical from blowing back in their own faces.

Officers should only use the amount of OC spray reasonably needed to achieve the desired results. Once control and/or compliance has been obtained, the officer will discontinue using OC. Combative restrained/handcuffed prisoners may be sprayed only when other available means of control have been exhausted or would clearly be ineffective.

Persons who are highly intoxicated, under the influence of drugs, enraged, demented, or other persons with reduced sensitivity to irritants may not be disabled by OC spray, but may react with violence.

4. Caring for Prisoners After Pepper Spray Use

After the officer has gained control of the person and/or resistance has stopped, the officer will

make reasonable efforts to provide relief from the discomfort associated with the use of pepper spray.

If circumstances allow, officers should not attempt to forcibly handcuff a sprayed arrestee or detainee immediately after spraying. The person should be given approximately 30 to 60 seconds to react to the spray and overcome the initial gagging or coughing reaction. This will allow the person to overcome the temporary effects of pepper spray on the respiratory system unaffected by the physical stress of handcuffing. The more severe symptoms of exposure to pepper spray should disappear in forty-five minutes or less, leaving only minor after effects such as red skin and a mild burning sensation.

Sometimes the person sprayed panics and tries to run blindly away after being sprayed. Officers should be aware of this reaction and anticipate the need to prevent injury during a panic reaction. It may be necessary to restrain a prisoner who panics for his own protection. The officer should try to reassure the person sprayed by explaining some of the anticipated effects, and offering assistance and suggestions on how to gain relief.

The officer should assist the sprayed person in gaining relief from the discomfort by following the recommendations of the spray manufacturer for decontaminating a person that has been sprayed, and use one or more of the following techniques, depending on the circumstances.

- (a) Officers should make sure the sprayed person is moved into fresh air or an area with ventilation.
- (b) Officers should rinse the affected areas with clear water or another solution recommended by the manufacturer as soon as possible after exposure. The liquid should be poured over the bridge of the nose so that it floods both eyes. The exposed person should be encouraged to blink his eyes repeatedly.
- (c) Officers should delay putting the prisoner in a car for transportation until the spray has had a chance to dissipate. This delay may be as long as fifteen minutes before the safety of the officers is not at risk.
- (d) Sprayed prisoners may be handcuffed in front when reasonably safe under the circumstances, to allow the prisoner to remove contact lenses, to blow his nose to remove particles of pepper, or to help flush the affected area to relieve inflammation.
- (e) The officer may allow the sprayed person to remove and wash contaminated clothing.
- (f) The officer should give the prisoner an opportunity to wash the affected skin areas with soap and water after arriving at a holding area or detention facility.

Officers must carefully monitor the condition of the sprayed person, and immediately obtain medical attention when:

- The sprayed person continues to have gagging or breathing difficulties after the initial period of two to four minutes;

- The person loses consciousness, sweats profusely, or starts to look very sick;
- The person stops breathing;
- The person suddenly becomes incoherent or quiet after having been loud and boisterous;
- The person begins to hyperventilate;
- The person is still significantly suffering from the effects of the spray more than forty-five minutes after being sprayed; or
- The person sprayed continues to complain of a medical problem, including possible injury, or the officer reasonably believes the person needs medical attention.

Persons who have been sprayed should be asked if they suffer from bronchitis, asthma, emphysema, or a similar respiratory disease. If they do, officers should seek immediate medical attention for them.

PROCEDURE:

- A. Whenever the use of force is used in the performance of duties, the officer using the force shall complete a Use of Force Report (see attachment) and submit same to the Chief of Police.
- B. If the officer's use of force injures a prisoner and/or others:
 - 1. The officer will take or cause to be taken the injured person directly to the hospital if medical attention is required. If the officer is in doubt as to the necessity of treatment, he/she will take or cause to be taken the injured person to the hospital.
 - 2. The Chief of Police shall be notified as soon as practical in all cases involving injuries. The Chief of Police shall initiate a thorough investigation of the incident.
 - 3. If the officer encounters a sufficient degree of resistance to justify the use of force, a charge of resisting arrest or assaulting a police officer should be made immediately.
- C. Whenever a service firearm is discharged in the performance of duty, accidentally or intentionally, the officer discharging the firearm shall submit a report of the incident on a USE of FORCE form to the Chief of Police. (Firearms training is exempt.)

EFFECTIVE: Immediately

DATE: 09/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 07/18/00

LAUREL PARK POLICE DEPARTMENT

USE OF FORCE REPORT

DATE: _____ TIME: _____ INCIDENT NO. _____

SUBJECT'S NAME: _____ RACE: _____

SEX: _____ DATE OF BIRTH: _____ AGE: _____

ADDRESS: _____

OFFICER'S NAME: _____ I.D. NO. _____

OFFICER'S NAME: _____ I.D. NO. _____

OFFICER'S NAME: _____ I.D. NO. _____

WITNESSES: (NAME, ADDRESS AND TELEPHONE NUMBER)

A. _____

B. _____

C. _____

LOCATION: _____

CHARGES: _____

WEAPON:

Pistol _____ Shotgun _____ Rifle _____ (Pointed _____ Cocked _____ Fired _____)

PR-24 _____ Other _____

Make _____ Model _____ Serial No. _____

DESCRIBED HOW USED: _____

SUBJECT INJURED: NO _____ YES _____ (Described) _____

OFFICER INJURED: NO _____ YES _____ (Describe) _____

MEDICAL TREATMENT:

Subject: Yes _____ No _____ Officer: Yes _____ No _____

Hospital: _____ Doctor: _____

DESCRIBE CIRCUMSTANCES OF EVENT: _____

OFFICER (S) SIGNATURE: _____

TO BE COMPLETED BY CHIEF OF POLICE

INVESTIGATION: Complete: _____ In Progress _____

FINDINGS OF INVESTIGATION:

Justified _____ Not Justified _____

SUMMARY OF INVESTIGATION: _____

POLICE CHIEF'S SIGNATURE: _____

SUBJECT: TRANSPORTING PATIENTS OR INJURED PERSONS

PURPOSE: To establish policy and procedure concerning the use of police department vehicles to transport persons requiring medical attention.

STATEMENT OF POLICY: In view of accepted medical practices, Laurel Park Police Department personnel will not transport citizens in need of medical attention in a public vehicle.

An officer discovering or called to a citizen requiring or requesting transportation for medical attention should:

1. immediately call for an ambulance or other appropriate emergency service indicating appropriate code to be used by emergency medical personnel;
2. administer first-aid as practical and make the injured or ailing person(s) as comfortable as possible; and
3. control traffic to provide easy access for emergency vehicles.

EXCEPTION:

1. An officer or other Laurel Park employee injured in the performance of duty can be transported in a public vehicle for emergency treatment.
2. A prisoner whose jail confinement is contingent upon receipt of medical treatment can be transported in a public vehicle for emergency treatment.

EFFECTIVE: Immediately

DATE: 09/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 09/01/98

SUBJECT: TRAFFIC LAW ENFORCEMENT

PURPOSE: To establish guidelines regarding traffic law enforcement.

STATEMENT OF POLICY:

The purpose of traffic law enforcement is to prevent accidents and to expedite the flow of traffic. Accordingly, the main objective is directed toward enforcement actions to counteract accident-prone violations. Each officer is expected to strictly abide by the same law that he is enforcing.

The laws for traffic and conventional behavior are established for the good and safety of the majority. Traffic laws are rules provided for the public telling them what behavior is expected of them while on public roads. Traffic law enforcement exists to encourage behavior which is conventional and to identify those individuals who will not conform to this acceptable behavior, thereby insuring the good and safety of the majority.

Traffic law violations may be defined as the commission or omission of any act prohibited or required by rules, regulations or law governing the safe conduct of traffic on public thoroughfares.

In order to be effective, traffic law enforcement must act as a deterrent to all violators. Therefore, the aim of traffic law enforcement is NOT to make arrests or to write citations, but to gain driver's voluntary compliance with traffic laws.

To produce this desired effect, four beliefs should be developed in the mind of the driver. These beliefs are (1) traffic laws are sound, just and reasonable, (2) police officers are everywhere, constantly on the job observing the behavior of all drivers, (3) that enforcement action will be taken on every clear-cut violation observed by the police, and (4) that justice will be prompt and will result in suitable penalties for the guilty.

I. Traffic Law Enforcement

A. Traffic law enforcement includes all activities connected with patrolling streets and highways for traffic supervisory purposes. Supervisory duties related to traffic law enforcement include:

1. Observing pertinent defects: Personnel are encouraged to actively seek and look for pertinent defects in drivers, vehicles, equipment, and road conditions before they bring attention to themselves.

2. Initiating appropriate action.

a. From observing pertinent defects in drivers, equipment and conditions police personnel should immediately initiate action to prevent such defects from becoming dangerous to highway users.

b. Appropriate action under various circumstances may vary from oral warning to physical apprehension.

c. Appropriate action will depend largely upon the observing officer's perception of danger surrounding the violation and the very nature of the specific violation.

3. Supervising varied traffic situations.

a. Police will normally back up the above mentioned objectives by patrol, motorist assistance, and prosecution of offenders.

b. Enforcement action is not produced solely by traffic patrol activity. An important and necessary portion of enforcement results from follow up of complaints which come to the Police Department.

B. Enforcement actions.

1. The type of enforcement action which is appropriate depends upon the circumstances at the time the violation occurs. All laws are not equally specific or important in protecting the motoring public. Consistent enforcement action by police builds respect for and compliance with the law while it helps to prevent the feeling that police are arbitrary in their actions.

2. Types of enforcement action

a. Apprehension is an action seldom used for traffic enforcement; however, certain violations may require apprehension in lieu of writing citations to insure the violators appearance in court.

b. Citation is a written summons requiring the violator to appear in court to establish guilt or innocence. Citations and oral warnings are the most common traffic law enforcement actions.

c. Warning is an oral or written statement regarding possible police action if the violation is observed a second time. In most cases, this type of action will be sufficient for low priority violations.

3. Special Considerations

- a. Enforcement action should not be based upon the violator's attitude.
- b. Exceptions should not be made for special classes of people.
- c. Emergency vehicles are authorized to exceed speed limits and traffic signals while on emergency missions while using extreme caution and care when doing so.
- d. Whenever private vehicles are used for emergencies the driver shall be permitted to proceed with a police escort provided.
- e. Warnings serve best during a period when new regulations are placed in effect or when enforcement is being accelerated for both educational and deterrent purposes.
- f. Warnings are also useful for calling attention to low priority offenses such as minor equipment defects. It is also useful in obtaining voluntary compliance with traffic laws.
- g. Multiple offenses - writing citations for each and every offense possible is discouraged. Personnel should single out the most serious or conspicuous offense and develop a case around this offense using the lesser offenses as supporting evidence.

C. Tolerance

1. Traffic law enforcement tolerance is the deviation or latitude from the traffic law or "letter of the law" which is allowed to a driver before he will be cited for a traffic violation.

2. Tolerance is established by policy and applied by enforcement personnel. Each officer is required to apply the below established tolerances and under no circumstances apply his own tolerance levels.

a. Speed enforcement

i. Police personnel shall allow up to and including ten (10) miles per hour latitude over and above the existing speed limits when using an electronic speed detecting device;

ii. For speeds over the existing limits but less than the above tolerances warnings may be in order.

b. Stop sign enforcement: Since the exact stopping point is often unclear, officers are encouraged to use their own discretion when encountering this type of violation taking into consideration the danger involved and circumstances surrounding the incident.

II. Dealing with Violators: When dealing with traffic violators, police personnel should maintain a high degree of courtesy and bearing.

A. Police personnel will greet the violator, identify himself, and inform the violator of the reason for which he was stopped.

B. Always address the offender as "Sir" or "Ma'am" using common courtesy and a pleasant tone of voice.

C. Be certain all documents belonging to the violator are returned to the violator upon completion of the enforcement action.

III. Quality Enforcement

A. Quality enforcement is enforcement which is characterized by a high degree of excellence in the police performance of all aspects of traffic law enforcement.

B. Through high quality enforcement contacts, police single out for attention the violations which most frequently lead to accidents. Even the average motorist cannot fail to see the appropriateness or timeliness of the police actions where the violation is clear and significant. This is an essential element in securing public acceptance and compliance with traffic law enforcement endeavors. Prosecution of the individual who commits a minor or technical violations, i.e., one mile per hour over the posted speed limit, can only serve to aggravate the public resulting in a loss of support and respect for the law enforcement agency.

EFFECTIVE: Immediately

DATE: 09/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 09/01/98

SUBJECT: TRAFFIC STOPS

PURPOSE: To establish general procedures and guidelines for traffic stops.

STATEMENT OF POLICY:

No traffic stop is to be considered routine. Treatment of any traffic stop as routine leads to a reduction in alertness and increases the possibility of personal injury or loss of life.

The following steps should be taken when making any traffic stops where the driver and/or passengers are suspected of criminal involvement:

- A. Select a satisfactory place for the violator to stop his car.
- B. If possible, the officer should make his stop on a populated business street where he has a distinct psychological advantage.
- C. When the stopping site has been selected, the officer should use the blue light and/or siren to attract the attention of the violator and let him know you want him to stop.

While initiating the stop, the officer shall:

- A. Advise communications of his unit number, location, type of stop, and license number of the violator vehicle; also, the make, model, and color if possible.
- B. Write down the license number of the violator vehicle on your clipboard, notebook, or pad, (if you have time).
- C. DO NOT leave your vehicle until acknowledgment from communication is received.
- D. The police vehicle should be parked so that it is from six to fifteen feet from the rear of the violator car (when possible) and off-set two to three feet to the left of the violator car. The officer will be protected from other traffic due to the off-set position.
- E. The blue light will remain on during the stop to warn approaching motorists.
- F. The officer shall make his approach from the left rear, keeping close to the violator car. (He should be able to look into the rear and side windows.)
- G. The officer's gun hand should be free and the officer should stand slightly to the rear of the left door of the violator car, causing the driver to turn to the rear to observe and talk to the officer.

If the officer asks the violator to step from the car, he should:

- A. Stand clear of the door of the violator's car.
- B. When the door is open, the officer should move backward with the swing of the door. This allows the officer to face oncoming traffic and also observe all of the violator's movements while leaving the car.
- C. The officer and violator should then walk to the curb and hold all conversations off the street.
- D. The officer may seat the violator in his car to talk with him instead of having to re-approach the vehicle.

EFFECTIVE: Immediately

DATE: 09/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 09/01/98

SUBJECT: DEATH AND INJURY NOTIFICATION

PURPOSE: To define the policy of the Town of Laurel Park for notification of injury or death of an employee or citizen.

STATEMENT OF POLICY: It is important to note that the circumstances of injury or death of an individual are usually traumatic. This policy is established to make those circumstances as easy as possible for families of employees or citizens of Laurel Park.

A. Employees:

1. Death or Serious Injury--When a member is killed or seriously injured on or off duty, immediate verbal notification will be made to the Chief of Police or to the officer acting in the Chief's absence. This will be followed by a written report no later than the end of that work day. Information shall include the date, location, cause, extent of injuries, and property damage. Serious injury in this instance means an injury which could result in death or disability.

2. Non-Serious Injury--In cases where the injuries are other than or serious nature, a written report will be submitted by the end of the work day of the incident including all information required above. These reports are in addition to those accident and sick reports otherwise required.

3. Death of Member--Any member receiving notice of the death of any officer, employee, or retired member during regular business hours shall notify the Chief of Police or his designee.

4. Notification of Family--The family of a member killed or seriously injured on duty shall be notified immediately by the Chief of Police or his designee.

B. CITIZENS: Upon occasion, officers will be called upon or required to notify a citizen's family of death or injury. The following procedures shall apply:

1. If the family to be notified resides within the jurisdiction of this Department, the Chief of Police or designated officer will make the notification.

2. All care should be taken to supply the officer (s) who make the notification with all facts pertinent to the circumstances which have led to the death or injury of a citizen.

3. Notification shall always be conducted in person, never over the telephone. If at all possible, it is advisable to obtain the assistance of a member of the clergy at the time of, or immediately following, the notification.

4. If the person(s) being notified have no means of transportation, and if their presence is required at a hospital or other facility (to grant permission for immediate surgery or to provide positive identification of the deceased, etc.), the officer (s) making the notification where their presence is required, may transport for these purposes.

5. In the event that the family to be notified resides outside the jurisdiction of this Department, the officer in charge shall telephone the law enforcement agency in whose jurisdiction the family resides and shall supply to the officer in charge in that jurisdiction whatever information is required to properly notify the family of the injured or deceased person. It shall then be the responsibility of that agency to complete the notification to the best of its ability.

6. At times, the Department may be called upon by citizens and agencies outside this Department's jurisdiction. The member receiving the call will write down all pertinent details concerning the deceased or injured citizens and the family to be notified. Be sure to obtain name, rank (if applicable), and telephone number of the citizen or agency requesting assistance. The above information will be given immediately to the officer in charge, who will verify it as to the legitimacy of the information and the person or agency requesting assistance. Following verification of the information, the officer in charge will follow procedures as set forth in Sections 1-4 above.

EFFECTIVE: Immediately

DATE: 09/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 09/01/98

SUBJECT: ALARM RESPONSE

PURPOSE: To define the procedure for responding to fire and burglar alarms.

STATEMENT OF POLICY:

A. All fire alarms will be responded to by fire trucks.

B. Burglar alarms will be responded to as follows:

1. If two officers are available, one officer will respond at the rear entrance and one at the front entrance.

2. When the patrol car arrives at the alarm scene, the car lights will be turned off, making it safe for the officer.

3. The first consideration by the officer will be the protection of life by encouraging, through his actions, the prowler to vacate the house. The second consideration will be the apprehension of the offender.

4. In all circumstances, all reports will be filed indicating the nature of the alarm, whether it was a false alarm, or noting what action was taken.

EFFECTIVE: Immediately

DATE: 09/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 09/01/98

SUBJECT: EMERGENCY VEHICLE OPERATION/PURSUIITS

PURPOSE: The purpose of this policy is to provide guidance to law enforcement officers in the pursuit of fleeing or eluding motorists and to assist officers in the safe performance of their duties. Officers have a duty to apprehend violators of the law. This policy recognizes that fleeing suspects can present a danger to the public, officers, and suspects involved in the pursuit. Officers must weigh the need to pursue or apprehend a violator against the risk of damage to property or injury to persons.

This policy is for the internal use of this agency and does not enlarge any officer’s or supervisor’s civil or criminal liability. This policy should not be construed to create a higher standard of safety or care in any legal or evidentiary sense with respect to third party claims. Violations of this policy, if proven, shall be used solely for disciplinary purpose by this agency. Officers are, at all times, subject to the provisions of the General Statutes.

STATEMENT OF POLICY:

I STATUTORY LAW

A. Speed Limit

“G.S. § 20-145. When Speed Limit Not Applicable.

The speed limitations set forth in this Article shall not apply to vehicles when operated with due regard for safety under the direction of the police in the chase or apprehension of violators of the law or of person charged with or suspected of any such violation...This exemption shall not, however, protect the driver of any such vehicle from the consequence of a reckless disregard of the safety of others.” (Emphasis added).

B. The Right-of-Way Rule

“G.S. § 20-156. Exceptions of the Right-of-Way Rule.

The driver of a vehicle upon the highway shall yield the right-of-way to police...vehicles...when the operators of said vehicles are giving warning signal by appropriate light and by bell, siren, or exhaust whistle audible under normal conditions from a distance not less than 1,000 feet. When appropriate warning signals are being given, as provided in this subsection, an emergency vehicle may proceed through an intersection or other place when the emergency vehicle is facing a stop sign, a yield sign, or a traffic light which is emitting a flashing strobe signal or a beam of steady or flashing red light. This provision shall not operate to relieve the driver of a police...vehicle...from the duty to drive with due regard for the safety of all persons using the highway, nor shall it protect the driver of any such vehicle...from the consequence of any arbitrary exercise of such right-of-way.” (Emphasis added).

C. Speeding to Elude Arrest

“G.S. § 20-141.5. **Speeding to Elude Arrest.**

- (a) It shall be unlawful for any person to operate a motor vehicle on a street, highway, or public vehicular area while fleeing or attempting to elude a law enforcement officer who is in the lawful performance of his duties. Except as provided in subsection (b) of this section, violation of this section shall be a Class 1 misdemeanor.
- (b) If two or more of the following aggravating factors are present at the time the violation occurs, violation of this section shall be a Class H felony.
 - (1) Speeding in excess of 15 miles per hour over the legal speed limit.
 - (2) Gross impairment of the person’s faculties while driving due to:
 - (a) Consumption of an impairing substance; or
 - (b) A blood alcohol concentration of 0.14 or more within a relevant time after the driving.
 - (3) Reckless driving as proscribed by G.S. 20-140.
 - (4) Negligent driving leading to an accident causing:
 - (a) Property damage in excess of one thousand dollars (\$1,000); or
 - (b) Personal injury.
 - (5) Driving when the person’s drivers license is revoked.
 - (6) Driving in excess of the posted speed limit, during the days and hours when the posted limit is in effect, on school property or in an area designated as a school zone pursuant to G.S. 20-141.1, or in a highway work zone as defined in G.S. 20-141(j2).
 - (7) Passing a stopped school bus as proscribed by G.S. 20-217.
 - (8) Driving with a child under 12 years of age in the vehicle.
- (c) Whenever evidence is presented in any court or administrative hearing of the fact that a vehicle was operated in violation of this section, it shall be prima facie evidence that the vehicle was operated by the person in whose name the vehicle was registered at the time of the violation, according to the Division of the Department of Motor Vehicles’ records. If the vehicle is rented, then proof of that rental shall be prima facie evidence that the vehicle was operated by the renter of the vehicle at the time of the violation.

- (d) The Division shall suspend, for up to one year, the drivers license of any person convicted of a misdemeanor under this section. The Division shall revoke, for two years, the drivers license of any person convicted of a felony under this section if the person was convicted on the basis of the presence of two of the aggravating factors listed in subsection (b) of this section. The Division shall revoke, for three years, the drivers license of any person convicted of a felony under this section if the person was convicted on the basis of the presence of three or more aggravating factors listed in subsection (b) of this section. In the case of a first felony conviction under this section where only two aggravating factors were present, the licensee may apply to the sentencing court for a limited driving privilege after a period of 12 months of revocation, provided the operator's license has not also been revoked or suspended under any other provision of law. A limited driving privilege issued under this subsection shall be valid for the period of revocation remaining in the same manner and under the terms and conditions prescribed in G.S. 20-16.1(b). If the person's license is revoked under any other statute, the limited driving privilege issued pursuant to the subsection is invalid.
- (e) When the probable cause of the law enforcement officer is based on the prima facie evidence rule set forth in subsection (c) above, the officer shall make a reasonable effort to contact the registered owner of the vehicle prior to initiating criminal process.
- (f) Each law enforcement agency shall adopt a policy applicable to the pursuit of fleeing or eluding motorists. Each policy adopted pursuant to this subsection shall specifically include factors to be considered by an officer in determining when it is advisable to break off a chase to stop and apprehend a suspect. The Attorney General shall develop a model policy or policies to be considered for use by law enforcement agencies.”

II. PURSUIT DRIVING

A. The decision to start or stop a pursuit of fleeing or eluding motorists weighs the need to apprehend against the risks associated with the pursuit. The pursuing officers and supervisors shall continually re-evaluate the decision to pursue throughout the pursuit. When and if the risks associated with the pursuit exceed the need to apprehend, the pursuing officers must then break off the chase. Officers should not initiate any pursuit for violation of minor traffic charge.

- 1. In weighing the decision to pursue or continue to pursue, the officer should consider the following, when applicable:

- (a) weather, road, and visibility conditions – rain, snow, fog, narrow roads, repairs in progress, restricted visibility due to buildings, curves, and hills all increase the risk of an accident;
- (b) density of vehicular and pedestrian traffic at the time and place of pursuit as the pursuit continues over time and distance – heavy traffic typical of commercial centers, schools, or hospitals at certain times of day or days of the week increases the risks associated with the pursuit;
- (c) the condition of the law enforcement vehicle and the officer’s ability to control the vehicle at pursuit speeds – brake fade, steering or suspension defects, lack of familiarity with the vehicle, lack of driving experience increase the risks associated with the pursuit; and
- (d) the familiarity of pursuing officer with the area, the surrounding roads, and the approach of major intersections normally subject to heavy traffic or the presence of turning vehicles – lack of familiarity of the area makes it more difficult to anticipate approaching traffic hazards, increasing the risks associated with the pursuit.

An officer shall stop or decline to initiate the pursuit if any one of the above conditions makes the pursuit too dangerous.

2. In weighing the decision to pursue or continue to pursue, the officer shall also consider the likely harm from not apprehending the suspect as soon as possible. These considerations include the following, when applicable:

- (a) the danger to the public created by the fleeing suspect’s driving, including indications the suspect may be impaired or is willing to inflict serious injury on others in the course of the pursuit – impaired or reckless and threatening driving by a suspect increases the need to apprehend immediately;
- (b) whether the crime the suspect is believed to have committed is dangerous to persons or property, is a felony or serious misdemeanor, or involves conduct that threatens persons or property – serious crime, violent or threatening crime increases the need to apprehend immediately;
- (c) whether the suspect has been positively identified or can be apprehended later;
- (d) whether the suspect can be apprehended at a later time with little risk of more violence or danger to the public;

- (e) whether the suspect can be identified by using the prima facie rule of evidence in G.S. § 20-141.5(c); and
- (f) whether the pursuit will likely be successful in apprehending the suspect, given all factors of the pursuit – a pursuit with little chance of stopping the suspect should cause the officer to break off the chase.

If any of the above factors are present, the officer shall stop or decline to initiate the pursuit.

B. An officer may proceed through an intersection or other place where the officer is facing a stop sign, a yield sign, a flashing strobe signal, or a steady/flashing red light if the officer has both blue light and siren activated and can proceed with due regard for the safety of others and such conduct does not amount to an arbitrary exercise of such right-of-way.

C. A pursuing officer should attempt to notify the communications center servicing this agency that a pursuit has been started, its location and direction, a description of the fleeing suspect and the suspect's vehicle, number of passengers observed, and the reason for starting the pursuit. To the extent feasible, the pursuing officer should keep the communications center informed of the location and direction of the pursuit.

D. Upon notification, the communications center should notify the appropriate supervisor of the pursuit, clear the channel of non-emergency traffic, and relay information to other officers and other agencies as needed in accordance with policy.

E. The appropriate supervisor should monitor the pursuit and coordinate activities of officers in support of the pursuit. Any supervisor is authorized to stop a pursuit. If possible, a supervisor should go to the area of the pursuit and to the location of any stop following a pursuit.

F. If feasible, only two law enforcement cars should be engaged in close pursuit of a fleeing suspect at any given time, unless circumstances dictate otherwise such as a running roadblock. No officer should drive the wrong way on a one-way street or against the normal traffic direction for any lane unless such driving is clearly necessary to a successful pursuit and can be accomplished without unreasonable hazard to the public. Unmarked cars should be replaced by marked cars at the earliest practical opportunity. The first and second pursuing vehicles should maintain an adequate separating distance behind the fleeing suspect. Unsupervised probationary officers shall not engage in a pursuit. Cars with passengers shall not engage in a pursuit unless there is no undue danger to the passengers and the need to apprehend is substantial. Sport utility vehicles shall not engage in pursuits unless the need to apprehend is substantial based on death or officer injury.

G. Ramming, stationary roadblocks, and other forced vehicle stops may be deadly force, depending on the likelihood that serious injury will be inflicted. Shooting at a moving vehicle is the use of deadly force. Deadly force should never be used to stop a pursuit unless the fleeing suspect has created an immediate and substantial danger of death or serious bodily injury to the public at large or to other officers and no practical and effective alternative exists for ending the threat. Positioning cars in the travel lane to deter or channel a fleeing suspect is allowed but must not create an undue risk of collision unless deadly force is authorized.

H. Pursuing officers shall notify communications if the pursuit is likely to go into another jurisdiction served by a different law enforcement agency. If officers of another law enforcement agency are able to assume responsibility for the pursuit after it leaves the initiating jurisdiction, the original pursuing officers will drop off and slow down. Only the most serious circumstances would justify continuing a pursuit at a great distance beyond the pursuing officer's jurisdiction. Officers must obtain supervisory authorization for pursuits outside the one mile Extra Territorial Jurisdiction.

I. All officers engaged in a pursuit should document their participation in a written follow-up report which shall be delivered to the Chief of Police as soon as practical after the termination of the pursuit.

EFFECTIVE: Immediately

DATE: 08/20/02

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 09/01/98

SUBJECT: BALLISTIC (BULLET RESISTANT) VESTS POLICE BODY ARMOR

PURPOSE: To establish a policy for the use of the Ballistic Vests, to enhance the wearer's chances of surviving a gunshot wound or blunt trauma.

STATEMENT OF POLICY: The following will be mandatory, and failure to follow same will result in disciplinary action.

A. All officers will be supplied with a ballistic vest meeting all government standards for class II body armor or higher.

B. The vests will be purchased by the Police Department and will be the personal property of the Police Department.

C. Each vest will be individually sized and measured to fit the officer.

D. Each vest will come with two cloth carriers and a strike plate, as well as the necessary ballistic panels.

E. It is the officers responsibility to maintain the vest assigned him. This will include periodic cleaning of the carriers and panels as per the manufacturers instructions.

F. Should any damage occur to the vest, it should be reported immediately to the Chief of Police.

G. All officers, when in uniform and on duty, must have on their Ballistic vest, complete with ballistic panels.

H. The strike plate may be worn at the officers discretion.

I. When on duty and in plain clothes, it is the officers discretion as to whether or not to wear the vest and panels. If it is not worn, then it must be readily available.

J. During all tactical exercises (those involving swat team or its equivalent), the vest and panels must be worn regardless of plain clothes or uniform duty.

K. Should an officer leave the employ of the Laurel Park Police, the assigned vest may be purchased by the individual officer at a prorated price as determined by the Chief of Police and the Town Manager.

EFFECTIVE: Immediately

DATE: 09/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 09/01/98

SUBJECT: WRECKER SERVICE AND VEHICLE TOW-IN PROCEDURE

PURPOSE: The purpose of this policy is to establish a procedure for vehicle tow-ins and a Wrecker Service Rotation Schedule to be utilized by the Laurel Park Police Department.

STATEMENT OF POLICY:

A. VEHICLE TOW-IN PROCEDURE:

1. Police Officers will not drive or operate privately owned vehicles while involved in the performance of an official duty.

2. When an accident requires an officer to remove a motor vehicle from a public highway, street, road, public and/or private property, the officer shall request the Sheriff's Department to call for a rotation wrecker.

3. Citizens should be allowed to make disposition of their vehicles when the driver or owner is on the scene and the situation affords the owner the discretion of making such disposition.

4. Vehicles on private property: The only time a vehicle may be removed from private property by an officer is in the official line of duty. This includes stolen vehicles, vehicles used or found to have been used in the commission of a criminal act, vehicles pursued when such pursuit ends on private property, accidents involving vehicles and vehicles obstructing a fire lane or emergency route.

5. Where vehicles are to be towed:

a. Vehicles will be towed to the respective wrecker storage facility. The wrecker storage facility will be utilized except as provided below:

1. Vehicles to be processed by the Evidence Technician/Investigating Officer shall be towed to Fifth Avenue Auto Service when it is not feasible to perform the investigation in the field.

2. The Evidence Technician/Investigating Officer, when the processing of the vehicle is complete, will notify the owner of the vehicle to immediately remove or have removed the vehicle from Fifth Avenue Auto Service to minimize storage fees.

6. Reports of vehicles stored or recovered shall be completed on all vehicles towed under the authorization of an officer. The attached Vehicle Impound/Recovery Report will be used for this purpose.

Note: Storage reports are not required on vehicles towed at the owner's request and the destination of the towed vehicle is unknown by the owner or operator at an accident scene. However, vehicle disposition should be shown on police reports when required.

a. When the operator is taken into custody, the vehicle disposition must be included on the arrest report.

b. The officer authorizing the tow shall complete the Vehicle Impound/Recovery Report with immediate notification of owner or reporting agency. The Vehicle Impound/Recovery Report consists of a white, pink, and yellow copy. The white copy is turned into the department for the Records section. The pink copy will be given to the wrecker driver. The yellow copy will be left in the vehicle.

1. If the officer wishes to hold a vehicle for investigation or follow-up investigation, he/she will note this on the Vehicle Impound/Recovery Report.

2. Authorization for the release of vehicle(s) held by officers must be transmitted to the Chief of Police as soon as the investigation is complete. The vehicle(s) should not be released until all investigations are complete.

c. All vehicles towed will routinely be checked through NCIC for stolen. Also, if the owner of the vehicle is not a party to the vehicle impoundment, attempts should be made to notify the owner as to the location of the vehicle.

7. When an officer has a vehicle(s) towed by a rotation wrecker, he/she shall, as a matter of routine, conduct an inventory of articles within the vehicle.

a. The inventory will include all items of removable personal property with a value greater than ten dollars (\$10) or items that would lend themselves to pilferage or claim of pilferage. Items remaining in the vehicle will be verified by the wrecker operator and the police officer by notation on the storage record. The attached Vehicle Impound/Recovery Report will serve as record of the inventory.

b. Upon receipt of the vehicle and contents by the wrecker company, the company assumes liability for the vehicle and all its contents.

c. If an animal is in the vehicle to be towed and the vehicle operator/owner is unable to assume responsibility for the animal, the animal will be placed in custody of the Henderson County Animal Shelter. The Vehicle Impound/Recovery Report will note such action.

8. Release of impounded vehicle: Before an impounded vehicle is released to the owner/operator, the owner/operator must pay any applicable storage/tow fees.

B. WRECKER ROTATION SCHEDULE:

1. The Laurel Park Police Department will utilize Arnold's Wrecker Service for impounded vehicles. The Henderson County Sheriff's Department Rotation list will be utilized for those times that Arnold's Wrecker Service is unavailable.

2. In cases where a vehicle needs to be processed inside (example, due to bad weather), the Sheriff's impound building will be used as a storage/processing facility.

As soon as the investigation is complete, the investigating officer will cause the vehicle to be towed to a rotation facility or the designated Town storage facility - as applicable.

EFFECTIVE: Immediately

DATE: 09/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 09/01/98

VEHICLE INVENTORY FORM

DATE OF INVENTORY: _____

TIME OF INVENTORY: _____

PLACE OF INVENTORY: _____

The vehicle described below and the following inventory of items from the vehicle were received by
_____ Wrecker Station on _____ at _____.
(service) (date) (time)

VEHICLE DESCRIPTION

YEAR: _____ **MAKE:** _____ **MODEL:** _____

COLOR: _____ **LIC. NO. :** _____ **VIN. NO. :** _____

PASSENGER AREA: _____

GLOVEBOX/CONSOLE: _____

TRUNK: _____

OWNER/DRIVER'S SIGNATURE: _____

OFFICER'S SIGNATURE: _____

WRECKER DRIVER'S SIGNATURE: _____

SUBJECT: PROPERTY AND EVIDENCE ACCOUNTABILITY

PURPOSE: To establish a procedure for handling and storage of property and evidence contacted by this department.

STATEMENT OF POLICY:

I. TYPES OF PROPERTY AND DEFINITIONS:

There are four basic types of property received into departmental custody; namely, personal, evidentiary, recovered, and found property. Handling and accountability of the four basic types of property are similar, but some classifications require more stringent controls and more detailed accountability.

A. PERSONAL PROPERTY:

Those items normally carried on the person, in attached cases, luggage, or in vehicles for the personal and immediate use and comfort of the owner or designee. Personal property includes, but is not limited to such items as a purse, wallet, watch, comb, money, clothing, jewelry, etc. The majority of personal property placed in departmental custody will be that removed from the persons of subjects to be incarcerated, dead bodies, or impounded vehicles. Personal property will also include property that has been brought to the Police Department for safekeeping.

B. EVIDENTIARY PROPERTY:

Those items of property that are placed in departmental custody that tend to prove the truth of a matter scheduled for adjudication in a court of law. Evidentiary property (evidence) includes those things which by nature, use or location are sufficient evidence in themselves as well as all items scheduled for processing, or which have been processed by either the FBI and/or the North Carolina State Crime Laboratories. Documentary reports of crime laboratories become items of evidentiary property upon receipt and are subject to departmental accountability and security.

C. RECOVERED PROPERTY:

Any item of property that is recovered as a result of a theft is considered recovered property.

D. FOUND PROPERTY:

Any item found by this department or citizen that does not fall into other classifications, except vehicles.

II. CUSTODIANSHIP OF PROPERTY:

A. PRIMARY EVIDENCE TECHNICIAN

1. APPOINTMENT: The primary evidence custodian is appointed by the Chief to handle evidence and property responsibilities for the Department.

2. RESPONSIBILITIES: Evidence Technician is responsible for:

a. Accountability, preservation, safeguarding, evidence processing, and disposition of all evidence received in the Depository.

b. Maintenance of all evidence records in accordance with departmental policy.

c. Protection of all evidence and property from loss deterioration, and unnecessary damage.

B. ALTERNATE EVIDENCE TECHNICIAN:

Shall be appointed by the Chief to assist the Primary Evidence Technician at his request, or to serve in his absence.

III. PROPERTY PROCEDURE:

A. Form 40 15 used for physical evidence or property acquired by officers during investigation. This form is a multiple purpose form designed to be used as a receipt and to record the chain of custody. The form is normally prepared with an original and 2 copies. Entries should be typed or printed legibly in ink.

1. The last copy is used as a receipt when evidence is received from an individual. The original and other copies are presented to the Evidence Technician who maintains the original and first two copies for his records. A copy is returned to the officer submitting the evidence for inclusion in the case file.

2. The receipt for property should be completed as follows:

a. OCA Number - Case Number assigned to the investigation.

b. Department - the office or department conducting the investigation.

c. Receiving Office - location of the office or department conducting the investigation.

- d. Name of Person from Whom Property Is Obtained this is completed when evidence is received from an individual rather than obtained from the owner, the "Owner" block or "Other" block is checked. When evidence is not received from an individual, an appropriate term such as "crime scene" or "found" should be entered in this block and the "other" block checked.
- e. Address - the address of the individual from whom evidence is obtained is entered in this block. If the evidence is not received from an individual, this block should be annotated "N/A".
- f. Location of Property - the location of the evidence at the time acquired by the officer is shown in this block.
- g. Purpose for Which Obtained - check the appropriate box for which the evidence/property is categorized.
- h. Time and Date - the time and date the evidence was acquired by the officer is to be entered under heading purpose for which obtained.
- i. Item Number - this is a chronological numbering of the separate items appearing on the form and should correspond with the item number shown on the evidence tag. Each item should be assigned a separate item number. The first item number should be a. Do not use 1.
- j. Quantity - the number of items included in each entry is shown in this block. Estimates may be used for items not readily measurable by number.
- k. Description of Articles - the description of each item of evidence should be detailed accurately and based upon what is actually observed about the object at the time it is acquired. The item's physical characteristics and condition, especially if the item is valuable, are described. Serial numbers are listed whenever possible. The words, "Last Item" are placed in capital letters after the last item is listed. These words are centered on the page with a solid lines are drawn from the two words to the margin on each side of the form.

- l. Chain of Custody - the item numbers, date of transaction, persons releasing and receiving the items and the appropriate purpose for the custody change are completed. The first entry under "Released By" is the name and signature of the individual from whom the property was taken. Should the individual refuse or be unable to sign, the individual's name is entered and the term "refused" in lieu of a signature. When the evidence is obtained directly from a crime scene or found by an officer, the first "Released By" block should be annotated "N/A". The first entry under "Received By" should be the officer receiving the property.

- m. Purpose of Chain of Custody - enter type of analysis requested of any. If items are to be held as found property or as court evidence, enter this in the block provided. This section is completed when the evidence is of no further value. The original of the Evidence Property Receipt should be hand-carried to the official authorized to approve final disposal of the evidence. This section is completed for any items of evidence destroyed. A witness should attest to the destruction by placing his/her name, department and signature in this section. When destroying evidence, the Evidence Technician makes an entry in the chain of custody section reflecting the item number of the evidence destroyed, the date destroyed, and his name and signature in the "Released By" column. The term, "Destroyed" should be placed in the "Received By" column. At the completion of disposal, this form shall become part of the file for this particular evidence or property.

B. THE EVIDENCE LEDGER:

An Evidence Ledger is prepared to handle the accountability of evidence through a cross-reference with the property receipt. A Ledger is prepared with six columns spanning the space of two facing pages when the book is opened, The following numbered items refer to the numbered columns of the ledger:

1. Document Number, Date Received, and Location:

This column contains the Document Number assigned to the Evidence Custody Document. The date the custody Document was received in the evidence depository is entered below this number. The location of the evidence in the depository is entered below these two numbers.

2. Sequence Number or Case Number:

The number assigned to the investigation to which the evidence pertains entered in this column.

3. Brief Description of Evidence:

A brief description of the evidence is entered into this column. Lengthy descriptions are not necessary.

4. Date of Final Disposition:

The date the evidence was disposed of, as reflected in the chain of custody section of the property receipt is entered in this column.

5. Final Disposition:

A brief notation as to the means of final disposition is entered in this column opposite the item's description.

6. Remarks:

This column may be used to record any information deemed necessary by the Evidence Technician such as cross-reference to other Custody Document Numbers which contain evidence pertaining to the same investigation: name of owner, subjects, special agents, or results of laboratory examinations.

IV. CUSTODIAL PROCEDURES:

Officers taking custody of property of any classification shall appropriately package, mark for identification, and place in the property locker immediately upon completion of processing. The Evidence Technician shall be responsible for proper storage, security, movement to and between appropriate agencies, processing, administration and disposition.

It is the responsibility of the Evidence Technician to package and forward all evidentiary property for analysis to the State Crime Laboratory at the request of the investigating officer.

V. PROPERTY RELEASE AND DISPOSITION:

Property in custody of this department shall only be released by the Evidence Technician. Property is released into one of three channels; the most common being return to the rightful owner; secondly, into disposition by destruction or sale; and thirdly, return to proper jurisdiction. Regardless of disposition channel, the release section of the property accountability form will be completed and signed by the person receiving the property. In those cases involving release to another jurisdiction, the name of the jurisdiction and the title of the recipient shall be printed or preferably typed below the signature. The signed original copy of the property technician shall be filed in accordance with departmental administrative procedures. Officers wishing release of evidence for court shall make a written request to the Evidence Technician at least 48 hours in advance of time needed.

VI. DESIGN AND FUNCTION OF THE SECURE EVIDENCE FACILITY
(DEPOSITORY)

A two drawer locking file cabinet will be utilized to store smaller items. All officers shall have access to this cabinet to store items. The Central Depository shall have a door with a heavy duty keyed lock and shall only be accessible to the Evidence Technician or his alternate. The Property Room in the Laurel Park Police Department Patrol Division shall be designated as the secure evidence facility. It is the responsibility of the Evidence Technician to keep the property lockers cleared out to allow access to Patrol Officers. Items too big to fit into the file cabinet, shall be properly tagged and held for the Evidence Technician.

The department shall not be liable for property or evidence improperly collected or handled prior to its' submission into the Secure Evidence Facility.

EFFECTIVE: Immediately

DATE: 09/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 09/01/98

SUBJECT: COMPLAINTS FROM CITIZENS (COMPLAINT PROCEDURE)

PURPOSE: To establish a policy for handling and receiving complaints from the public concerning the Laurel Park Police Department.

STATEMENT OF POLICY: It shall be the policy of this department to receive and investigate complaints made against the Laurel Park Police. The following shall set the policy and procedure for the handling of complaints.

I. COMPLAINTS:

- A. No complaints will be acted upon unless the person lodging the complaint does so in the following manner:
 - 1. The complaint must be written and mailed, or hand delivered to the Chief of Police or Town Manager.
 - 2. Verbal and telephone complaints will be investigated. Complaints which may lead to employee disciplinary action must be followed up in writing by the individual making the complaint.
 - 3. Complaints must be received in a timely manner. No complaint concerning a Laurel Park Police Officer will be investigated unless made within 15 days of the original incident.

II. INVESTIGATION PROCEDURE:

- A. Once received by the Chief of Police, the complaint will be investigated by the Chief of Police.
- B. The Laurel Park Police Department will make every effort to thoroughly investigate the complaint.
- C. The investigation is to include but not limited to interviews and statements of all of those involved in the complaint.
- D. Involvement is to include but not limited to officers, witnesses, and the person conducting the complaint.
- E. Once the investigation is complete, all findings are to be delivered in writing to the Chief of Police for review.

- F. After review by the Chief of Police, the findings are to be delivered to the Town Manager.
- G. After review by the Chief of Police and the Town Manager, any disciplinary action to be enforced will be in accordance with Personnel Policy 300.02, Disciplinary Action.

III. DISPOSITION OF INVESTIGATION:

- A. Whether the complaint is founded or unfounded, a letter will be sent to the person lodging the complaint. The letter will state if the allegations were founded or unfounded. The letter will state also that the complaint was investigated. The letter will only outline disciplinary procedures that are a matter of public record in accordance with N. C. General Statutes.
- B. A file will be kept on all complaints lodged in accordance with public records disclosures as outlined by the N. C. General Statute. This file will be kept in the Police Department and contain general complaints.
- C. The outcome of any investigation proven to be founded will become a part of the employee's permanent personnel file.

EFFECTIVE: Immediately

DATE: 09/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 09/01/98

SUBJECT: FIREARMS

PURPOSE: To provide a single source of a reference for all department members as to possession and use of firearms in the performance of police duty.

STATEMENT OF POLICY:

The effect of violations of this policy may increase the possibility of civil liability.

An officer is equipped with a firearm to defend oneself or others against deadly force or the threat of imminent deadly force. However, when a firearm is used by an officer, it must be with the paramount realization that the death of some person may thereby be caused. Justification for its use is limited to those facts known to the officer, or perceived by the officer, at the time of the decision to shoot.

AUTHORIZATION OF FIREARMS:

- 1) While on duty, all full-time officers shall be armed with the department issued semi-automatic service pistol. Reserve officers are required to furnish a firearm of approved caliber. Unless otherwise authorized by the Chief of Police, no officer shall carry any firearm on duty other than a firearm issued or approved by the Laurel Park Police Department.
- 2) Officers may be specifically relieved of the duty of carrying a firearm by command or permission of a superior officer to facilitate a special assignment.
- 3) Carrying a concealed firearm while off-duty is optional and at the discretion of the off-duty officer, but the carrying of a concealed firearm while off-duty is expressly authorized for full-time, sworn members in compliance with state and federal laws. No officer shall be disciplined for failing to take law enforcement action while off-duty. The make and model of any firearm carried off-duty shall be approved by the Chief of Police before such firearm is carried off-duty. Off-duty weapons must be qualified with.
 - a. An off-duty officer shall not carry about his person or possess any firearms while consuming any alcoholic beverage in any amount or kind whatsoever.
 - b. An off-duty officer shall not carry or possess a firearm while attending a social event, or be present at any place where alcoholic beverages will be generally available to persons attending or present, regardless whether or not the off-duty officer anticipates personal consumption of alcoholic beverages.
 - c. Unless authorized by the Chief of Police, reserve officers are not allowed to carry a weapon while off-duty or out of uniform.
- 4) Firearms carried while in civilian clothing shall be concealed from public view except when actually performing a police duty or in or about police facilities.

- 5) The issued service pistol/and shotgun shall be manufacturer's to standard specifications excepting only those modifications approved by the Chief of Police. Nonstandard grips or stocks, trigger shoes, inserts and any similar substitutions or additions to the issued weapon must be approved by the Chief of Police.
- 6) No ammunition shall be loaded, altered, modified, or carried by an officer except that issued by the department, except as authorized by the Chief of Police. The carrying, on-duty or off-duty, without authorization of any modified or altered ammunition is in violation of this policy.
- 7) An officer shall not draw, point, or discharge a firearm except in compliance with these guidelines and only when reasonably necessary for proper performance of official duty. Any unnecessary, frivolous, or careless use or handling of a firearm is expressly prohibited. Horseplay involving a firearm or drawing of a firearm when not related to reasonable performance of duty is expressly prohibited.
- 8) Officers shall not place or store any firearm so as to be exposed and/or readily accessible to the public or any unauthorized person. This includes storage of the firearm at home.
- 9) Each officer will be personally responsible for the care of the service revolver/pistol:
 - a. The service revolver/pistol shall be thoroughly cleaned within 12 hours after each firing and shall be periodically inspected by superior officers.
 - b. Any mechanical defects are to be immediately reported for repair.
- 10) The loss or theft of any department-issued firearm shall be reported immediately, and in writing, to the Chief of Police.
 - a. The report shall set forth all the facts concerning the loss or theft and shall include a complete description of the firearm.
 - b. The officer making the report shall forward the report to the Chief of Police.
 - c. Replacement in such cases shall be the expense and responsibility of the officer, unless occurring in the performance of duty.
- 11) When any injury or death results from the use of a firearm, that firearm shall be taken into custody immediately, or as soon as circumstances permit, by the supervising officer, and no officer shall refuse to surrender such firearm. The Chief of Police is authorized and empowered to demand surrender or take possession of an issued firearm at any time, and officer shall refuse to surrender said firearm. The firearm shall be forwarded to the Chief of Police in the same condition as immediately following the incident of use. When a weapon is retrieved under these circumstances it is to be handled as a piece of evidence. It shall be the policy of the department to authorize another weapon in cases where it has not been determined that the officer was definitely at fault.

AUTHORIZATION FOR THE DISCHARGE OF FIREARMS

- 1) A police officer is authorized and has the duty to prevent death or serious injury to himself, a fellow officer, or a member of the public by utilizing necessary force, including the use of firearms.
- 2) An officer may discharge a firearm in the performance of a police duty for any of the following reasons:
 - a. At an approved firing range.
 - b. To destroy an animal, if necessary, after a superior officer has been advised and has authorized the destruction without risk of injury to persons or unreasonable damage to property and pursuant to local city ordinance.
 - c. To effect an arrest or to prevent the escape from custody of a person who he reasonably believes is attempting to escape through the use of a deadly weapon, or who by his conduct or any other means indicates that he presents an imminent threat of death or serious physical injury to others unless apprehended without delay (GS 15A-40292b).
 - d. To protect his person or the person of another from the imminent threat of death or serious injury.
- 3) Officers are prohibited from discharging firearms in the following instances:
 - a. To effect the arrests of a person who is fleeing from apprehension without any apparent or perceived threat to the officer or other persons.
 - b. To prevent the escape of an occupant of a motor vehicle unless the motor vehicle is then being operated in a manner creating a serious risk of death or bodily injury to other motorists or pedestrians.
 - c. When discharge of the firearm carries a substantial risk of death or serious bodily injury to other persons present at, or in close proximity to, the police encounter, or near a crowd.
 - d. To warn, frighten, or intimidate a person.

REPORTING DISCHARGE OF FIREARM:

Any shots fired, including accidental shots, except those intended shots fired at an approved range, are to be immediately reported to the Chief of Police, and in writing, by filing a Use of Force Report. The same shall apply any time an officer draws and points his weapon at another as an act to exert or thwart an act of violence or danger. In other cases details shall be stated in incident or arrest reports and a Use of Force Report need not be filed.

In cases where officers are searching or investigating a location where a crime has been committed and deem it necessary to draw their service weapon for the purpose of officer safety and are confronted by a lawful citizen, a Use of Force Report need not be filed as long as this is an encounter without incident (i.e. a complaint).

ADMINISTRATIVE LEAVE:

In recognition of the mental and physical strain placed upon a police officer who is required to discharge his firearm in the line of duty, the following leave policy is initiated. This policy shall be followed in all instances and regardless of any question of proper or improper action by the officer.

An officer who is involved in line-of-duty incident, wherein his firearm is discharged, may be (at the discretion of the Chief of Police) granted his next two scheduled working days off for administrative leave purposes. If feasible, with the Chief of Police's, the officer may be allowed to take administrative leave for the remainder of his tour of duty during which the incident occurred.

This policy shall not apply to the discharge of firearms for the purpose of training or for the purpose of disposing of any injured animal.

FIREARMS TRAINING:

- 1) Firearms Qualifications Course(s) will be developed or selected by the department's Range Instructor(s). Prior to being used for actual qualification of officers, each Firearms Qualification Course shall be approved by the Chief of Police. Prior to final approval by the Chief of Police, a minimum passing qualification score of 70% shall be assigned to each course. Once approved by the Chief of Police, each Firearms Qualification Course shall be reduced to writing and shall state the method to be used to compute an officer's score on the course. A copy of each Firearms Qualification Course will be given to the Chief of Police and a copy will be kept on file by the Training Officer. Copies of all approved Firearms Qualification courses will be made available to any departmental member upon request. Each approved Firearms Qualification Course will be assigned a number by the Department's Training Officer, beginning with number 0001. IF an approved Firearms Qualification Course is altered or modified in any way (including a course in the time limits or passing score), a new number shall be assigned to the "new" course as modified. The effect is that each time an existing course is modified or altered, a new course results, and therefore a new Firearms Qualification Course number must be assigned. A copy of each approved Firearms Qualification Course shall be permanently maintained on file by the range officer unless directed otherwise by the Chief of Police.

The Chief of Police shall maintain a Range Qualification Log on each officer in the department. Every time an officer shoots a Firearms Qualifications Course for qualification purposes, the following information shall be collected by the Range Instructor(s) and recorded on the respective officer's Range Qualification Log:

- qualifying officer's name
- date of qualification
- Firearms Qualification Course number
- weapon(s) fired
- Range Instructor(s) on duty
- any other information deemed necessary by Range Officer or Chief of Police

Range Qualifications Logs shall be permanently maintained on file by the Chief of Police.

- 2) Firearms qualifications shall be scheduled by the Chief of Police a minimum of one per calendar year. Each officer shall qualify a minimum of once per calendar year, with a mandatory night firing as a part of the qualification. Qualification shall be done with the officer's service pistol. Officers are expressly authorized to undergo more frequent firearms training if an officer wishes to do so, and the department will make the ammunition needed for such training available.

An officer who fails to qualify during a scheduled qualification session shall be allowed an additional opportunity to attempt to qualify within 48 hours of such failure. An officer who fails to qualify within such 48-hour period shall be suspended from duty without pay until he qualifies and shall be required to do so on his/her own time under the supervision of the department's firearms training officer, and the Chief of Police.

All officers hired by the department shall successfully complete a firearms qualification course with their assigned service pistol prior to being authorized or allowed to carry a firearm in the course of the officer's employment.

- 3) Officers scheduled for firearms qualifications shall report at the time and place designated with the following equipment:
 - a. The officer's authorized belt, holster, and ammunition carrier used while on duty.
 - b. The officer's service patrol.
 - c. Any officer who fails to bring the required equipment may not fire for re-qualification. Such officer shall be rescheduled at the discretion of the Range Instructor.

Eye and ear protectors shall be used by all officers while on the range. Officers who wish to provide their own glasses, hearing protectors, or both, may do so. Otherwise, the eye and ear protectors issued at the range shall be used.

- 4) Each officer shall report for duty with his service pistol clean and free from mechanical defects. Any defects are to be reported immediately.

Monthly inspections of the service pistols may be performed by the Chief of Police.

The service pistol may be inspected prior to firearms qualification by a Range Instructor.

The service pistol shall be thoroughly cleaned immediately upon completion of firearms qualification and inspected by a Range Instructor. Cleaning equipment will be provided, and each officer's weapon must pass inspection by the Range Instructor before the officer is dismissed.

- 5) The Chief of Police shall maintain on file a list of approved Range Instructors.
- 6) The Chief of Police shall schedule at least one shotgun qualification per year.
- 7) Each officer carrying a shotgun must be qualified to carry same.
- 8) Authorization to carry an off-duty weapon can only be approved by the Chief of Police. Such requests must be made in writing, and no weapon less than 380 caliber shall be approved. This pertains to handguns. Officers are only authorized to carry shotguns approved by the department. Back-up weapons must be qualified with and approved by the Chief of Police.

EFFECTIVE: Immediately

DATE: 09/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 09/01/98

SUBJECT: POLICE DEPARTMENT INSPECTION PROGRAM

PURPOSE: To establish an inspection system whereby the Department's efficiency, effectiveness, and safety in carrying out its responsibilities can be assessed. This is determined by comparing performance to previously established goals, objectives, policies, procedures, rules regulations, and laws. A thorough and accurate inspections program will assist in determining if actual performance meets expectations and if any action is required for change or elimination of a program, thus providing a valuable service to the Department.

STATEMENT OF POLICY:

A. It is the policy of the Laurel Park Police Department to conduct periodic inspections of functions, personnel, and equipment within the Department in accordance with the procedures established herein.

B. Departmental office furniture, lockers, vehicles, and facilities are provided for official use, and no employee will have an expectation of privacy therein. All Department vehicles, office furniture, lockers, and facilities are open to unannounced inspection by the Chief of Police or his designee.

C. All Departmental units should be aware that their operations are subject to unscheduled inspections at the discretion of the Chief of Police or Town Manager. Such inspections may be of a general nature such as walk-through or more directed such as review of specific areas of concern.

I. PROCEDURES

A. Line Inspections

1. The Chief of Police is responsible for the inspection of personnel, activities, and equipment under his/her supervision and initiation of appropriate action in the event of a failure, error, violation, misconduct, or neglect of duty by a subordinate. The frequency of line inspections depends on the purpose of the inspection. On a daily basis, an employee's appearance, demeanor, and the use and maintenance of equipment are subject to inspection, but usually informally by way of roll-call or observation.

2. Less frequent, such as weekly, monthly, quarterly, or annual inspections may be conducted on equipment, facilities, and organizational components or functions. A written report is required for any inspection which identifies a need for corrective action.

3. Inspections will be both announced and unannounced. These line inspections will be conducted on a predetermined list of items. If an area is identified as needing corrective action, a time period for correction will be established for a follow-up inspection to ensure corrections have been made.

4. The Chief of Police will keep on file a record of inspections conducted giving the type of inspection, date, inspecting officer findings, and corrective action.

5. Vehicle inspections will be recorded on the vehicle inspection form.

EFFECTIVE: Immediately

DATE: 09/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 09/01/98

LAUREL PARK POLICE DEPARTMENT
VEHICLE INSPECTION FORM

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VEHICLE: _____ OFFICER ASSIGNED: _____

MILEAGE: _____ DATE/TIME: _____ SUPERVISOR: _____

			EXCELLENT	GOOD	FAIR	POOR
CLEANLINESS						
	EXTERIOR					
	INTERIOR					
ORDERLINESS						
	FRONT					
	BACK					
	TRUNK					
SUPPLY OF FORMS						
	INCIDENT					
	C/I					
	ACCIDENT					
	COLLISION					
	ARREST					
	STATEMENT					
	MINOR NOT.					
	D.A.R.					
	PRINT CARDS					
	CITATIONS					

EQUIPMENT CHECKLIST

RADIO		HEADLIGHTS		FIRE EXTINGUISHER		
SIREN		REAR LIGHTS		MEASURING WHEEL		
CONTROLS		MOTOR		TRAFFIC VEST		
BAR LIGHT		TIRES		FLARES		
SPOTLIGHT		INT. LIGHTS		SPARE TIRE/JACK		
CAGE		FLUIDS		AMMO		

COMMENTS :

SUBJECT: PUBLIC WORKS DEPARTMENT DUTIES AND FUNCTIONS

PURPOSE: To establish general duty and function guidelines for the Public Works Department.

STATEMENT OF POLICY: The primary duties and functions of the Public Works Department are to insure efficient, effective, and safe operations within all aspects of the Town of Laurel Park’s streets to include maintaining all dedicated right-of-ways; parks; and water system/operations, these activities include but are not limited to the following:

1. Street/road repair and maintenance.
2. Maintenance of all Town dedicated right-of-ways.
3. Maintenance of all Town parks.
4. Maintenance and operations of the Town water system.
5. Maintenance, repair, and accountability of all assigned departmental equipment
6. Maintenance and repair of Police vehicles.
7. Snow, ice, or storm debris removal from the Town’s road network, as required.
8. Establish and maintain an effective safety program.
9. Prepare or provide input to required statistical reports for the Town, state, and other governmental agencies.

EFFECTIVE: 11/01/98

LAST REVISED: 01/01/05

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: PUBLIC WORKS DEPARTMENT POSITION DESCRIPTIONS

PURPOSE: To establish basic position descriptions for the Public Works Department.

STATEMENT OF POLICY:

Title: Public Works Superintendent

1. General Description of Duties

Performs difficult professional, technical, and administrative work planning, organizing, and directing a variety of public works and public utilities activities including: water line construction and maintenance; street and drainage system maintenance and repair; yard waste collection and disposal; property maintenance; and equipment services.

2. Distinguishing Features of the Class

An employee in this class plans, organizes, and supervises the work of employees engaged in a wide variety of municipal operations and services. The employee serves as Operator in Responsible Charge of the water distribution system and provides technical advice and assistance to the Manager in the improvement of water and environmental resources, streets, drainage, and other infrastructure, and insures that modern, safe, effective and efficient practices are utilized by municipal work crews. Work also includes contract management, handling citizen issues, and budget and personnel administration of the department. The employee represents the town to a wide variety of citizens, developers, state and federal regulatory officials, etc. Work is performed independently and in coordination with other town officials. Work is performed under the general direction of the Town Manager and is evaluated by review of reports, conference, and acceptance of the community.

3. Essential Duties and Tasks

Manages and plans the activities of all public works department staff; ensures coordination of activities with other departments and governmental jurisdictions and agencies.

Reports to and advises the Manager on public works and public utilities projects and activities.

Researches and recommends long range plans and strategies for meeting citizen service needs; researches and recommends operational changes to the Manager and Council.

Performs selection, promotion, training, counseling, and disciplining of department personnel in consultation with Town Manager; meets frequently with staff to solve more complex problems; sets priorities and deadlines, and provides guidance and direction.

Supervises and participates in construction and maintenance tasks with crews; makes field inspections of public works projects to review progress and ensure completion; performs plan review.

Engages in considerable personal contact with citizens concerning service request and complaints; investigates and decides or recommends actions; coordinates projects with other departments.

Prepares and reviews departmental operating budget; monitors and approves expenditures.

Serves as Operator in Responsible Charge of the water distribution system; oversees and participates in changes in regulations regarding water distribution, storm water, safety and other related issues; insures proper maintenance and operation of the water pumping stations; operates computerized SCADA system to monitor and control water pumps and storage; prepares and submits annual water permit application.

Oversees and participates in the maintenance and repair of building, landscape, and other structures.

Plans, organizes, and monitors contracted work.

4. Additional Job Duties

Performs other duties as assigned.

5. Recruitment and Selection Guidelines

Thorough knowledge of the principles and practices of public works, water, and environmental resources administration, planning and construction.

Thorough knowledge of related Town policies, state and federal laws, and regulations.

Thorough knowledge of the equipment and materials used in the construction, maintenance and repair of distribution systems, drainage systems, public buildings, grounds, parks and streets.

Considerable knowledge of modern governmental budgeting, personnel and purchasing practices and of related Town policies and procedures.

Thorough knowledge of safety practices such as shoring construction signing, and confined space entry.

Working knowledge of civil engineering design principles and engineering practices as applied to departmental functions.

Working knowledge of the principles and practices, laws and regulations relating to supervised functions.

Working knowledge of the application of information technology to public works and utilities functions.

Ability to supervise subordinate supervisors including effective communications, motivations, staffing, and coaching.

Ability to interpret and prepare complex and detailed records and reports.

Ability to maintain effective working relationships with Town officials, other public officials, employees, contractors and the general public.

Ability to present ideas effectively in oral and written form.

6. Physical Requirements

Must be able to perform the physical life functions of climbing, balancing, stooping, reaching, standing, walking, pushing, pulling, lifting, fingering, grasping, feeling, talking, hearing and repetitive motions.

Must be able to perform medium work exerting up to 50 pounds of force occasionally; up to 20 pounds of force frequently and/or up to 10 pounds of force constantly.

Must possess visual acuity to produce and review written reports and records including mathematical calculations, operate a computer terminal, analyze data, and to read maps, schematic drawings and plans.

7. Desirable Education and Experience

Graduation from an accredited college or university with an associate's degree in civil or environmental engineering, public administration, or related field, and considerable supervisory experience in the public works or environmental resources field; or an equivalent combination of education and experience.

8. Special Requirement

Possession of a valid North Carolina driver's license.

Possession of a valid grade B water distribution system operator's certification or above.

9. Organizational Relationships

Reports To: Town Manager

Supervises: Public Works Crew Chief
Equipment Mechanic
Senior Maintenance Technician
Maintenance Technician

Title: Public Works Crew Leader

1. General Description of Duties

Performs responsible technical and skilled work supervising the work of a team engaged in grounds, parks, water distribution, streets maintenance and other public works activities.

2. Distinguishing Features of the Class

An employee in this class supervises and participates in the work of small crews engaged in a variety of work associated with streets, storm drainage, parks, building grounds, other public facilities, yard waste collection, and other maintenance activities. Work includes leading a crew in mowing public grounds; repairing public facilities; reading repairing and maintaining water lines, meters, hydrants and related appurtenances; collecting leaves, limbs, or other trash; patching asphalt; maintenance or construction of storm water system; and small construction or renovations activities. Work also involves insuring that crew members take proper tools, equipment and supplies to the work site, performing the more technical functions, providing training, and responsibility for work crew safety. The employees assist with various administrative tasks such as preparation of time sheets, procurement of parts and supplies, and maintenance of work activity data bases .The employee is subject to working in inside and outside environments including extreme hot and cold weather and to work hazards including loud noise, vibrations, moving mechanical parts, exposure to chemicals, fumes, odors, poor ventilation, and oils. The employee must exercise judgement and initiative in carrying out assignments. Work is performed under regular supervision and is inspected for compliance with instructions, conformance to established standards, quality and productivity of work crews, and adherence to schedules and priorities.

3. Essential Duties and Tasks

Leads and participates in the reading and maintenance of water meters, line, hydrants, valves, pumping stations, storage tanks, and related appurtenances; takes water samples and locates water lines for other utilities and contractors.

Supervises and participates in the collection of yard wastes including leaves and limbs and snow removal.

Coordinates the use of available equipment, materials and staff to obtain maximum effectiveness and economy; may respond to citizen requests and complaints.

Participates in the training, safety, and performance coaching of crew employees; insures application of safety regulations.

Completes work orders; insures that crews take necessary materials to work sites; keeps records of work activities; procures tools, supplies, and materials.

Leads and participates in cleaning curbs and storm drains; erecting street signs; planting flowers and shrubbery and mowing and care of landscaping and rights-of-way; leads and participates in making carpentry, plumbing, masonry, or other repairs.

Operates dump trucks, loaders, backhoes, and other construction equipment or heavy mowing equipment.

Serves in the absence of the Superintendent; operates SCADA computers to control and monitor water pumps and storage.

4. Additional Job Duties

Performs related duties as assigned.

5. Recruitment and Selection Guidelines

Considerable knowledge of the principles and practices of construction, repair, and maintenance of streets, sidewalks, storm drainage, water distribution systems, and public grounds.

Considerable knowledge of the use of related equipment and materials.

Considerable knowledge of the occupational hazards and safety precautions of the work.

Working knowledge of the use of information technology in the preparation and maintenance of work records including SCADA systems, and other software.

Ability to provide training and leadership to a small crew.

Ability to establish and maintain effective working relationships with supervisors, peers, subordinates and citizens.

Ability to maintain and prepare accurate records.

Skill in the operation of heavy construction equipment.

6. Physical Requirements

Must be able to perform the basic life functions of climbing, balancing, stooping, kneeling, crouching, reaching, standing, walking, lifting, pushing, pulling, fingering, grasping, talking, and hearing.

Must be able to perform heavy work exerting up to 100 pounds of force occasionally, and/or up to 50 pounds of force frequently, and/or up to 20 pounds of force constantly to move objects.

Must possess visual acuity necessary to read maps and diagrams, to operate a vehicle, and to read and prepare records.

7. Desirable Education and Experience

Graduation from high school and considerable experience in water distribution system and/or street construction, maintenance, and repair; or an equivalent combination of education and experience.

8. Special Requirement

Possession of a valid North Carolina Driver's License.

Possession of a grade B water distribution system operator's certification.

9. Organizational Relationships

Reports To: Public Works Superintendent

Title: Equipment Mechanic

1. General Description of Duties

Performs responsible skilled mechanical work on a variety of automotive, construction, and specialized equipment.

2. Distinguishing Features of the Class

An employee in this class performs as a skilled mechanic in the Town's garage. The employee conducts preventive maintenance and repairs on automotive, light and heavy equipment. Work includes the minor repair of gasoline and diesel engines, motors, brakes, electrical and hydraulic systems, and tires. Employee exercises judgement in diagnosing malfunctions of vehicles and equipment and determining necessary repairs. The employee is subject to hazards of automotive mechanics including working in both inside and outside environments, and exposure to various hazards such as noise, vibrations, moving mechanical parts, electrical currents, dusts, mists, fumes, odors, and oil. Work is performed under general supervision and is evaluated through observation, inspection, and utility and durability of repairs.

3. Essential Duties and Tasks

Performs preventive maintenance and repair on a variety of vehicles and equipment including automobiles, tractors, heavy construction equipment, small engines and landscaping equipment.

Makes necessary repairs and adjustments, replaces worn or defective parts.

Performs scheduled preventive maintenance on vehicles and equipment such as tune-ups, checking lights, tires, brake linings, wiper blades, horns, suspensions, etc.

Operates equipment such as lift jacks, air guns, battery chargers, wrenches, air compressors, welding units, and other hand tools.

Lubricates, repairs and replaces parts and filters; cleans and replaces spark plugs, installs radiator hoses, and replaces belts.

Changes tires; replaces and checks brakes, replaces hoses, etc.

Performs work on electrical, exhaust, brake, and hydraulic systems.

Orders, stocks, and maintains accurate inventory of parts and tools.

Prepares work orders and records of maintenance and repair activities; maintains warranties and other related documents.

Participates with public works crews in street, drainage, landscape, water distribution system and other maintenance and repair work.

4. Additional Job Duties

Performs related duties as required.

5. Recruitment and Selection Guidelines

General knowledge of the methods, tools, parts and equipment used in the repair of light automotive passenger cars, trucks, and heavy construction and maintenance equipment.

General knowledge of gasoline and diesel engine operation and repair.

General knowledge of electrical, hydraulic, vacuum, and brake systems.

Working knowledge of safety hazards and precautions related to the work.

Skill in the use and the operations of tools and machinery used in automotive repair work. Ability to detect by inspection any worn or broken parts.

Ability to understand service manuals and schematic drawings.

Ability to operate vehicles safely.

Ability to follow instructions accurately.

Ability to establish and maintain effective working relationships with coworkers and other departments.

Ability to plan and carry out a preventive maintenance program for the fleet and other equipment assigned.

6. Physical Requirements

Must be able to physically perform the basic life operational functions of climbing, balancing, stooping, kneeling, crouching, crawling, reaching, standing, walking, pushing, pulling, lifting, fingering, grasping, feeling, talking, hearing, and perform repetitive motions.

Must be able to perform heavy work exerting up to 100 pounds of force occasionally; and/or up to 50 pounds of force frequently; and/or 20 pounds of force constantly to move objects.

Must possess the visual acuity to perform mechanical non-repetitive work, distinguish the work performed at an arm's reach, and read diagrams and repair manuals.

7. Desirable Education and Experience

Graduation from high school supplemented by coursework in mechanical and/or electrical trade skills, and experience in repairing automotive and power driven equipment; or an equivalent combination of education and experience.

8. Special Requirement

Possession of a valid North Carolina driver's license.

9. Organizational Relationships

Reports To: Public Works Superintendent

Title: Senior Maintenance Technician

1. General Description of Duties

Performs a variety of responsible unskilled and semi-skilled maintenance, repair, and construction work on streets, buildings, grounds, drainage, water distribution system and other public facilities.

2. Distinguishing Features of the Class

An employee in this class performs a variety of unskilled and semi-skilled labor tasks in the construction, maintenance, and repair of water distribution system, streets, buildings, grounds, and drainage, and other facilities. Other tasks include collecting and disposing of yard waste, snow removal, and various other related tasks. Work involves operating a variety of tools and light, and medium equipment to build, repair and replace sections of water lines, streets and other infrastructure. Employees participate in concrete and asphalt work, carpentry, and related trades work performing minor repairs and maintenance. Employees are subject working in both inside and outside environments, in extreme hot and cold weather, and exposure to various hazards such as loud noises, vibration, moving mechanical parts, electrical current, chemicals, fumes, odors, dusts, mists, gases, poor ventilation, and oils. Employees are subject to working in water or manholes. Employees are also subject to on-call and call-back work. Work is performed under regular supervision and is evaluated through observation and inspection for adherence to instructions and standard trade and safety practices.

3. Essential Duties and Tasks

Performs semi-skilled trades work in the construction, replacement and repair of water lines, meters, hydrants and valves; participates in maintenance of water pumps and storage tanks; fits pipe; uses hand tools and operates equipment to back fill trenches.

Operates construction equipment such as dump trucks, loaders, tampers, trenchers, air compression

driven equipment, and other related light and medium equipment; performs preventive maintenance and minor repairs to equipment.

Participates in making water taps and installing fire hydrants; reads, installs and replaces water meters; connects and disconnects service.

Checks for and repairing leaking lines; performs maintenance and repairs on valves; assists with reconnecting water service.

Participates in asphalt and concrete repair to streets, sidewalks, curb and gutter and other street facilities; fabricates and erects street signs.

Repairs, builds, and cleans stormwater drainage, catch basins, driveway pipes, and aprons.

Participates in mowing, mulching, planting, irrigating, and other landscape maintenance tasks.

Cleans buildings, paints, replaces light bulbs, arranges furniture, and performs other unskilled building maintenance and repair tasks.

Shovels or pushes snow with a dump truck.

4. Additional Job Duties

Performs related tasks as required.

5. Recruitment and Selection Guidelines

Working knowledge of tools, materials and equipment used in public works and utility construction and maintenance work.

Working knowledge of semi-skilled trades including masonry and carpentry.

Working knowledge of the occupational hazards and safety precautions of the work.

Some knowledge of municipal maintenance and construction practices.

Some knowledge of traffic laws, ordinances and regulations pertaining to operations of motorized equipment.

Ability to understand oral and written instructions.

Ability to establish and maintain effective working relationships with citizens, supervisors, and other employees.

Ability to operate light to medium equipment with skill and safety.

Ability to prepare simple written records of work activities.

6. Physical Requirements

Must be able to physically perform the basic life operational functions of climbing, balancing, stooping, kneeling, crouching, crawling, reaching, standing, walking, pushing, pulling, lifting, feeling, talking, hearing, and repetitive motions.

Must be able to perform heavy work exerting up to 100 pounds of force occasionally; 50 pounds of force frequently; and 20 pounds constantly.

Must possess the visual acuity to operate mobile equipment such as the loader and dump truck in a safe manner.

7. Desirable Education and Experience

Graduation from high school and experience in semi-skilled maintenance or construction work; or an equivalent combination of education and experience.

8. Special Requirement

Possession of a valid North Carolina driver's license.

Minimum three years' service with the Town.

Possession considerable expertise in two of the following three areas (backhoe operation, side arm hydro-mower, or grade C water distribution certification or above).

9. Organizational Relationships

Reports To: Public Works Superintendent

Title: Maintenance Technician

10. General Description of Duties

Performs a variety of responsible unskilled and semi-skilled maintenance, repair, and construction work on streets, buildings, grounds, drainage, water distribution system and other public facilities.

11. Distinguishing Features of the Class

An employee in this class performs a variety of unskilled and semi-skilled labor tasks in the construction, maintenance, and repair of water distribution system, streets, buildings, grounds, and drainage, and other facilities. Other tasks include collecting and disposing of yard waste, snow removal, and various other related tasks. Work involves operating a variety of tools and light, and medium equipment to build, repair and replace sections of water lines, streets and other infrastructure. Employees participate in concrete and asphalt work, carpentry, and related trades

work performing minor repairs and maintenance. Employees are subject working in both inside and outside environments, in extreme hot and cold weather, and exposure to various hazards such as loud noises, vibration, moving mechanical parts, electrical current, chemicals, fumes, odors, dusts, mists, gases, poor ventilation, and oils. Employees are subject to working in water or manholes. Employees are also subject to on-call and call-back work. Work is performed under regular supervision and is evaluated through observation and inspection for adherence to instructions and standard trade and safety practices.

12. Essential Duties and Tasks

Performs semi-skilled trades work in the construction, replacement and repair of water lines, meters, hydrants and valves; participates in maintenance of water pumps and storage tanks; fits pipe; uses hand tools and operates equipment to back fill trenches.

Operates construction equipment such as dump trucks, loaders, tampers, trenchers, air compression driven equipment, and other related light and medium equipment; performs preventive maintenance and minor repairs to equipment.

Participates in making water taps and installing fire hydrants; reads, installs and replaces water meters; connects and disconnects service.

Checks for and repairing leaking lines; performs maintenance and repairs on valves; assists with reconnecting water service.

Participates in asphalt and concrete repair to streets, sidewalks, curb and gutter and other street facilities; fabricates and erects street signs.

Repairs, builds, and cleans stormwater drainage, catch basins, driveway pipes, and aprons.

Participates in mowing, mulching, planting, irrigating, and other landscape maintenance tasks.

Cleans buildings, paints, replaces light bulbs, arranges furniture, and performs other unskilled building maintenance and repair tasks.

Shovels or pushes snow with a dump truck.

13. Additional Job Duties

Performs related tasks as required.

14. Recruitment and Selection Guidelines

Working knowledge of tools, materials and equipment used in public works and utility construction and maintenance work.

Working knowledge of semi-skilled trades including masonry and carpentry.

Working knowledge of the occupational hazards and safety precautions of the work.

Some knowledge of municipal maintenance and construction practices.

Some knowledge of traffic laws, ordinances and regulations pertaining to operations of motorized equipment.

Ability to understand oral and written instructions.

Ability to establish and maintain effective working relationships with citizens, supervisors, and other employees.

Ability to operate light to medium equipment with skill and safety.

Ability to prepare simple written records of work activities.

15. Physical Requirements

Must be able to physically perform the basic life operational functions of climbing, balancing, stooping, kneeling, crouching, crawling, reaching, standing, walking, pushing, pulling, lifting, feeling, talking, hearing, and repetitive motions.

Must be able to perform heavy work exerting up to 100 pounds of force occasionally; 50 pounds of force frequently; and 20 pounds constantly.

Must possess the visual acuity to operate mobile equipment such as the loader and dump truck in a safe manner.

16. Desirable Education and Experience

Graduation from high school and experience in semi-skilled maintenance or construction work; or an equivalent combination of education and experience.

17. Special Requirement

Possession of a valid North Carolina driver's license.

18. Organizational Relationships

Reports To: Public Works Superintendent

EFFECTIVE: 11/01/98

LAST REVISED: 10/15/13

APPROVAL: _____
MAYOR

TOWN MANAGER

SUBJECT: Water/Sewer Billing Procedures

PURPOSE: To establish general guidelines, procedures, and frequency in which the Town of Laurel Park handles water/sewer billing.

STATEMENT OF POLICY:

Authority to Set Rates and Fees: The Laurel Park Town Council is authorized to make changes in rates for water/sewer service, tapping fees, and system development charges as necessary.

NOTE: Laurel Park residents who receive water/sewer service and billing from the City of Hendersonville will follow Hendersonville policies and procedures for water/sewer service.

Normal Billing Cycles: The Town of Laurel Park bills for water/sewer services on a bi-monthly basis. The bi-monthly water/sewer billing cycles end in February, April, June, August, October, and December. Water meters are read during the last part of these months. Bills are prepared and mailed no later than the 5th day of the following month. The due date for water/sewer bills shall be the last day of the month in which the bills are mailed. A late payment charge of five dollars (\$5.00) will be assessed to delinquent accounts the first day after the due date. **(Payment is not considered late if postmarked on/before the due date or placed in the Town Office front door mail slot prior to the Town Office opening on the next business day after the due date).**

Collection Procedures: Customers have four methods available to pay their Laurel Park water/sewer bills.

- 1) The Town offers and encourages bank drafting as a method of payment.
- 2) Customers may mail their payment to the Town office (address is furnished on the bill).
- 3) Customers may make their payment in person at the Laurel Park Town office during normal operating hours.
- 4) Customers may place their payment in the Town Office front door mail slot after normal operating hours.

Delinquent Accounts: The following procedures apply to delinquent accounts.

- 1) Once an account is past due, the customer will be mailed a notice during the first week of the following month indicating the account is past due and the date service will be disconnected if payment is not received.
- 2) Prior to disconnecting services from a delinquent account, telephonic contact will be attempted from the Town office (failure to make telephonic contact with the customer will not preclude the Public Works Department from disconnecting service as scheduled).
- 3) Failure to receive the water/sewer bill does not excuse the responsibility for timely payment or prevent service disconnection.
- 4) If the service is disconnected, the customer will face reconnection charges of \$30.00 plus all outstanding amounts due. NOTE: The Town assumes no liability for any customer equipment, such as water heaters, which may be damaged when water is disconnected.

Temporary Meter Turn-Off: At the customers' request, the Town will provide one meter turn-off and turn-on at no charge to the customer during the fiscal year (July 1st through June 30th). If a customer requests more than one meter turn-off and turn-on during the Fiscal Year, there will be a charge of fifteen dollars (\$15.00) for each additional request.

Deposit Requirements:

- 1) There is no deposit required for property owners within Laurel Park when a new resident requests water/sewer service. The Town does require proof of property ownership (ex. copy of the sales contract, verification from the attorney handling the closing, etc.).
- 2) All non-owners (renters, care takers, etc.) are required to pay a deposit to the Town for prior to receiving water/sewer service unless the water/sewer service remains in the property owner's name. If the water/sewer account remains in the property owner's name, the property owner will be responsible for all bills and water/sewer service, reconnections, late fees, etc. for the residence. Non-owners will pay a \$75.00 deposit that is refundable upon service termination, if the water/sewer account is paid in full. If monies are owed to the Town, such monies will be subtracted from the \$75.00 deposit and the remaining balance will be returned to the non-owner. If final payment owed exceeds the deposit amount, the non-owner will be responsible for any balance due. No interest will be paid on the deposit regardless of amount of deposit as well as length of time the Town has held the deposit.
- 3) All commercial customers (restaurants, inns, etc.) are required to pay a deposit to the Town based on an estimated four months usage. A commercial customer's deposit is refundable if termination of service is requested and the water/sewer account is paid in full. If monies are owed to the Town, such monies will be subtracted from the deposit and the remaining balance will be returned to the commercial customer. If final payment owed exceeds deposit amount, the commercial customer is responsible for any balance due. No interest will be paid on the deposit regardless of amount of deposit and length of time the Town has held the deposit.

Additional Fees: Prompt action will be taken to collect sufficient funds for any check or bank draft payment returned to the Town Clerk due to insufficient funds. Also, the Town will charge a service fee equal to all expenses incurred by the Town for checks or bank drafts returned due to insufficient funds. Once a water/sewer customer has two bad check or bank draft payments returned due to insufficient funds, the customer will be placed on a cash only basis for service.

EFFECTIVE: Immediately

DATE: 11/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 11/21/06

SUBJECT: Water/Sewer Bill Adjustments

PURPOSE: To establish general guidelines and procedures to be used for water/sewer customers who experience a water leak or break due to no reasonable fault of their own or who suspect there is inaccuracy with their water meter.

STATEMENT OF POLICY:

A. Leak Allowance: The Town of Laurel Park will consider an adjustment to a customer's water bill only if the customer develops a leak or break due to no negligence of the customer.

The Town purchases its water from the City of Hendersonville and follows the City of Hendersonville Water and Sewer Department "Leak Allowance Policy". The adjustment must be approved by the City of Hendersonville before the Town adjusts the customer's bill.

The "Leak Allowance Policy" states: Adjustments may be made when the water volume lost is 5,000 or more gallons higher than the average bi-monthly consumption for the account. The adjustment will be for one half of the excess over the qualifying 5,000 gallons.

A similar adjustment will be made on sewer accounts when the leak flows into the public sewer system. If the leak does not flow into the public sewer system, the sewer adjustment will be for 100% of the excess over the qualifying 5,000 gallons. The customer must produce receipts verifying leak (e.g. plumber's bill or replacement material receipt). **ONLY ONE ADJUSTMENT MAY BE MADE DURING A 12 MONTH PERIOD.**

There are no water adjustments made for filling swimming pools. A sewer adjustment may only be made if the pool does not drain into the city sewer system.

B. Water meter malfunction: At the resident's request, the Town will have a water meter checked if the resident feels that their meter is malfunctioning. If it is determined that the water meter is not working properly, the resident will receive a new meter installed at no charge. If the meter is deemed 100% accurate, the resident will be responsible for a \$20 adjustment for the test, which will be added to their next water bill and the meter will be re-installed.

In requesting an adjustment, the Town Manager has the authority to grant or refuse any adjustment upon review by the City of Hendersonville.

EFFECTIVE: Immediately

DATE: 11/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 05/21/02

SUBJECT: Water Operations

PURPOSE: To establish general guidelines and procedures to be used in the operation, maintenance, and extension of water services to the Town of Laurel Park.

STATEMENT OF POLICY:

I. WATER SERVICE

Any new house or multi-family residential structure in Laurel Park that does not have water service through the Town of Laurel Park water system is required to hook on to the municipal water system if water is available to the edge of the property. Each individual residence will be serviced by a single water meter (shared meters are not allowed on any new single or multi-family construction).

If a house (proposed or existing) does not have water service available to the edge of the property, then at property owner option:

- (a) can install a well on their property only to service their home and property.
- (b) can pay to have the water line extended to their property. Person will be responsible for full cost of the extension of water line. The Town, at its option, may elect to increase size of line and pay for difference of cost of material and labor or the line extension. If line extension can make water service available to other properties that do not have water reasonably available, the Town, at its sole option, can initiate a water line project and assess property owners for the cost as per NCGS 160A-216. Property owners can petition the Town on the water line extension and property owners pay full costs of the extension. Note: Laurel Park residents who have access to water service through the City of Hendersonville will follow Hendersonville procedures and policies for water service.

II. LINE UPGRADES/RELOCATIONS

Due to the age of the Town water system and the past practice of locating water lines on private property, the Town may replace or relocate water lines as needed or necessary at no expense to property owner. The Town has the option to pay for a new service line connection to existing houses affected by a water line upgrade or relocation.

III. SYSTEM DEVELOPMENT CHARGE

The Town will charge all new water taps a system development charge in addition to tap fee to assist in paying capital costs in order to supply the water. Such capital facilities include, but are not limited to; water tanks, water lines, and pump stations. House additions requiring a new water tap will not be charged a system development charge. Requests for an additional meter for a yard hydrant will not be charged a system development charge.

Note: If a customer requests their meter be disconnected and removed completely terminating service, the customer would incur the tap fee to reinstall the meter.

IV. LIABILITY

The Town of Laurel Park assumes no liability for any damages done to private property due to lack of water service. This includes, but is not limited to; water outage from Town supply tanks, removal of water meter for individual customer resulting from lack of payment, customers request to shut off or pull meter, natural disasters, etc.

V. ANNEXATION AND WATER LINES

If the Town receives a voluntary annexation request for an area that is not serviced by water, arrangements for water service and lines will be agreed upon before the Town will favorably consider the annexation.

In areas where the City of Hendersonville provides water to the general area, extensions will be made under Hendersonville’s policies. In areas annexed where service is not clearly defined, arrangements will be made between Town and City to determine who will provide service.

If the Town of Laurel Park annexes areas currently served by another water service provider. The customers will remain on that water system and will maintain all rights that water service provides.

If the Town annexes an area where water is provided by a homeowners association or private company, the Town will take over maintenance and customer service and title to water lines, provided: (1) The Town has been petitioned to take over water system; (2) system meets the current water standards of the Town of Laurel Park; or (3) the Town can charge necessary major improvements prior to dedication and acceptance to the company and/or individuals with ownership of system.

EFFECTIVE: Immediately

DATE: 11/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 11/01/98

SUBJECT: Water Conservation

PURPOSE: To establish general guidelines and procedures to be used in the event of a water shortage.

STATEMENT OF POLICY:

Definition: A water shortage shall be deemed to exist when water demand by customers connected to the Town-owned water system reaches the point where continued or increased demand will equal or exceed the system supply and transmission capabilities. When demand results in the condition where customers cannot be supplied with water to protect their health and safety, then the demand must be substantially curtailed to relieve the water shortage.

1. Declaration of water shortage. If it appears that water demand on the Town water system may exceed supply and transmission capabilities, the director of the public works department may recommend to the manager that voluntary water conservation measures be implemented. The manager may declare a stage I water shortage condition advisory requesting voluntary water conservation by consumers. If voluntary conservation measures fail to relieve the demand on the system, the Town may advance to a stage II or stage III water shortage condition. The manager, following consultation with the Town Council, may, with or without the recommendation of the director of the water department, declare that a stage II or stage III water shortage condition exists.

Stage I water shortage condition.

(a) *Voluntary compliance.* If a stage I water shortage condition is declared, the following guidelines shall apply:

- (1) An extensive publicity campaign will be initiated using public media and specialized methods to inform the public of an impending or existing water shortage.
- (2) Conservation measures will be encouraged and recommended.

(b) *Water use guidelines.* If a stage I water shortage condition is declared, the following guidelines shall apply and the public shall be encouraged to adhere to the following:

- (1) Limit car washing to the minimum.
- (2) Limit lawn and garden watering to that which is necessary for plants to survive.

- (3) Do not wash down outside areas such as sidewalks, patios, parking lots, service bays or aprons, etc.
- (4) Do not leave faucets running while shaving or rinsing dishes.
- (5) Water shrubbery to the minimum required, reusing household water when possible.
- (6) Limit use of clothes washers and dishwashers and, when used, operate fully loaded.
- (7) Use showers for bathing rather than bathtub, and limit showers to no more than four minutes.
- (8) The use of disposable and biodegradable dishes is encouraged.
- (9) The use of flow restrictive and water saving devices.
- (10) Limit hours of operation of water-cooled air conditioners.
- (11) All residents, businesses and institutions are requested to temporarily delay new landscape work until the water shortage has ended.

Stage II water shortage condition.

(a) *Compliance.* If the manager issues a declaration of a stage II water shortage condition, the procedures in this section will be in effect until such time as the declaration of water shortage has been rescinded. In exercising the authority for declaring a water shortage condition consideration shall be given to water storage levels and available sources of supply, available usable storage on hand, draw down rates, the projected supply capability, outlook for precipitation, daily water use patterns and availability of water from other sources.

(b) *Restrictions on water use.* If a stage II water shortage is proclaimed. In addition to the voluntary guidelines already in effect, the following restrictions will apply to the use of water supplied by the town water system:

Town Water may not be used:

- (1) For lawns, grass, shrubbery, trees and flowers.
- (2) To fill newly constructed swimming and/or wading pools or refill swimming and/or wading pools which have been drained.
- (3) To wash down outside areas such as streets, driveways, service station aprons, parking lots, office buildings, exteriors of existing or newly constructed homes or apartments, sidewalks or patios, or use water for other similar purposes.

- (4) From public or private fire hydrants for any purpose other than fire suppression or other public emergency.
- (5) To supply or operate any ornamental fountain, pool or pond or other structure.
- (6) For drinking in restaurants, cafeterias or other food establishments, except upon request.
- (7) To operate air conditioners or other equipment that does not recycle cooling water, except when health and safety are adversely affected.
- (8) For any unnecessary purpose or to intentionally waste water.

Stage III water shortage condition

(a) *Compliance.* If the manager issues a declaration of stage III water shortage condition, the procedures in this section will be in effect until such time as the declaration of water shortage has been rescinded. In exercising the authority for declaring a water shortage condition, consideration shall be given to water storage levels and available sources of supply, available usable storage on hand, draw down rates, the projected supply capability, outlook for precipitation, daily water use patterns and availability of water from other sources.

(b) *Restrictions on water use.* If a stage III water shortage condition is declared. In addition to the restrictions for stage I and stage II water shortage conditions, the following restrictions shall also apply:

Town Water may not be used:

- (1) To induce water into any pool.
- (2) Outside a structure for any purpose other than an emergency involving a fire.
- (3) To operate an evaporative air conditioner which recycles water except during operating hours of business.

In Addition:

- (a) Fire protection will be maintained by drafting of ponds, rivers, etc., wherever possible.
- (b) The use of throwaway utensils and plates is encouraged and recommended at all eating establishments.

2. Lifting of restrictions.

(a) Water shortage conditions will expire when the manager, after consultation with the Town Council and upon recommendation of the utilities, deems that the condition which caused the alert has abated.

(b) The expiration or cancellation of a water shortage declaration shall be promptly and extensively publicized.

3. Discontinuance of Service. Pursuant to the provisions of the Town water conservation policy, service may be discontinued for willful disregard of this article and a reconnect fee may be imposed before restoration of service.

EFFECTIVE: Immediately

DATE: 02/01/99

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 02/01/99

SUBJECT: TOWN HALL MEETING ROOM USE

PURPOSE: To establish general guidelines for reserving and using the Laurel Park Town Hall meeting room.

STATEMENT OF POLICY:

The Laurel Park Town Hall meeting room may be reserved for public use by civic, non-profit groups and organizations, such as, those sponsored by the non-profit organizations, churches, homeowner associations, or local government units. The meeting room is not available for social events.

Town governmental functions have priority scheduling. The scheduling of the meeting room for a certain date and time is subject to change/cancellation at any time if the room is needed for Town business. The Town Office will notify the user as soon as possible for rescheduling.

A "Meeting Room Request" form must be filled out in the Town Office for permission to be granted. Telephone or email reservations are not accepted. Advance scheduling of the room can only be done in two (2) month increments.

The meeting room is available during the normal business week (Monday-Friday), except holidays. If user is requesting a reservation after 5:00 p. m., a Laurel Park resident must be a member of the group requesting the reservation and must be present for the meeting.

Access to the meeting room is through the two exterior doors only and not through the Town Hall office area.

There is no charge for use of the room.

The user group will be responsible for setting up the room and returning the seating arrangement to the original room configuration upon completion of the event.

Alcoholic beverages are not permitted on Town Hall premises.

Groups that abuse the use of the room are responsible for any damages and may be barred from future use.

EFFECTIVE: Immediately

DATE: 11/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 09/20/11

SUBJECT: Brush Pick Up, Leaf Collection, and Christmas tree Collection Policy

PURPOSE: To establish general guidelines and times for scheduled brush pick up, leaf collection, and Christmas tree collection within the Town of Laurel Park.

STATEMENT OF POLICY:

A. Laurel Park schedules curbside brush pick up along Town right-of-ways for Town residents twice a year. The normal schedule for brush collection is the third week of April and October. Specific schedules or any changes to these times are announced in the Town Newsletter.

Residents are responsible for disposal of brush and trimmings at all other times during the year.

NOTE: In the event of major storms (i.e. ice, snow, or wind) a special pickup may be scheduled.

The following procedures will be followed during scheduled Town brush pickups:

1. Brush to be collected must consist of only limbs and branches no larger than three inches in diameter. Three inches is the largest the chippers can handle. The resident must dispose of anything larger.
2. To increase crew efficiency, residents should stack brush neatly with the butts all in one direction.
3. This program is aimed at picking up miscellaneous brush and cannot be used to remove major amounts of debris resulting from land clearing. If the amount is excessive, it will not be picked up.
4. For legal reasons and to avoid potential conflicts, brush cannot be picked up if it is not by the roadside. It must not, however, protrude into the roadway or obstruct traffic in any manner. Our maintenance crews are not permitted to enter private property to collect brush.

B. The Town schedules curbside leaf collection during the fall. Loose leaves may be piled curbside (not in the road) for collection. The resident should ensure the leaves are free of limbs, rocks, and other objects that may damage collection equipment. Specific collection dates are announced in the Town Newsletter.

NOTE: Bagged leaves are collected any time during the year by calling the Town office.

C. The Town schedules curbside collection of discarded Christmas trees along Town right-of-ways after the Christmas holiday season. The normal schedule for collecting discarded Christmas trees is the first part of January (weather permitting). Specific dates are announced in the Town Newsletter.

D. All collected brush, leaves, and Christmas trees are ground into mulch. The Town will sell mulch to Town residents by the truck load (minimum 8 cubic yards) at a flat rate cost established by Town Council and published on the Town's fee schedule. A resident may come to the Town Office, fill out a request, and pay for the mulch. The Town will schedule delivery at its convenience (usually on a Friday) at the requested address along the property right-of-way. If the resident requests delivery on his/her private property, the resident must fill out a "Hold Harmless Form" at the Town Office. The Town reserves the right not to intrude onto the resident's property if safety is a concern.

E. The Town will deliver mulch outside the Town of Laurel Park by the truck load (minimum 8 cubic yards) with an additional surcharge charge per load for delivery established by Town Council and published on the Town's fee schedule. The requester must come to the Town Office, fill out a request, and pay for the mulch. If the requester wants delivery on his/her private property, the requester must fill out a "Hold Harmless Form" at the Town Office. The Town reserves the right not to intrude onto the requestor's property if safety is a concern. The Town reserves the right not to sell to non-residents if the delivery distance is excessive (approximately more than 10 miles).

F. A resident may request a load of leaves be delivered to his/her property at no cost during leaf collection season at a requested location along the right-of-way. If the resident requests delivery on his/her private property, the resident must fill out a "Hold Harmless Form" at the Town Office. The Town reserves the right not to intrude onto the resident's property if safety is a concern.

EFFECTIVE: Immediately

DATE: 11/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 03/18/08

SUBJECT: RIGHT OF WAY CONSTRUCTION PERMIT

PURPOSE: To establish general guidelines and time requirements for obtaining a permit for any type construction along Town of Laurel Park right of ways.

STATEMENT OF POLICY: The Town of Laurel Park requires any utility/service company or private contractor which conducts business within the town limits to request and receive a right of way construction permit prior to beginning any digging, drenching, or boring, etc. along any town right of way. A “Right of Way Construction permit” form must be filled out in the Town Office for permission to be granted. **NO PERMITS WILL BE ISSUED OVER THE PHONE!**

The following procedures apply in the issuance of a “Right of Way Construction Permit”.

1. The applicant agrees to comply with all appropriate rules and procedures of the Town of Laurel Park governing work within the Town – and in particular work affecting Town property and rights-of-way.
2. All utility lines and pipes must be buried to a depth not less than eighteen (18) inches. Any lines installed less than this depth are subject to damage by the Town. Repairs to such damaged lines will not be paid by the Town of Laurel Park.
3. The applicant agrees to protection of the public by proper use of barricades, flag men for traffic control/flow, and lights.
4. The applicant agrees to indemnify and hold harmless the Town of Laurel Park and its officers and employees from all suits and claims brought as a consequence of any neglect or accident on the part of the applicant.
5. The applicant agrees, upon completion of the work, that the premises including street surfaces, shoulders, and drainage areas, shall be restored to their original condition and all debris removed.
6. The applicant agrees to reimburse the Town of Laurel Park the actual cost of material and labor performed in making repairs for any damage.

NOTE: Failure to have an appropriate permit does not relieve any company, contractor, or private citizen from reimbursing the town for any damage caused by neglect or accident.

The town requires a minimum of forty-eight (48) hours notice prior to actual work beginning. The permit once issued is good for ten (10) days from date of issue.

EFFECTIVE: Immediately

DATE: 11/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 11/01/98

SUBJECT: WEDDING CEREMONIES WITHIN TOWN PARKS

PURPOSE: To establish general guidelines and procedures for authorization to conduct wedding ceremonies in the parks located within the Town.

STATEMENT OF POLICY:

The Town of Laurel Park accepts reservations for wedding ceremonies in the parks located within the Town. The wedding party must complete an “Authorization for Wedding Ceremonies within Town Parks” form in the Town Office for permission to be granted. **NO RESERVATIONS WILL BE MADE OVER THE PHONE!**

The wedding party accepts full responsibility for any damage, littering, etc. which might occur to Laurel Park property as a result of the ceremony.

The following procedures must be adhered to during wedding ceremonies:

1. No consumption of alcoholic beverages.
2. No vehicle horn blowing.
3. No parking in the road right of way or blocking of the road (please note that there are limited parking spaces available at most Town parks).

NOTE: Authorization does not preclude public access to the park for any other individuals during the conduct of the ceremony.

EFFECTIVE: Immediately

DATE: 11/01/98

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 11/01/98

SUBJECT: SNOW AND ICE REMOVAL POLICY

PURPOSE: To establish general guidelines and procedures for the Town of Laurel Park in the event of snow, ice, or freezing rain storms within the Town limits in order to utilize available manpower and equipment efficiently to serve the residents of Laurel Park.

STATEMENT OF POLICY:

This policy is a guideline for the employees and residents on the procedures to be followed by the Town of Laurel Park during and after a snow, ice, or freezing rain storm. This policy also addresses general emergency assistance, power failures, police procedures, and prioritizes roads within Laurel Park for the Public Works Department to as expeditiously as possible clean and clear Town roads.

A. Police / Emergency assistance: The Laurel Park Police Chief is the Town’s emergency coordinator. The Police Department will provide and prioritize assistance response as needed for Laurel Park residents. The Police Department will assist any other emergency agency as needed on any response within the Town limits of Laurel Park. The Police Department will assist in traffic control during storms and provide information as appropriate to the Public Works Department on road conditions throughout the Town.

During winter storm periods, the Police Department monitors the Town’s road conditions. If conditions begin to develop during weekends or nights, the officer on duty will notify the Police Chief and the Public Works Superintendent. At their discretion, they will direct initial response as appropriate and will keep the Town Manager informed.

B. Power Outages: In the event of power outages within the Town, the officers in the Police Department, the Public Works Superintendent, and the Town Manager shall be familiar with all the major power feeds to and within the Town. If the power outage can be located along these feeds, the Town will assist Duke Power directly in locating the problem area.

In the event of a power outage, the Town has emergency generators for Town Hall, the Public Works Department, and the Fleetwood Hydro-Station. If the power outage appears to be a length outage, the Town will coordinate for a generator that can be used at water pump stations to move water within the system, if required.

C. Public Works Department:

(1) GENERAL:

Equipment preparation, manpower scheduling, and work scheduling previous to a storm are based on information from the National Weather Service. Modification of schedules during a storm is based on weather report updates and observation of conditions.

Manpower will be scheduled to operate continuously from the start of a snow storm until all roads for which the Town of Laurel Park has maintenance responsibility or agreements are safely passable (this is to include roads for which the Town has maintenance responsibility or contracted agreements). Breaks may be scheduled in severe storms for Town personnel for safety reasons. Start of work during or after snow, ice, or freezing rain storms is determined by the particular conditions of the winter storm under the direct supervision of the Public Works Superintendent and coordinated with the Town Manager.

No person should work more than 16 hours continuously without having at least 8 hours off before returning to work.

(2) ROAD PRIORITIES:

The Public Works Department that identify and prioritize all roads within the Town of Laurel Park. These priorities are intended to be generally applicable, but they may be changed during a particular storm at the direction of the Public Works Superintendent, Police Chief, or Town Manager if conditions warrant or if a particular emergency situation warrants.

Priority 1. The Town's main roads must be kept passable to facilitate getting emergency vehicles to all parts of the Town and to serve the most people. For this purpose, the main roads are defined as those most heavily traveled and/or those serving large numbers of people. Laurel Park Highway is always top priority as it provides access into almost all sections of the Town as well as to the Maintenance Facilities. Other priority 1 roads may be dropped to priority 2 as necessary for the most severe storms.

Priority 2. The Town side roads (mainly through roads) that serve several houses and can be cleared or sanded most efficiently.

Priority 3. The Town roads that are relatively isolated side roads or serve very few houses.

Priority 4. The Town roads that have hazards such that there is a reasonable possibility of the equipment going into a ditch or otherwise being put out of service for a period of time. These locations are given this priority because it is considered in the best interest of the Town not to jeopardize personnel, trucks, or equipment trying to get to a particular hazardous location. The Town will service these locations at such time as safety and the overall effort of clearing main roads within the Town can be maintained.

(3) CONDOMINIUMS AND TOWN HOME AREAS:

Fleetwood Plaza – Private road – no responsibility.

Bent Tree – Private road – no responsibility.

Cedarbrook – This is a public road that the Town maintains.

Country Ridge – These are public roads that the Town maintains. However, the roads are so steep (above DOT specifications 18% grade) the Town may contract this out with a private firm by retainer. During minor storms, the Town is capable of handling this area.

Lakemore Villas I & II – Private roads – no responsibility.

Laurel Park Place – The roads within this area are public roads that the Town maintains.

Laurel Park Villas – Private roads – no responsibility.

(4) PROBLEM ROADS:

Linden Turn and Spring Path – These roads are steep and the Town must use caution. Town personnel could easily have to ditch equipment to keep from damaging the homes located at the bottom of the roads.

Cliff Drive and Walnut Loop – These roads are steep and are included on the contract with Country Ridge. During minor storms, the Town is capable of handling this area.

(5) PRIVATE ROADS: The following lists the private roads within Laurel Park that the Town provides no snow, ice, or freezing rain removal or any other Town street services: Ben Hogan Drive, Bent Tree Drive, Golf Course Road, Old Village Road, Rocky Top Court, Fleetwood Plaza, entrance road to Spring Arbor, and the roads within the Somersby Park Subdivision.

D. Safety. Under no circumstances should any Town employee jeopardize his or her safety or the safety of Town equipment during snow, ice, or freezing rain storms. The Public Works Superintendent and the Police Chief together with the Town Manager have the overall decision making authority to cease work in any area of the Town during a winter storm because of safety to Town personnel or Town equipment.

The Police Department has the authority to close certain hazardous roads to motor vehicle travel as needed for personal safety.

Roads or cul de sacs with vehicles parked or blocking the right of way will not be cleared due do the possibility of damaging the vehicle or restricting the Town crew’s ability to turn around.

EFFECTIVE: Immediately

DATE: 03/21/00

APPROVAL: _____
MAYOR

TOWN MANAGER

LAST REVISED: 03/21/00