BOARD OF COMMISSIONERS
FOR THE
THE TOWN OF UPPER MARLBORO

EMERGENCY ORDINANCE: 2019-06

SESSION: Regular Town Meeting

DATE: August 13, 2019

AN EMERGENCY ORDINANCE OF THE TOWN OF UPPER MARLBORO TO AUTHORIZE THE BOARD OF COMMISSIONERS TO ENTER INTO A POLICE TRAINING MUTUAL AID AGREEMENT WITH THE PRINCE GEORGE'S COUNTY POLICE DEPARTMENT

WHEREAS, the Board of Town Commissioners strives to ensure the Town Police Department is well equipped and trained to best serve the visitors and residents of the Town of Upper Marlboro; and

WHEREAS, police mutual aid agreements in Maryland are authorized by an enabling statute codified at Section 2-105 of the Annotated Code of Maryland, Criminal Procedure Article (the "Mutual Aid Statute"); and

WHEREAS, pursuant to Section 2-105(e)(2) of the Mutual Aid Statute, a county, municipal corporation, or the Maryland-National Capital Park and Planning Commission may not make a reciprocal agreement unless the parties agree to waive all claims and indemnify the other according to the terms and requirements set forth in said paragraph of the Criminal Procedure Article; and

WHEREAS, Section 82-16(2) of the Town Charter states that the Board shall have the power to pass ordinances not contrary to the laws and Constitution of this State, for the specific purpose of making agreements with other municipalities, counties, districts, bureaus, commissions, and governmental authorities for the joint performance of or for cooperation in the performance of any governmental functions; and .

WHEREAS, the Town and the County wish to enter into a Mutual Aid Agreement under Maryland Criminal Procedure, Code Annotated §2-105, that police officers from each jurisdiction, while being trained, or training another officer from the other jurisdiction, while in the confines of Prince George's County, may enforce the laws of the State of Maryland, to include laws enacted under the Transportation Article; and

WHEREAS, the Board of Town Commissioners has deemed it in the best interest of the public health, safety and welfare to enter into a Mutual Aid Agreement with the Prince George's County Police for the support of their Field Training Officers; and

WHEREAS, there is no direct cost to the Town to enter into this agreement.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO, STATE OF MARYLAND, DOES HEREBY ORDAIN, THAT:

BOARD OF COMMISSIONERS
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SECTION 1. The Town of Upper Marlboro shall enter into a "Mutual Aid Agreement Between Prince Georges County, Maryland, on Behalf of The Prince George's County Police Department (PGPD) and The Town of Upper Marlboro, Maryland, on behalf of the Upper Marlboro Police Department (UMPD) Regarding Field Training of Police Recruits and Mutual Aid," in substantially the form attached, and the President/Mayor and Chief of Police are authorized to execute this Mutual Aid Agreement.

SECTION 2. This Emergency Ordinance shall become effective when the Mutual Aid Agreement for Regarding Field Training of Police Recruits and Mutual Aid is authorized by the governing body or other proper authority of the Prince George's County government.

BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that due to the exigent circumstances and important governmental interests stated in the above recitals and herein and in order to further promote the health, safety and welfare of the Town and the general public, the Charter provision requiring that an ordinance may not be passed at the meeting at which it is introduced is hereby suspended by unanimous vote of the Board of Commissioners, and that this Emergency Ordinance shall become effective immediately following approval by the Board of Commissioners.

AND BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that pursuant to the Town Charter this Ordinance shall be posted in the Town office and a fair summary of it shall be published once in a newspaper of general circulation in the Town after passage by the Board.

AYES: 3 NAYES: Ø ABSENT: Ø

INTRODUCED in a public session of the Board of Commissioners on this 13th day of August, 2019.

Town Clerk

ORDAINED, APPROVED AND finally passed by the Board of Commissioners of the Town of Upper Marlboro, Maryland on this 13th day of August, 2019, by:

Attest:

THE TOWN OF UPPER MARLBORO
BOARD OF COMMISSIONERS

M. David Williams, Town Clerk

Wanda Leonard, President

BOARD OF COMMISSIONERS
FOR THE
THE TOWN OF UPPER MARLBORO

Linda Pennoyer, Commissioner

Kai Bernal-LeClaire, Commissioner

Reviewed and Approved for Legal Sufficiency

Kevin J. Best, Esq.

Date: August 27, 2019