

Law

No. 8224, dated 15.05.1997

For the organization and functioning of the police of the municipality and commune [1] (1997 as amended 1998)

Based on Article 16 of Law No. 7491, dated 29.04.1991 "For the main constitutional provisions," upon proposal of the Council of Ministers,

People's assembly  
Of the Republic of Albania

DECIDED

**Article 1**

The municipality and commune police is organized and functions in the municipalities and communes of the Republic of Albania, is dependant on the chief of the municipality and commune for the duties it performs, and is under the legal supervision and control of the prefect.

The municipality and commune police is an executive body that is in charge of performing functions that serve the public order, tranquility, and the progress of public works within the territory of the municipality or commune, which are not under the competence of other state authorities in compliance with the provisions of this law.

The municipality and commune police is not part of the Armed Forces.

**Article 2**

The municipality and commune police, as a rule, has this structure:

- inspector – chief of the police section in the municipality and commune;
- police employees.

The district prime inspector of the municipality and commune is appointed to the district council.

**Article 3**

The district prime inspector of the municipality and commune police is appointed or removed from duty by the prefect, upon proposal of the chief of the district council, and approval of the General Director of the Police.

The district prime inspector of the municipality and commune police must have graduated from the Police Academy. Upon authorization of the prosecutor he will also perform the functions of a judicial police officer.

**Article 4**

According to the criteria defined by the minister of Public Order, Albanian citizens can work under the service of the municipality and commune police in the position of section chiefs, inspectors, or police employees.

**Article 5**

The chairman of the municipality and commune appoints and removes from duty the police officers and employees who are selected by a special commission headed by the district prime inspector of the municipality and commune police. This special commission is composed of a delegated person from the prefect and a representative of the police commissariat.

**Article 6**

The district prime inspector of the municipality and commune police is responsible for the performance of the services of this police in accordance with the law.

**Article 7**

The employees of the municipality and commune police are subject to qualifications and training.

## Article 8

The municipality and commune police is entitled:

1. To guarantee the implementation of the acts issued by the chairman of the municipality (commune) and the council dealing with public security, tranquility, and the progress of public works.
2. To take measures for the protection of the property owned and administered by the municipality and commune.
3. To guarantee the implementation of orders issued by the chairman of the municipality (commune) related to physical or juridical persons that do not fulfill their financial and fiscal obligations in conformity with the law, as well as any other obligation toward them.
4. To supervise and verify that citizens, while administering their property, implement or fulfill the requirements of municipality acts.
5. To discover and prevent environmental pollution and littering, and to notify the chairman of the municipality (commune) regarding the appearance of harmful parasites and epidemics.
6. To prohibit, avoid, and demolish illegal constructions, to prohibit the illegal occupation of public building sites, public buildings, and objects of the municipality and commune as well as to organize for their removal.
7. To care for the public tranquility through the policing of quarrels, noise caused by gatherings, speakers of radios and recorders, vehicle horns absent criteria for their use in streets, domiciles, beaches, and other public environments that cause problems for others.
8. To take all necessary measures for the protection of public order, in places where people gather such as: markets, fairs, in public, artistic, religious, athletic ceremonies, in movie theaters, other theatres, athletic buildings and halls, building for religious use, and other public environments.
9. To inspect the implementation of legal provisions that regulate buying and selling activities in the public environment.
10. To care for the implementation of the working hours of service industries, bars, restaurants, billiards, lucky games or other objects of public activity, as well as for the implementation of the regulations or orders issued by the chairman of the municipality or commune.
11. To control security measures, to prevent misfortunes as well as to help in their overcoming by providing help for damaged persons in urgent cases.
12. To take temporary measures for the supervision of severely mentally ill persons who are causing problems to the public order.
13. To care for the guarding of posters, announcements, and public declarations, as well as for the removal of illegal and unauthorized ones.

## Article 9

In cases where the forceful implementation of his competencies is needed, the district prime inspector of the municipality and commune police notifies the interested persons in writing 5 days in advance.

## Article 10

If, during the performance of their services, the police employees of the municipality and commune observe criminal offences, pursuant to the provisions of the criminal procedure code, they shall take measures to escort the perpetrators to the police commissariat, guard the event scene, fix witnesses and guard evidence until the arrival of the judicial police.

## Article 11

The police employees of the municipality and commune, in the implementation of their competencies, are entitled to call citizens that have violated the provisions of this law to the police office of the municipality and commune.

## Article 12

The Inspectorate of Fire Protection functioning at the district level is dependant on the district prime inspector of the municipality and commune.

## Article 13

For the violations occurred, the police of the municipality and commune are entitled to establish a fine of 500 to 5 000 lek for the responsible persons.

The violators are obliged to pay the fine within 5 days from the date of the receipt of the fine. For each day payment of the fine is late, the fine will be paid along with a 2 percent delay interest. Upon termination of the a one-month period, the fine is levied according to the rules defined in the law "For the administrative misdemeanor."

#### **Article 14**

The municipality and commune police has its own uniform, different from the state police, approved by the Minister of Local Power. Its employees have a recognizable sign and a personal number.

The police employees of the municipality and commune are provided with arms.

The granting of arms and the manner of their protection and keeping is regulated by acts of the Minister of Internal Affairs.

#### **Article 15**

The minister of Public Order approves the form of the regulation of the municipality and commune police.

#### **Article 16**

When it is deemed necessary for the protection of order and upon approval of the prefect, the chairman of the commissariat of the police and the municipality or commune chairman can coordinate their actions.

#### **Article 17**

The structure, number, salaries, and budget expenses of the municipality and commune police is determined upon decision of the Council of Ministers.

#### **Article 18**

The municipality and commune police employees enjoy the same legal protection as state police employees.

#### **Article 19**

The Council of Ministers, Minister of Internal Affairs, and Minister of the Local Power are in charge of issuing substatory acts for the implementation of this law.

#### **Article 20**

Any provision in violation of this law is repealed.

#### **Article 21**

This law enters into force on 15 July 1997.

Declared upon decree no. 1801, dated 22.05.1997 of the President of the Republic, Sali Berisha.

[1] Law No. 8335, dated 23.4.1998 "For some changes to Law No. 8224, dated 15.5.1997 "For the organization and functioning of the police of the municipality and commune," amends Art. 1, 2, 3, 5, 8, 11, 12, 14, 19 of Law No. 8224. In addition, Law No. 8335 provides the replacement of "Minister of Internal Affairs" with "minister of Public Order," "Secretary of the State for the Local Power" with "minister of Local Power," and "commandant" with "district prime inspector for the municipality and commune police."