Audit System in the Service of Municipal Safety

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Among the security challenges, the safety of a municipality plays a key role in shaping citizens' subjective perception of security. Local governments have a cardinal legal obligation to contribute to local security, but the extent to which municipalities fulfil this obligation varies. An audit system based on objective criteria has not been developed in the past for measuring and reviewing the performance of local governments in the area of law enforcement and municipal security. The development of an audit system based on recent research on local government law enforcement is intended to fill these gaps. This audit system will approach the issue from the point of view of the municipalities, setting out a set of criteria and aspects on which the municipalities have an influence. During a municipal safety audit, the municipal safety indexes on which the criteria and aspects are based are assessed to determine whether a municipality can be considered safe from a municipal perspective. This audit system is described in this paper.

Keywords: local governmental law enforcement, urban security, public area inspector, field guards, law enforcement cooperation, local security, rural security

I. Introduction

It is our belief, and as highlighted in his renowned study by Abraham Maslow, that

Safety is one of the most fundamental human needs, for it is safety that can serve as the foundation for the satisfaction of higher human needs.⁴

According to Géza Finszter, 'safety represents the protection of values created by society.'⁵ Alongside the concept of safety, one can also understand the concept of danger. Finszter describes it as

A state or life situation in which material and intellectual assets recognized as valuable by society are threatened. The damage can be the destruction of assets, their depreciation, or the loss of their value-enhancing ability.⁶

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⁴ Abraham Maslow: Motivation And Personality: Motivation And Personality: Unlocking Your Inner Drive and Understanding Human Behavior.(New York: Harper & Brothers, 1954)

⁵ Géza Finszter: *Rendészettan*. (Budapest: Dialóg Campus Kiadó. 2018.)

⁶ Ibid.

It's a natural endeavor for a society, state, individual, business, or even a local government to mitigate threatening dangers, thereby catering to local safety needs. The need to establish safety and avoid danger is so essential that it's considered a separate administrative branch, commonly referred to as law enforcement administration. For instance, our distinguished legal scholar, Zoltán Magyary, views law enforcement as a branch of public administration with jurisdiction extending into every sector of administration, aiming to ensure general peace, safety, and order. Law enforcement is a protective, preventive activity, in contrast to general administration which has positive tasks.⁷

It's worth noting the perspective of our contemporary legal expert, Lajos Szamel, who believes that law enforcement is

a state activity aimed at preventing public order disturbances, inhibiting immediate disruptive behavior, and restoring disturbed order.⁸

A key element of Lajos Szamel's concept of law enforcement is public order, which is distinct from the legal order. Every illegal act violates the legal order, but not necessarily the public order. It is the legislator's duty to extend the jurisdiction of law enforcement agencies to behaviors that violate public order, providing them with police protection.⁹

Following this brief, by no means exhaustive overview, it can be concluded that the concepts of safety, danger, and law enforcement are closely interconnected. Our legislators were aware that safety and public security are

*extremely complex, multifaceted activities, which cannot be expected solely from a single state-organized entity, namely the police.*¹⁰

Local governments, private security companies, civil organizations, and notably municipality police play roles in establishing safety and public security.¹¹ The main responsibility for establishing public security lies with the state-controlled police. Still, it's undeniable that local governments in Hungary also play a crucial role.¹² Their obligation to participate in ensuring local public security is defined in the Act CLXXXIX of 2011 on Local Governments of Hungary, section 13 (1) item 17.¹³ However, it remains a decision for the local government on how and with which means they contribute to this duty, as they have a wide array of tools at their disposal, from "*soft*" solutions such as financial and material support for strengthening local security through municipality policing, to "*hard*", requiring substantial professional expertise and financial

⁷ Zoltán Magyary, Magyar Közigazgatás. (Budapest: Királyi Magyar Egyetemi Nyomda,1942.)

⁸ Lajos Szamel, Jogállamiság és rendészet. *Rendészeti Szemle*, no 3. (1992)

⁹ Ibid.

¹⁰ László Christián – Violetta Rottler: A biztonság megteremtésének új megközelítése: komplementer rendészet = New aspect of creating security: complementary law enforcement. In *Trendy rozvoja súkromnej bezpečnosti v krajinách V4*. Bratislava..

¹¹ László Christián: A helyi rendészeti együttműködés rendszere. *Iustum Aequum Salutare*, no 14. (2018)

¹² József Bacsárdi: Az önkormányzati rendészet külföldön, illetve perspektívái hazánkban. Online: <u>Bacsardi Jozsef dolgozatv(1).pdf (ppke.hu)</u> (ppke.hu) DOI: 10.15774/PPKE.JAK.2020.001

¹³ Act CLXXXIX of 2011 on Local Governments of Hungary. Online: Mötv. - 2011. évi CLXXXIX. törvény Magyarország helyi önkormányzatairól - Hatályos Jogszabályok Gyűjteménye (jogtar.hu)

commitment, actions like the operation and maintenance of a municipal law enforcement organization.

II. Municipal Safety (Municipal Law Enforcement)

A municipality can best ensure and strengthen local safety within the framework of its municipal law enforcement duties. While the concept of municipal law enforcement has been refined by legal scholars in recent times, it isn't explicitly defined in the Hungarian legal system. Broadly speaking, municipal law enforcement can be defined as the entirety of a municipality's actions, obligations, related operational possibilities, and boundaries concerning the local establishment of public safety.¹⁴ In a narrower sense, municipal law enforcement refers to locally established, municipally maintained organizations (commonly known as public area supervisors or rural patrol services in our country) that have more limited enforcement powers compared to the police. Clearly, municipal law enforcement primarily pertains to all the municipality's direct and indirect actions related to local public safety.

However, the question of a municipal's safety can't be examined solely from a public safety perspective. There are numerous municipal safety risk factors that threaten the safety of a municipality but aren't classified as public safety hazards. Examples include noise pollution, an inadequate number of public waste bins, or improperly labeled house numbers. These are all, without exception, municipal administrative matters that could pose indirect threats to the safety of a municipality.

Similarly to the definition of municipal law enforcement, the concept of municipal safety isn't precisely defined in the legal system, mainly due to the extremely heterogeneous nature of the dangers threatening municipal safety. Within the topic of municipal safety, municipal law enforcement is certainly well-positioned. However, due to the municipality's urban, rural operational duties defined in the Local Government Act, municipal safety is seen as a broader category, of which the municipality's activities in the field of public safety are just a subset. In summary, it's clear that municipal safety consists of activities that serve and guarantee the safe operation and functionality of a municipality.

It's undeniable that such an essential aspect of municipal safety as municipal law enforcement can be analyzed by reviewing various laws. However, an inevitable question arises: how can one comprehensively examine municipal safety? Is it even possible to identify parameters based on which one can objectively determine whether a municipality can be deemed safe? Pondering and formulating this question, we have attempted to examine the components of municipal safety.

III. National Laboratory for Security Technologies – Safe Municipalities Subproject¹⁵

Supported by the policy backing of the Ministry of Innovation and Technology¹⁶, the '*National Laboratory for Security Technologies*' (hereinafter: NLST) was established at the National University of Public Service. Between 2020 and 2021, the NLST undertook the task of forming a comprehensive framework for domestic security technological developments. Within the structure

¹⁴ József Boda: *Rendészettudományi szaklexikon*. Budapest: Dialóg Campus Kiadó, 2019.

¹⁵ József Bacsárdi, László Christián, Gábor Hermann, Zsolt Lippai, Zoltán Veress: Fejlesztések és fejlesztési víziók az önkormányzati rendészet területén Biztonságos Település alprojekt. *Magyar Rendészet*, no 2. (2022)

¹⁶ The agreement with the reference number GF/JSZF/872/1/2020 established between the National University of Public Service and the National Research, Development and Innovation Office.

of NLST, three distinct research and development subprojects were initiated, one of which is the "Safe Municipalities" subproject (hereinafter: SaMu subproject). The SaMu subproject's implementation involved partnerships with municipalities (sample municipalities), municipal experts, university educators and researchers, market participants, and other specialists.

The SaMu subproject established four specific goals as follows:

- 1. Creation of the 'Safe Municipality' title,
- 2. Development of the 'Municipality Safety Methodological Guide',
- 3. Development of the 'Citizen Interactive Reporting System',
- 4. Development of the 'Integrated Municipality Security System'.

Out of the four subproject goals, two are closely related to the purpose of this study: the formation of the 'Safe Municipality' title and the creation of the 'Municipality Safety Methodological Guide'. The 'Safe Municipality' title, as an intellectual property, is an accolade that can be awarded to municipalities through a competitive process. It's designed to recognize a municipality's role in establishing and supporting municipality safety. This accolade can be conferred by a designated and authorized organization, based on strict professional requirements and indicators, as stipulated in a forthcoming Model Document.

The 'Municipality Safety Methodological Guide' is defined as a freely accessible publication, aimed to provide expert assistance to those municipal governments that possess the political will and financial resources to enhance municipality safety but lack the necessary expertise to establish the required conditions. This serves a dual purpose: firstly, it allows municipalities to earn the "Safe Municipality" title by adhering to and fulfilling the standards specified in the "Municipality Safety Methodological Guide." Secondly, it ensures the availability of a set of criteria to guide municipal leaders in planning and organizing strategic decisions and developments to enhance safety. While the "Municipality Safety Methodological Guide" itself can be a valuable document, its implementation may benefit from expert support and monitoring.

Guidelines specified in the "Municipality Safety Methodological Guide" could help a municipal government ensure the execution of tasks related to municipality safety within the limits set by relevant legislation. Additionally, they can assist in some municipality safety tasks if actual execution lies within another organization's jurisdiction. If a municipality adequately addresses its responsibilities in municipality safety, it could potentially be recognized with the "Safe Municipality" title, post an audit. This circles back to the question posed in the previous subsection: how can one objectively assess, within an audit framework, whether a municipality genuinely meets its municipality safety obligations? Objectivity is paramount, and evaluations should be grounded in scientific and professional bases. An objective evaluation system is necessary for this purpose, and a "municipality safety standard" could best meet this criteria. This municipality safety standard could also form the basis for an entirely objective municipality safety audit. It's essential to note that an audit can only be conducted once a standard is registered.

The development of this standard would have been a partial outcome of the "Safe Municipality title" subproject goal. However, due to funding difficulties, the NLST could not continue its operations beyond April 30, 2022, and the opportunity to create the municipality safety standard within the project's framework was lost.

IV. Hungarian Society for Law Enforcement – Municipal Safety Division

After the dissolution of NLST, the former members of the NLST SaMu Subproject sought new structures to continue their initiatives. The realization of the ongoing projects was ultimately

facilitated under the Municipality Safety Division of the Hungarian Society for Law Enforcement, established by the National University of Public Service, in cooperation with the National Crime Prevention Council (NCPC). The National University of Public Service granted unrestricted, free access to the partial results achieved within the NLST SaMu Subproject framework, such as foundational research summaries, feasibility studies, branding handbooks, and more. The Municipal Safety Division set forth the following objectives:

- 1. Creation of a National Standard outlining the technical, professional, and procedural content for instituting municipality safety at the local government level,
- 2. Formulating the professional criteria necessary for securing the 'Safe Municipality' title through application,
- 3. Establishment and up-to-date maintenance of a Comprehensive Municipal Safety Methodology Guide,
- 4. Offering municipal safety audit services,
- 5. Providing municipal safety management expert assistance to local municipalities,
- 6. Engaging in research and development with a focus on municipal safety,
- 7. Engaging in partnership and 'strategic' collaborations concerning municipal safety-related legislation processes, such as gathering issues related to legal interpretation, initiating changes in laws, and participating in professional and societal discussions during the legislative process.

The primary goal of the Municipal Safety Division was the formulation of a municipal safety standard as a National Standard. Additionally, as its third objective, it aimed to conduct municipality safety audit operations. The NCPC) backs the enactment of the municipality safety standard, noting its alignment with many elements of the current and upcoming National Crime Prevention Strategy.¹⁷

V. Municipal Safety Standard as Basic for Audit Activities

The concept of "standard" is defined in Act XXVIII of 1995 on national standardization, Section 4, as follows:¹⁸

A standard is a technical (technical) document, created or approved by a recognized organization, accepted by consensus, relating to activities or their results, which contains general and repeatedly applicable rules, guidelines, or characteristics, ensuring that under the given conditions, the organizing effect is most favorable.

The concept of standardization, according to Point 1 of Annex 1 of Act XXVIII of 1995, is defined as an activity that

provides general and repeatedly applicable solutions to existing or anticipated problems with the aim of ensuring the organizing effect under the given conditions is most favorable.

¹⁷ Government Regulation No. 1291/2023. (VII. 19.) on the National Crime Prevention Strategy (2024–2034) and the Action Plan for the National Crime Prevention Strategy for the years 2024–2025

¹⁸ Act XXVIII of 1995 on National Standardization Online: 1995. évi XXVIII. törvény a nemzeti szabványosításról -Hatályos Jogszabályok Gyűjteménye (jogtar.hu)

Standardization can provide an answer to the question or problem of how to determine, based on objective indicators, whether a municipality is safe. The emerging municipal safety standard should function as a system of quality management (quality assurance) criteria describing processes and defining evaluation aspects. This aligns best with the ISO 9001 standard environment.¹⁹ However, given that there is currently no quality management standard in the ISO standard family that defines municipal safety tasks and processes, only the creation of a National Standard can be considered for the realization of this concept.

The development of the municipal safety standard is a multi-stage process that can be organized as follows:

- 1. Identification of municipal safety risks,
- 2. Preparation of the municipal safety risk assessment,
- 3. Determination of tasks and processes for the most efficient management of municipal safety risks based on the risk assessment,
- 4. Codification of the standard and preparation of standard documentation.

After the standard codification, the documentation can be submitted to the Hungarian Standards Institution. Only after its validation by the HSI and subsequent publication in the Standards Gazette will the possibility to conduct municipality safety audit activities open.

Within the municipality safety standard, it is necessary to define processes that describe the most efficient methods for managing municipality safety problems (risks) that fall within the competency of local governments. So far, we have identified and formulated a total of 43 municipality safety risks that typically influence the general state of public safety in municipalities, affect the subjective sense of safety of the population, and for which local governments have the opportunity, right, or even obligation to mitigate, thus having a responsibility and duty.

The 43 municipal safety risks intended to be managed by the municipal safety standard were categorized. Risk assessment would be carried out according to the risk map divided into four clusters as follows:

1. Crime and Law Enforcement Issues:

- Absence of public safety and crime prevention strategy,
- Burglary/theft in local government institutions,
- Illegal parking,
- Protection of municipal property (theft/vandalism),
- Unauthorized public space usage,
- Public space contamination (public urination),
- Homeless issue,
- Begging,
- Illegal advertisements,
- Agricultural product/tree theft,
- Illegal fishing/poaching,
- Poaching,
- Lack of civil guard.

These issues typically address social, economic, or environmental concerns that influence public order and safety and require the involvement of the police, local government, or other law enforcement agencies.

¹⁹ Hungarian Standards Institution > Standardization > System Standards > ISO 9001 Quality Management Online: www.mszt.hu

- 2. Public Space, Environmental, and Infrastructural Issues:
 - Public cleanliness, illegal waste dumping,
 - Accident-prone local roads, potholes,
 - Inoperative vehicles,
 - Open burning, air pollution,
 - Lack of adequate public trash bins,
 - Maintenance of property-front public space/green areas,
 - Unauthorized road maintenance activities,
 - Heavy vehicle access issues,
 - Inappropriate use of water surfaces,
 - Transit vehicle traffic,
 - Mud tracking,
 - Lack of appropriate road signs and markings,
 - Absence of proper house numbering,
 - Neglect of tree maintenance.

This set of issues encompasses challenges and anomalies related to the condition, use, and upkeep of public and environmental spaces that negatively affect environmental quality, traffic safety, and the quality of life in the community.

3. Community and Social Issues:

- Inadequate management of disaster risk and protection administration,
- Noise issues,
- Public alcohol consumption,
- Violation of smoking regulations,
- Non-compliance with pet regulations (e.g., walking a dog without a leash/muzzle),
- Stray animals,
- Dog feces,
- Lack of municipality safety coordination,
- Lack of municipality involvement,
- Lack of collaboration,
- Absence of proper motivational tools.

Community and social issues address challenges and anomalies resulting from breaches in societal coexistence and community standards, as well as shortcomings in institutional and community cooperation, affecting the safety, tranquility, and quality of life of the community.

4. Events and Cultural Activities:

- Events (national, local government celebrations, music and dance events),
- Tourism (periodic increased demand),

- Other cultural and sports programs (e.g., religious events, minority events, marathons, etc.). This group addresses the organized forms of social, cultural, and sporting activities that periodically or regularly appear in a community or area. They manifest in various thematic, celebratory, or recreational events, often resulting in periodic increased demand on local infrastructure and shifts in audience composition.

For the preparation of the community safety standard, beyond the overview of community safety risks, criteria for risk assessment were also developed. By applying this criterion system, municipal actions can be scaled from 0 to 3 points, indicating the extent to which a particular local government is able to manage, mitigate, or even eliminate community safety risks prioritized in its jurisdiction.

The evaluation criteria necessary for establishing the community safety standard are well illustrated by the following example, which presents a given local government's problem management related to "illegal waste dumping" and indexes its quality:

Illegal Waste Dumping					
Effectiveness Criteria					
1. Regulation and Acc	ountability:				
What regulations are in effect in the municipality concerning illegal waste dumping, and what sanctions do they contain in case of violations? How effective is the enforcement and compliance with these regulations?					
None (0 points)	There are no effective regulations on illegal waste dumping, or there is no observable effort to enforce existing rules.	Local regulation addressing illegal waste dumping is missing, or if there are such rules, there's no observable effort to enforce and monitor compliance. This can result in serious waste disposal issues, negatively impacting the environment and the quality of life for the community.			
1. Low (1 point)	Regulations exist, but their enforcement is weak, and the sanctions are either not strict enough or not applied. Rules against illegal waste dumping exist, but their implementation and enforcement are weak.	Additionally, penalties aren't strict enough or, if they exist, aren't consistently applied. As a result, residents don't perceive significant consequences for engaging in illegal waste dumping.			
2. Moderate (2 points)	Appropriate regulations are in place, and their enforcement is somewhat effective. Sanctions are strict but aren't applied in all cases.	Regulations are generally adequate and are partially enforced effectively. Sanctions are strict but aren't applied in every case. This scenario may suggest that rule compliance might depend on various factors, such as specific cases or the individuals involved.			
3. High (3 points)	There's outstanding effectiveness in regulation and accountability. Compliance with the rules is continuously monitored, and sanctions are strict and consistently applied.	The established regulations are adequate, and with their application, accountability is exceptionally effective. Compliance with the rules is constantly under scrutiny, and the sanctions are strict and consistently applied. This scenario usually results in the best outcomes in combating illegal waste dumping.			
2. Waste Managemer					
		management infrastructure? How accessible are agement facilities to the public?			
0. None (0 points)	There is no waste management infrastructure or it's inaccessible to the public.				
1. Low (1 point)	There are waste management facilities, but their accessibility is limited or they don't fully meet the municiaplitys needs.	The number, location, and operational hours of the facilities might be insufficient or not appropriate, complicating proper waste disposal.			

Table 1: Illegal Waste Dumping Index

2. Moderate (2 points)	The waste management infrastructure is satisfactory and accessible, but there are areas that require further development.	Generally, the infrastructure meets the needs of the residents, but there are certain areas or aspects that need improvement to make waste management even more efficient.					
3. High (3 points)	An excellent waste management infrastructure is available, easily accessible, and meets the needs of the municipality.	The number, location, and operational hours of the facilities align perfectly with the residents' needs, promoting proper waste disposal and preventing illegal dumping.					
3. Information and E	3. Information and Education:						
	ousness, and what educational/ g waste management?	nces of illegal dumping? What is the level of communication programs are implemented in the					
0. None (0 points)	information and education on illegal dumping and its consequences.	No active communication or education is carried out in the municipality about waste disposal and the detrimental effects of illegal dumping, leading to potentially irresponsible waste handling by the residents.					
1. Low (1 point)	There are informational and educational programs, but they are of limited effectiveness or don't reach the entire municipalityy.	Efforts are made to raise awareness in the municipality, but they are either insufficient, less effective, or don't reach every segment.					
2. Moderate (2 points)	The information and education provided are effective, but there are groups that are not reached or not adequately educated.	While the informational and educational programs are functioning and effective, there are areas or groups that need further attention to be fully informed.					
3. High (3 points)	Exceptionally effective informational and educational programs are in place, reaching all age groups and segments.	The municipality runs outstanding communication and educational programs that reach every resident, fostering a more conscious approach to waste disposal and reducing illegal dumping.					
4. Surveillance of Ille	gal Waste Accumulation:						
What regular and effect	•	nitor and inspect potential illegal dumping sites?					
0. None (0 points)	There is no surveillance system to identify and manage potential illegal dumping sites, or the inspections are not regular, and the response time to reports is lengthy.	There is a lack of regular monitoring and swift response to potential illegal dumping sites. This means that the municipality doesn't conduct proactive inspections to identify such sites and manage waste removal, or the response time to reports is lengthy, which can exacerbate the					
1. Low (1 point)	Inspections are regular, but the response time to instances of illegal dumping is long or the management is ineffective.	Regular inspections are conducted; however, the handling of reports is slow or ineffective. This could mean that while the local government strives to identify illegal dumping sites, the response time is prolonged or waste removal isn't executed					

2. Medium (2 points)	Inspections are regular and the response time is acceptable, but the inspection methods and management aren't fully effective or comprehensive	The municipality regularly inspects potential illegal dumping sites and the response time is appropriate, but the inspection methods or waste management aren't entirely efficient. This could mean that while the local government responds swiftly to reports, further improvements in inspection methods or waste management are needed for even more efficient operations.			
3. High (3 points)	Outstandingly effective and regular inspection methods are available, the response time to reports is swift, and management is also effective.	The municiplaity inspects potential illegal dumping sites regularly and efficiently and responds rapidly to reports. This indicates that			
5. Waste Reduction and Recycling Strategies:					
What programs, support, or initiatives have been launched in the municipality to reduce waste and					
promote recycling? Ho	w successful are these strateg				
0. None (0 point)	There are no waste reduction and recycling strategies, or they are inaccessible and unimplementable for the residents.	efficient waste reduction and recycling plans, or these plans are not accessible or unimplementable for the residents, which could			
1. Low (1 point)	There are strategies in place, but they have limited effectiveness or do not reach the entire community.				
2. Medium (2 points)	The strategies are effective, but there are groups that are not reached or do not receive adequate support for participation.	This indicates that while there are functioning waste reduction and recycling plans in the municipality, certain groups, such as those living in remote areas or those with low incomes, are unable to utilize them.			
3. High (3 points)	There are excellently functioning, effective waste reduction and recycling strategies that reach all age groups and segments of the population.	This means there are accessible and implementable waste reduction and recycling plans for every resident of the municipality, which are efficient and contribute significantly to environmental protection.			
Total Points Achieved:					

The table above clearly illustrates the comprehensive evaluation criteria we aim to establish for examining the management of every urban safety risk. The National Standard should define specific urban activities based on these, particularly focusing on processes indexed at the highest (3 points) value for quality management purposes. It's essential that the processes and tasks prescribed in the standard are defined in such a way that they can be examined and judged as objectively as possible by those conducting the assessment - that is, the urban safety audit required for grant application evaluation.

Our current work is at the stage of defining the risk assessments for the 43 urban safety risks. According to plans, this phase will be completed by this December, so we can soon begin the

description of urban safety processes, followed by the preparation of the standard document. The projected timeline for this is approximately 2 years.

VI. Conclusion

It is imperative to reiterate that the state alone cannot ensure local public safety; it requires partners to jointly establish and maintain a public safety network.²⁰ Municipalities play an indispensable role in shaping municipal safety and are the closest allies of state agencies. However, due to the heterogeneous nature of their legislative application and operations, they inevitably need support. Municipalities can seek assistance in organizing law enforcement and municipal safety professional training and continuing education²¹, as well as in conducting research and studies from the National University of Public Service. Additionally, they can obtain guidance and expert external controlling and compliance services from the specialists of the Municipal Safety Division. Recognizing the needs of municipalities in the area of urban safety, the Municipal Safety Division has taken on a task that, until now, no one in our country has undertaken: to define the components of municipal safety and to develop an municipal safety standard that will serve as the basis for future audit activities.

Standardization not only provides theoretical frameworks for municipal safety but also acts as a practical guide for those committed to enhancing municipal safety and protecting residents and businesses. The audit activity will highlight how municipalities carry out their municipal safety tasks, identifying practices that are effective and areas of municipal activity and processes that require improvement.

The desired outcomes are certainly pioneering and will hopefully further enhance the safety of Hungarian municipalities and serve as an example for other countries as well.

The municipality runs outstanding communication and educational programs that reach every resident, fostering a more conscious approach to waste disposal and reducing illegal dumping.

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