

## CHAPTER 5

### POLICE DEPARTMENT

#### Article

- 5-01 Organization and Regulations, §§ 5-0101 to 5-0105.
- 5-02 General Powers and Duties of the Police Force, §§ 5-0201 to 5-0207.
- 5-03 Chief of Police, §§ 5-0301 to 5-0307.
- 5-04 Miscellaneous--Repealed by omission.

#### ARTICLE 5-01

##### ORGANIZATION AND REGULATIONS

#### Section

- 5-0101 Establishment of police department.
- 5-0102 Oath and bond of officers.
- 5-0103 Additional officers--Appointment in emergencies.
- 5-0104 Special officers--Appointment and powers.
- 5-0105 Rules and regulations of the police department.

5-0101. Establishment of police department.--There hereby is created a police department for the city. The police department shall consist of the chief of police and as many policemen, policewomen, patrolmen, and officers as may be authorized by the board of city commissioners.

Source: 1952 Rev. Ord. 5-0101.

5-0102. Oath and bond of officers.--The chief of police, the captain, and all policemen, policewomen, patrolmen, and other police officers shall subscribe the oath and affirmation provided for by law for all officers of the city, and shall give bond in such amount as may be required by the board of city commissioners.

Source: 1952 Rev. Ord. 5-0102.

5-0103. Additional officers--Appointment in emergencies.-- In case of riot or unusual or general disturbances of the peace, the president of the board of city commissioners or, in the absence of the president from the state, the board of city commissioners shall have power to appoint such other and additional policemen and policewomen as shall be deemed necessary for the preservation of the public peace.

Source: 1952 Rev. Ord. 5-0103.

5-0104. Special officers--Appointment and powers.--At the request of any corporation, firm or person, the board of city commissioners may appoint and commission one or more special policemen or policewomen to duty for such corporation, firm, or person. Special policemen or policewomen shall have all the authority now, or which hereafter may be, conferred by law upon policemen; provided, however, that such special policemen or policewomen shall receive no compensation from the city and the city shall not be responsible for their negligent or unauthorized acts, these matters being the responsibility of the firm, person, or corporation requesting their

appointment.

Source: 1952 Rev. Ord. 5-0104.

5-0105. Rules and regulations of the police department.--The board of city commissioners and chief of police are hereby authorized to promulgate such rules and regulations for the government of the officers and men and women of the police department as may be deemed necessary. A copy of such rules and regulations shall be provided for each of the officers and men and women of the department.

Source: 1952 Rev. Ord. 5-0105.

## ARTICLE 5-02

### GENERAL POWERS AND DUTIES OF THE POLICE FORCE

#### Section

- 5-0201 Service of warrants and process.
- 5-0202 Duty to report ordinance or law violations--Duty to make complaints and attend trials.
- 5-0203 Arrest without warrant disturbers of peace and order.
- 5-0204 Abatement of nuisances.
- 5-0205 Disposition of money or property of arrested persons.
- 5-0206 Duty to enforce all ordinances.
- 5-0207 Arrested persons brought before municipal judge.

5-0201. Service of warrants and process.--It shall be the duty of the police force of the city policeman and policewoman to serve all warrants and process delivered to such policeman or policewoman for service in the city and which, by law, he or she is authorized to serve.

Source: 1952 Rev. Ord. 5-0201.

5-0202. Duty to report ordinance or law violations--Duty to make complaints and attend trials.--It shall be the duty of the police force of the city and of each and every policeman and policewomen to notice and inquire diligently into and report to the board of city commissioners, chief of police, and city attorney all violations of the city ordinances, violations of the criminal laws of the state, and breaches of the peace and to make complaint against the person or persons guilty thereof. Every policeman or policewoman shall attend punctually all trials of offenses in regard to which he or she has made complaint.

Source: 1952 Rev. Ord. 5-0202.

5-0203. Arrest without warrant disturbers of peace and order.--It shall be the duty of the police force of the city and of each and every policeman or policewoman to ferret out all suspicious or disorderly houses in the city, to visit all parts of the city where disturbances and breaches of peace or violations of any ordinances are occurring or are likely to occur, and to arrest without warrant any person or persons who shall be found in a state of intoxication, or who are fighting, pilfering, or robbing, or who shall be making or uttering loud cries or noises or doing any act to disturb the peace or good order of the community, or who the policeman or policewoman shall have good cause to believe are about to commit any unlawful act, and bring such person or persons before the police magistrate of the city to be dealt with according to law and the ordinances of the city.

Source: 1952 Rev. Ord. 5-0203.

5-0204. Abatement of nuisances.--It shall be the duty of the police force of the city, and of each and every policeman or policewoman, when required by the board of city commissioners, to abate or remove or cause to be abated or removed all nuisances within the limits of the city and to prosecute all persons guilty of maintaining the same.

Source: 1952 Rev. Ord. 5-0204.

5-0205. Disposition of money or property of arrested persons.--It shall be the duty of the police force of the city and of each and every policeman or policewoman to keep safely all money or property which may be found on the person or in the possession of, or which may be claimed by, any person arrested for crime and to pay or deliver over the same by the order of the police magistrate of the city and, forthwith, after taking the same, to report in writing the kind and amount thereof to the police magistrate of the city.

Source: 1952 Rev. Ord. 5-0205.

5-0206. Duty to enforce all ordinances.--It shall be the imperative duty of every policeman or policewoman to be active and vigilant in enforcing the several provisions of all the ordinances of the city that may be now or hereafter in force.

Source: 1952 Rev. Ord. 5-0206.

5-0207. Arrested persons brought before municipal judge.-- Any police officer, after making any arrest, with or without a warrant, for any violation of city ordinances, shall take the person or persons so arrested, without any unreasonable delay, before the municipal judge to be dealt with according to law and the ordinances of the city.

Source: 1952 Rev. Ord. 5-0207.

## ARTICLE 5-03

### CHIEF OF POLICE

Section	
5-0301	Appointment.
5-0302	Enforcement of laws and ordinances.
5-0303	Orders, rules, and regulations.
5-0304	Suspension of officers.
5-0305	Record of reports from officers.
5-0306	Record of accidents.
5-0307	Other duties.

5-0301. Appointment.--A chief of police shall be appointed with such qualifications and under such bond as shall be fixed by the board of city commissioners.

Source: 1952 Rev. Ord. 5-0301.

5-0302. Enforcement of laws and ordinances.--The chief of police shall devote his whole time to the discharge of the duties of his office and shall see that all the laws of the state and ordinances of the city, the execution which devolves upon the police force, are fully observed and enforced.

Source: 1952 Rev. Ord. 5-0302.

5-0303. Orders, rules, and regulations.--The chief of police shall promptly execute all orders and observe all rules and regulations. All orders to the chief of police shall emanate from, and be issued to him by, the board of city commissioners, and all orders to the police force shall be issued by the chief of police. The chief of police shall have power to promulgate orders to the police force not inconsistent with the law or with this chapter. The orders shall be written or printed and all members of the force shall observe and obey them.

Source: 1952 Rev. Ord. 5-0303.

5-0304. Suspension of officers.--The chief of police at his discretion may suspend from duty and report to the civil service commission and the board of city commissioners any member of the department against whom complaint has been made, and the pay of such department member shall not be allowed during the period between his suspension and his reinstatement or discharge unless such suspension is subsequently found to be unjustified.

Source: 1952 Rev. Ord. 5-0304.

5-0305. Record of reports from officers.--The chief of police shall record in a book reports from the several officers of all defects in the highways, pavement, sidewalks, and bridges; violations of the building laws; and cases of nuisances and shall report the same to the proper officials of the city.

Source: 1952 Rev. Ord. 5-0305.

5-0306. Record of accidents.--The chief of police shall keep a record of all accidents for which the city may become chargeable including therein the circumstances, names of witnesses, and a description of the location.

Source: 1952 Rev. Ord. 5-0306.

5-0307. Other duties.--The chief of police shall perform any other duties and services required of him by the board of city commissioners.

Source: 1952 Rev. Ord. 5-0307.

## ARTICLE 5-04

### MISCELLANEOUS

Note: Article 4 of chapter 5 of the 1952 Revised Ordinances which consisted of section 5-0401, relating to prohibitions against interference with police alarm systems, apparatus, or equipment, is repealed by omission from the subject matter of the former section and is covered in section 10-0614.