

CHAPTER 34: POLICE DEPARTMENT

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POLICE DEPARTMENT

§ 34.01 ORGANIZATION.

The Police Department shall consist of a Chief and as many more police officers as the Mayor and Board of Commissioners shall from time to time determine. ('81 Code, § 12-1)

Statutory reference: *Authority of Town to appoint Chief of Police and other police officers, see G.S. § 160A-281*

§ 34.02 GENERAL DUTIES OF CHIEF.

It shall be the duty of the Chief of Police to:

(A) Attend all meetings of the Board.

(B) Supervise the Police Department, in cooperation with the Town Manager.

(C) Preserve the peace by suppression of all disturbances and apprehension of all law-breakers.

(D) Cooperate with the Fire Department in the protection of property during fires.

(E) Assist the Street Department Supervisor in traffic control.

(F) Carry out further duties as may be assigned to him.

('81 Code, § 12-3)

§ 34.03 FILLING VACANCIES IN POLICE DEPARTMENT.

Should a vacancy in the Police Department occur, for any reason, it shall be the duty of the Chief of Police to receive all applications for employment as police officers or in any other capacity, to interview each applicant and to employ police officers or other members of his Department as the good government of the Town may require, and his actions may be reviewed and approved or disapproved by the Town Manager. ('81 Code, § 12-4) (Ord. passed 1-4-60)

§ 34.04 APPOINTMENT OF EXTRA POLICE OFFICERS.

The Chief of Police shall have power, to appoint an auxiliary force to work along with the regular force. The extra police officers shall have all the powers of the regular police force. ('81 Code, § 12-5) (Ord. passed 1-4-60) **Statutory reference:** *Workers' compensation for auxiliary law-enforcement personnel, see G.S. § 160A-282*

§ 34.05 DUTIES OF POLICE OFFICERS.

It shall be the duty of the police officers to:

(A) Preserve public peace, prevent crimes, detect and arrest law-breakers and suppress riots and unlawful gatherings which obstruct the free passage of public streets, sidewalks, parks and public places.

(B) Protect the rights of persons and property.

(C) Guard the public health.

(D) Preserve order at elections and all public meetings and assemblages.

(E) Regulate movement of vehicles in the streets, bridges, parks, public squares and highways.

(F) Provide proper police attendance at emergencies.

(G) Carefully observe and inspect all places of public amusement, all places of business having a license to carry on the business and suppress and restrain all unlawful and disorderly conduct or practices therein.

(H) Enforce and preserve the laws and ordinances in effect in the Town.

(I) Arrest all persons guilty of violating any law or ordinance.

(J) Prevent as far as possible any injury to property.

(K) Report to the Chief of Police any repairs needed to any public property.

(L) Serves all processes issued to them.

(M) Perform any and all other duties that may be assigned to them by the Chief of Police. ('81 Code, § 12-7)

Statutory reference: *Powers and duties of police officers, see G.S. § 160A-285*

§ 34.06 FURNISHING INFORMATION AND AID.

Every police officer shall furnish information and render aid to all persons, when requested, as is consistent with his duty. ('81 Code, § 12-8)

§ 34.07 CHIEF TO ASSIGN DUTIES.

The Chief of Police, subject to the Town Manager, shall have charge of the police force and as such shall assign duties to the police officers as he thinks best for the good order of the Town. He shall be responsible to the Town Manager in seeing that the police officers faithfully perform their duties. ('81 Code, § 12-9)

§ 34.14 MUTUAL AID AUTHORIZATION.

(A) The Chief of Police is hereby authorized to enter mutual assistance agreements with other law enforcement agencies in accordance with reasonable arrangements, terms and conditions as may be agreed upon between the respective heads of the law enforcement agencies. Must be approved by the Board of Commissioners.

(B) The Chief of Police is hereby authorized to permit officers of the Franklinton Police Department to work temporarily with officers of the requesting agency, including in an undercover capacity; and the Chief of Police may lend resources to requesting agencies as he deems advisable.

(1) All requests and authorizations shall be in accordance with G.S. §§ 160A-288 and 90-95.2.

(C) While working with a requesting agency, an officer shall have the same jurisdiction, powers, rights, privileges and immunities (including those relating to the defenses of civil actions and payment of judgments) as the officers of the requesting agency in addition to those he normally possesses.

(D) While on duty with the requesting agency, an officer shall be subject to the lawful operational commands of his superior officers in the requesting agency, but he shall for personnel and administrative purposes, remain under the control of his own agency, including for purposes of pay. An officer shall furthermore be entitled to workers' compensation and the same benefits to the extent as though he were functioning within the normal scope of his duties. (Ord. passed 8-21-90)