

Chapter 24
POLICE DEPARTMENT (1)

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Sec. 24-1. Established

There is hereby created a police department for the city. The police department of the city shall consist of the mayor, who shall be its executive officer and the head of the department; a chief-of-police and as many policemen, patrolmen and police officers as may be authorized by the council.

Source: See Rev. Ord. of City of Carrington, 1940, Sec. 129.

Sec. 24-2. Appointment of Policemen and Patrolmen

The mayor shall appoint as many policemen, patrolmen and police officers as may be authorized by the city council.

Sec. 24-3. Oath of Officers

Chief- of- Police, the assistant chief-of-police and all regular policemen and patrolmen shall take and subscribe the oath affirmation provided by law for all officers of the city.

Sec. 24-4. Special Officers

In case of riot or unusual or general disturbances of the peace, the mayor shall have the power to appoint such other and additional policemen as he may deem necessary for the preservation of the public peace. At the request of any person, he may appoint and commission one or more special policemen. Such special policemen shall have all the authority conferred upon policemen by law; provided, however, that such special policemen shall receive no compensation from the city.

1. As to bonds of police officer, etc. see Sec. 2-16 of this Code. As to police powers of members of fire department, see Sec. 15-7. As to operators, etc. of vehicles obeying directions of police generally, see Sec. 21-41. As to resisting police officers, see Sec. 22-40.

Sec. 24-5. Removal of Officers and Members

The mayor shall have power to remove any officer or member of the police department whenever in his opinion that welfare of the city demands the same; provided, however, that in the event of removal under this provision of the chief-of-police and assistant chief-of-police, the reasons therefor shall be reported to the city council at its next meeting.

Sec. 24-6. Duties of Chief-of-Police Generally

The Chief-of-Police, subject to the orders of the mayor and the city council, shall be the chief executive officer of the department and shall be responsible for its discipline and efficiency; he shall devote his whole time to the discharge of the duties of his office and shall see that all of the laws of the state and all of the provisions of this Code and other ordinances of the city, the execution of which devolves upon the police force, are duly observed and enforced and he shall also promptly execute all orders and observe all rules and regulations of the mayor and city council. All orders to the Chief-of-Police shall emanate from and be issued to him by the mayor and all orders to the police force by the Chief-of-Police. He may, at his discretion suspend from duty and report to the mayor any members of the department against whom a written complaint has been made and the pay of such officer shall not be allowed during the period between his suspension and his reinstatement or discharge, unless by special order of the council. He shall keep a book in which he shall enter the name, age, birthplace, date of service, occasion of censure, suspension or punishment of every member of the department and of every policeman, patrolman or officer serving as special policeman he shall also record in a book kept for that purpose, reports from the several officers of all defects in highways, sidewalks, bridges, violations of the building laws, cases of nuisance and shall report the same to the proper officers of the city, and keep a record of all accidents whereby the city may become chargeable with all of the circumstances and names of witnesses that he can ascertain and the particular description of the location of such accident. He shall serve all notices required by the health officer or the board of health. He shall make a daily oral report to the mayor of all matters coming to his knowledge pertaining to the affairs of his office. He shall assist the city attorney in securing evidence of the violations of ordinances of the city whenever requested to do so. He shall, unless excused by the mayor, attend or procure the attendance of a policeman at all the meetings of the city council and board of health. He shall perform any other duties or services required of him by the mayor or by the city council. He shall make and keep in his office a daily record or diary of all his official acts.

(For former ordinances, see Rev. Ord. of City of Carrington, 1940, Section 13.)

Sec. 24-7. Duties of Assistant Chief-of-Police

The assistant chief-of-police shall perform the duties of the chief-of-police during his incapacity to act absence.

Sec. 24-8. Duties of Policemen and Patrolmen

Policemen and patrolmen shall perform such services as may be required of them by the mayor, the chief-of-police and as may be prescribed by the rules and regulations.

Sec. 24-9. Promulgation of Rules and Regulations

The mayor and chief-of-police are hereby authorized to promulgate such rules and regulations for the government of the officers and men of the police department as may be considered by them best; a copy of such rules and regulations shall be provided for each of the officers and men of the police department.

Sec. 24-10. Criminal Identification

It is hereby made the duty of the chief-of-police and the police department of the city to immediately upon the arrest of any person who in the best judgment of the arresting officer is wanted on a felony charge, or whom such officer has reason to believe is a fugitive from justice, to take and furnish to the state superintendent of criminal identification at Bismarck copies of fingerprints in duplicate, together with a description and all available information respecting such accused person. Such fingerprints shall be taken also of any person arrested who has in his possession at the time of his arrest goods or property reasonable believed to have been stolen or in whose possession is found a burglary outfit, tools, keys or explosives reasonably believed by the police to be intended for unlawful use or who is carrying concealed or deadly weapons without lawful authority therefor or who is in possession of any ink, dye, paper or other articles used in the making of counterfeit money or who has in his possession counterfeit money of the United States, or who has in his possession any tools or equipment used in defacing or changing the number of motor vehicles or who is believed by such officers to have been previously incarcerated in any state or federal penitentiary.

It shall be the duty of the chief-of-police to establish in his office a file and to keep in such file a record of all the fingerprints taken as required by this section and he shall cooperate fully with all other peace officers in the apprehension of criminals and the detection of crime.