

**TITLE 6****LAW ENFORCEMENT****CHAPTER**

1. POLICE DEPARTMENT.
2. ARREST PROCEDURES.

**CHAPTER 1****POLICE DEPARTMENT****SECTION**

- 6-101. Appointment of chief of police and policemen.
- 6-102. Policemen subject to chief's orders.
- 6-103. Policemen to preserve law and order, etc.
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**6-101. Appointment of chief of police and policemen.** The town's governing body shall have the authority to appoint the chief of police and such other policeman as they deem advisable and shall have the right to fix compensation for services rendered.

**6-102. Policemen subject to chief's orders.** All policemen shall obey and comply with such orders and administrative rules and regulations as the police chief may officially issue.

**6-103. Policemen to preserve law and order, etc.** Policemen shall preserve law and order within the town. They shall patrol the town and shall assist the city court during the trial of cases. Policemen shall also promptly serve any legal process issued by the city court.

**6-104. Police department records.** The police department shall keep a comprehensive and detailed daily record, in permanent form, showing at a minimum:

- (1) All known or reported offenses and/or crimes committed within the corporate limits.
- (2) All arrests made by policemen.
- (3) All police investigations made, funerals, convoys, fire calls answered, and other miscellaneous activities of the police department.
- (4) Any other records required to be kept by the board of mayor and aldermen or by law.

**6-105. Policeman to wear uniforms and be armed.** All policemen shall wear such uniforms and badges as the governing body shall authorize and shall be authorized to be armed while on duty unless otherwise expressly directed by the chief for a special assignment.

The police chief shall be responsible for insuring that the police department complies with this section.

## CHAPTER 2

### ARREST PROCEDURES

#### SECTION

6-201. When policemen to make arrests.

6-202. Disposition of persons arrested.

**6-201. When policemen to make arrests.**<sup>1</sup> Unless otherwise authorized or directed in this code or other applicable law, an arrest of the person shall be made by a policeman in the following cases:

(1) Whenever he is in possession of a warrant for the arrest of the person.

(2) Whenever an offense is committed or a breach of the peace is threatened in the officer's presence by the person.

(3) Whenever a felony has in fact been committed and the officer has probable cause to believe the person has committed it.

**6-202. Disposition of persons arrested.** (1) For code or ordinance violations. Unless otherwise provided by law, a person arrested for a violation of this code or other city ordinance shall be brought before the town court. However, if the town court is not in session, the arrested person shall be allowed to post bond with the town court clerk, or, if the town court clerk is not available, with the ranking police officer on duty. If the arrested person is under the influence of alcohol or drugs when arrested, even if he is arrested for an offense unrelated to the consumption of alcohol or drugs, the person shall be confined until he does not pose a danger to himself or to any other person.

(2) Felonies or misdemeanors. A person arrested for a felony or a misdemeanor shall be disposed of in accordance with applicable federal and state law and the rules of the court which has jurisdiction over the offender.

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<sup>1</sup>Municipal code reference

Issuance of citation in lieu of arrest in traffic cases: title 15, chapter 7.