

ORDINANCE NO. 51-O-005

AN ORDINANCE CREATING A BUREAU OF POLICE; PROVIDING FOR THE OFFICES OF COMMISSIONER OF POLICE AND CHIEF OF POLICE; PROVIDING THE COMPENSATION THEREFOR; PROVIDING FOR POLICE OFFICERS; PROVIDING THE COMPENSATION THEREFOR; PROVIDING THE AUTHORITY AND JURISDICTION OF THE COMMISSIONER OF POLICE; AND DECLARING AN EMERGENCY. [Adopted 10/23/51]

[Repealed by Ordinance No. 90-O-467, effective September 11, 1990]

AN ORDINANCE CREATING A BUREAU OF POLICE; PROVIDING FOR THE OFFICES OF COMMISSIONER OF POLICE AND CHIEF OF POLICE; PROVIDING THE COMPENSATION THEREFOR; PROVIDING FOR POLICE OFFICERS; PROVIDING THE COMPENSATION THEREFOR; PROVIDING THE AUTHORITY AND JURISDICTION OF THE COMMISSIONER OF POLICE; AND DECLARING AN EMERGENCY. [Adopted 10/23/51]

Sections:

- Section 1. Creation of the bureau of police.
- Section 2. Term of office of the commissioner of police.
- Section 3. Powers and duties of the commissioner of police.
- Section 4. Scope of power of commissioner of police.
- Section 5. Powers and duties of the chief of police.
- Section 6. Powers and duties of other police officers.
- Section 7. Compensation of police commissioner.
- Section 8. Compensation of chief of police and other police officers.
- Section 9. [Emergency clause]

The city of Brookings ordains as follows:

Section 1. Creation of the bureau of police. There is hereby created the bureau of police for the city of Brookings. The bureau of police shall consist of a commissioner of police, a chief of police, and such other police officers as may be appointed by the commissioner of police pursuant to the provisions of this ordinance.

Section 2. Term of office of the commissioner of police. The term of office of the commissioner of police shall run concurrently with that of mayor, and the mayor shall automatically occupy the office of commissioner of police during his/her incumbency, and until a successor has been duly elected and qualified.

1-005.3A

BROOKINGS ORDINANCES

1-005.3G

Section 3. Powers and duties of the commissioner of police. The powers and duties of the commissioner of police shall be:

A. The commissioner of police shall be the senior officer of the police department and bear the responsibility for efficient and effective police protection for the city.

B. Subject to confirmation by the council entered in the journal, the commissioner of police shall have the authority to appoint the chief of police and also to remove the chief of police from office; and the commissioner of police shall have authority to appoint such other police officers as the council shall, from time to time, deem necessary; and the commissioner of police shall have authority to remove any such other police officers from the bureau of police.

C. The commissioner of police shall supervise and direct the activities of the chief of police and other police officers of the city.

D. The commissioner of police, whenever, in his sound discretion, an emergency exists, shall have the authority, without first consulting the city council, to appoint such additional police officers as in his judgment are necessary to meet the emergency; and such officers shall serve during the continuance of such emergency; and they shall be paid reasonable compensation for their services.

E. The commissioner of police shall, with the advice and consent of the city council, purchase or lease such property and equipment as he/she may deem necessary to carry out the purposes of this ordinance.

F. The commissioner of police shall furnish police badges, in such form and design as the city council may approve, to the chief of police and all other police officers of the bureau of police.

G. The commissioner of police shall, with the advice and consent of the city council, make the necessary arrangements for the establishment and maintenance of a city jail; and the commissioner of police shall be responsible for the incarceration of persons sentenced to be in prison by the municipal court of the city of Brookings.

1-005.3H

BROOKINGS ORDINANCES

1-005.5F

H. The commissioner of police shall make rules and regulations governing the activities of the bureau of police; and the commissioner of police shall be responsible for maintaining discipline within the police department.

I. The commissioner of police shall have such other authority as may be necessary for the efficient and effective performance of his/her office and the police department.

Section 4. Scope of power of commissioner of police. The commissioner of police shall have all of the powers of a peace officer within the corporate limits of the city of Brookings.

Section 5. Powers and duties of the chief of police. The powers and duties of the chief of police shall be:

A. The chief of police shall exercise all of the powers and duties of a police officer within the geographic limits of the city of Brookings.

B. The chief of police shall carry out all directives, verbal or in writing, issued to him/her by the commissioner of police.

C. The chief of police shall exercise a vigilant control over the peace and quiet of the city of Brookings to the end that any person violating the ordinances of the city of Brookings shall be brought before the municipal court for the city of Brookings.

D. Subject to the approval of the commissioner of police, the chief of police shall be responsible for the assignment of all details to other police

officers of the bureau of police.

E. The chief of police shall be responsible for the service and execution of all process issued by the judge of the municipal court for the city of Brookings.

F. The chief of police shall observe and cause all other police officers of the police department to observe all rules and regulations issued by the commissioner of police.

1-005.6

BROOKINGS ORDINANCES

1-005.9

Section 6. **Powers and duties of other police officers.** Such other police officers as the commissioner of police shall appoint shall have, within the geographic limits of the city of Brookings, all the powers of a peace officer. They shall carry out all details assigned to them by the commissioner of police and the chief of police; and they shall observe all rules and regulations issued by the commissioner of police.

Section 7. **Compensation of police commissioner.** The commissioner of police shall receive such compensation, if any, as may be authorized by the council from time to time.

Section 8. **Compensation of chief of police and other police officers.** The chief of police and other police officers of the bureau of police shall receive such compensation as the council shall authorize from time to time.

Section 9. [Emergency clause]

