

CHAPTER 2.28 - CHIEF OF POLICE¹

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2.28.010 Appointment and term of office.

The chief of police shall be appointed by the mayor subject to the approval of the council. He shall hold office for the duration of his appointment unless sooner removed by the mayor with a concurrence of the council. (Prior code §1-15-1).

2.28.020 Rank, supervisory and appointment powers–Special police.

The chief of police shall be the head of the department and have supervision over all the officers and members thereof. The chief of police may, with the approval of the mayor, appoint such special police as may be required from time to time; however, such appointment may not be for a period of longer than ten days and special police shall not be reappointed following the specified ten days without consent of the governing body. (Prior code §1-15-2).

2.28.030 Powers and duties.

The chief of police shall keep such records and make such reports concerning the activities of his department as may be required by statute or by the mayor. He shall be responsible for the performance of the police department and of its functions and all persons who are members of the police department shall serve subject to his orders.

It shall be the duty of the chief of police to see to the enforcement of all provisions of this code and of all applicable statutes and to preserve order and prevent infractions of the law and arrest violators thereof. He shall have authority to call upon any citizen or bystander to assist him in the execution of his duty. He shall serve all processes issued to him and enforce all orders and judgments of the court. (Prior code §1-15-3).

2.28.040 Custody of certain property.

The chief of police shall have the custody of all lost, abandoned or stolen property recovered within the municipality. (Prior code §1-15-4).

2.28.050 Enforcement powers and duties.

The chief of police, under the direction of the mayor, shall direct and control the police of the city. He shall preserve the peace and good order of the city, quell all riots, arrest and bring all violators of this code before the magistrate of the police court for trial, either with or without process, serve all processes

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issued by the magistrate of the police court to him directed, and enforce all orders and judgments of said court and take such measures as shall secure the peace and good order of all public meetings. The chief of police, in the execution of his duty, with or without warrant, in arresting any person accused or suspected of crime or in the suppression of any riot or unlawful assembly or in the prevention of violation of this code, shall have the power to call upon any citizen or bystander to assist said chief in the execution of his duty. He shall inquire into and report to the magistrate of the police court all violations of this code and criminal laws of this state, and cause all laws of the city to be enforced He shall take into custody with or without process, any person found violating this code and bring such person before the magistrate of the police court to be dealt with accord to law. (Prior code §3-2-1).

2.28.060 Record keeping required.

The chief of police shall keep a record in a book provided for that purpose, of all moneys belonging to the city which may come into his hands from whatever source, stating from whom and on what account received and pay the same into the treasury. He shall also record the name, if known, of every person arrested, date and cause of arrest, and such other facts as may be deemed important and report on abstract thereof to the council monthly or more often if required. (Prior code §3-2-2).

—— NOTES ——

(1) For statutory provisions regarding the powers of police, see Idaho Code 50-209.