

PART II - CODE OF ORDINANCES

Chapter 4.5 LAW ENFORCEMENT AND LEGAL OFFICES

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ARTICLE I. - POLICE DEPARTMENT

ARTICLE II. - DEPARTMENT OF COMMUNITY PROSECUTOR

ARTICLE I. POLICE DEPARTMENT

[Sec. 4.5-1. Establishment.](#)

[Sec. 4.5-2. Powers and duties.](#)

[Secs. 4.5-3—4.5-22. Reserved.](#)

Sec. 4.5-1. Establishment.

- (a) There shall be a Community police department which is responsible pursuant to the provisions of the Constitution of the Community for carrying out orders of the Community court, maintaining law and order within the Community, and protection of the Community's safety, health, and welfare.
- (b) There is further established the office of chief of police, who shall direct the operation of the department, who shall be directly responsible to the president/vice president and to the Community manager, and who shall be appointed according to the personnel policies of the Community. The police chief is authorized to delegate to qualified persons within the police department such authority as is necessary to carry out the functions and responsibilities of his or her office.

(Code 1981, § 5-81; Code 2012, § 5-81; Ord. No. SRO-162-93, § 1, 1-27-1993; Ord. No. SRO-402-2012, § 5-81, 5-30-2012)

Sec. 4.5-2. Powers and duties.

The police chief shall uphold the Constitution of the laws of the Community and applicable laws of the United States. Further, the police chief shall:

- (1) Preserve the peace.
- (2) Arrest and take before a Community court judge for examination all persons who attempt to commit or who have committed a public offense.
- (3) Attend all courts when an element of danger is anticipated and attendance is requested by a judge, and obey lawful orders, warrants, and directions issued by the judge.
- (4) Take charge of and keep the Community jail and the prisoners therein and provide for the duties and functions of employees of the jail.
- (5) Keep such records as are necessary to the effective operation of the police department and execution of the duties of the office.
- (6) Serve process and notices in the manner prescribed by law and certify under the police chief's hand upon the process or notices the manner and time of service, or if the police chief fails to make service, the reasons for failure, and return them without delay.

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- (7) In his or her discretion and in the execution of the duties prescribed in this section, command the aid of as many residents of the Community as the police chief deems necessary.
- (8) Conduct or coordinate, within the Community, search or rescue operations involving the life or health of any person, or in his or her discretion, assist in such operations in another jurisdiction at the request of that jurisdiction's chief law enforcement official, and request assistance from any persons or agencies in the fulfillment of duties under this subsection.
- (9) Prescribe procedures for use of department personnel, facilities, equipment, supplies, and other resources to further carry out the provisions of this section and the functions and responsibilities of the police chief and the police department as set forth herein and as provided in regulations pursuant to this article and approved by the Community Council.
- (10) In his or her discretion and in the execution of the duties prescribed in that section, request the assistance of federal, state and local police authorities.
- (11) Take into protective custody any juvenile member of the Community whose parents have failed or refused to take custody of such juvenile pursuant to section 11-222 if said juvenile is in the custody of a law enforcement officer outside the boundary of the Community.

(Code 1981, § 5-82; Code 2012, § 5-82; Ord. No. SRO-162-93, § 2, 1-27-1993; Ord. No. SRO-177-94, 6-22-1994; Ord. No. SRO-402-2012, § 5-82, 5-30-2012)

Secs. 4.5-3—4.5-22. Reserved.

ARTICLE II. DEPARTMENT OF COMMUNITY PROSECUTOR

[Sec. 4.5-23. Established.](#)

[Sec. 4.5-24. Selection.](#)

[Sec. 4.5-25. Duties.](#)

Sec. 4.5-23. Established.

The department of Community prosecutor is established. The director of the department shall be the Community prosecutor responsible to the Community manager whose duties, as the need arises, may be delegated to assistant Community prosecutors and other employees of the department.

(Code 1981, § 5-91; Code 2012, § 5-91; Ord. No. SRO-163-93, § 1(a), 1-27-1993; Ord. No. SRO-402-2012, § 5-91, 5-30-2012)

Sec. 4.5-24. Selection.

The position of Community prosecutor shall be filled in accordance with the Community's established guidelines for hiring. Applicants for this position shall be chosen solely on the basis of qualifications and merit.

(Code 1981, § 5-92; Code 2012, § 5-92; Ord. No. SRO-163-93, § 1(b), 1-27-1993; Ord. No. SRO-402-2012, § 5-92, 5-30-2012)

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Sec. 4.5-25. Duties.

The Community prosecutor shall uphold the Constitution and the laws of Community and the applicable laws of the United States. Further, the Community prosecutor shall:

- (1) Conduct, on behalf of the Community, exercising sound discretion, all prosecutions in the Community court for public offenses under the Community's Code of Ordinances;
- (2) Institute proceedings before Community court judges for the arrest of persons charged with or reasonably suspected of public offenses when the Community prosecutor has information that the offenses have been committed;
- (3) File claims and prosecute actions to recover bonds forfeited in the Community court and prosecute actions in the Community court for recovery of fines, penalties, and forfeitures accruing to the Community;
- (4) Keep a register of official business, and enter therein every action prosecuted and an account of the proceedings of such actions;
- (5) Maintain close liaison with the Community police department.

(Code 1981, § 5-93; Code 2012, § 5-93; Ord. No. SRO-163-93, § 1(c), 1-27-1993; Ord. No. SRO-402-2012, § 5-93, 5-30-2012)