

**THIS IS A DRAFT OF AN ORDINANCE TO BE PROPOSED AT THE DECEMBER 7, 2020
WAITE PARK CITY COUNCIL MEETING**

CHAPTER II- ADMINISTRATION, OPERATIONS AND ORGANIZATION

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CHAPTER II- ADMINISTRATION, OPERATIONS AND ORGANIZATION

ORDINANCE 26 POLICE DEPARTMENT

Section 26.1. Continuance. The City establishes a Police Department (“Department”). The Department’s head shall be known as the Chief of Police (“Chief”). The City Council shall determine the Chief and the Department’s additional members (“Members”) with their ranks and titles, fix the Member’s compensation and appoint Members with the Civil Service Personnel Board’s advice.

Section 26.2. Chief of Police. The Chief shall:

- A. Supervise and control the Department and its Members;
- B. Enforce the law;
- C. Care for the Department's property;
- D. Propose the department rules and regulations and any amendments to such rules and regulations, which proposals shall be subject to the final approval of the City Administrator before becoming effective.;
- E. Train and discipline the Members;
- F. Keep adequate records; and
- G. Report to the City Council on the Department's work and needs.

The Chief shall supervise every Member and may designate one of the police officers as acting Chief, who shall have all the powers and duties of the Chief during the Chief’s absence or disability.

Section 26.3. Police Duties. Members shall enforce all laws applicable to the City, bring violators before a court of law, and make complaints for offenses common to their knowledge. Members shall serve process on the City’s behalf and any notices the City Council or other authority may require. All police officers shall be subject to the City's Civil Service Personnel System. Every Member whether regular or reserve shall comply with the Department's rules and regulations. The City Council shall approve all of the Police Department’s rules, regulations and policies before they take effect.

Section 26.4. Uniform and Badge. While on duty, each Member shall wear a suitable badge and uniform the City furnishes, but the Chief may authorize the Members to perform

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specific duties while not in uniform. When a Member terminates membership from the Department, the Member shall immediately deliver his or her badge, uniform, and other City property in his or her possession to the City.

Section 26.5. State Law. Members shall comply with all applicable State laws or rules regarding the hiring and training of police officers, including the Board of Peace Officers Standards and Training pursuant to Minnesota Statutes Section 626.84 88, as amended.

Section 26.6. Police Reserve.

Subd. 1. The City Council may establish within the Police Department any number of police reserve positions. Police reserves shall be under the Chief's control and supervision and under the direction of police officers of the regular police force. The City Administrator shall approve all police reserves and may remove any officer at any time.

Subd. 2. No police reserve officer shall be on duty without the Chief's prior consent. No member of the police reserve shall exercise any authority over the persons or property of others without displaying identification as such member. No person except a police reserve member shall use such identification or otherwise represent himself/herself to be a member of the police reserve.

Subd. 3. A police reserve officer shall be responsible to and be under the supervision of the Chief or the Chief's designated assistant whenever on duty. The Chief may use individual Members at his or her discretion. The Chief shall not call the entire police force to duty except in case of an emergency as declared by the Mayor or Emergency Services Director, during a natural disaster, or during a community event authorized by the City Council.

Subd. 4. Each police reserve member shall take the oath prescribed by Minnesota Statutes, Chapter 12, as amended. The City shall issue each member a badge, suitable items of clothing and any other insignia or evidence of identification the Chief may prescribe. Upon termination of membership, a member shall surrender to the City all City property issued to the member.

Subd. 5. The personnel benefits applicable to regular City employees or of the Civil Service Personnel System do not apply to police reserve members, but the City's Workers Compensation Insurance Policy shall cover them as City employees.

Subd. 6. No police reserve member shall carry any firearm while on duty except as specifically authorized and provided by the Police Chief.

Section 26.7: Criminal History Employment Investigations. The Police Department shall have the authority to conduct criminal history background investigations on all applicants for City employment and all applicants for police reserve volunteer status.