

CHAPTER 40

POLICE DEPARTMENT

40.01	Department Established	40.06	Police Chief: Duties
40.02	Organization	40.07	Departmental Policy, Rules and Procedures
40.03	Peace Officer Qualifications	40.08	Summoning Aid
40.04	Required Training	40.09	Taking Weapons
40.05	Police Chief Appointed		

40.01 DEPARTMENT ESTABLISHED. The police department of the City is established to provide for the preservation of peace and enforcement of law and ordinances within the corporate limits of the City.

40.02 ORGANIZATION. The department consists of the Police Chief and such other law enforcement officers and personnel, whether full or part time, as may be authorized by the Council.

40.03 PEACE OFFICER QUALIFICATIONS. In no case shall any person be selected or appointed as a law enforcement officer unless such person meets the minimum qualification standards established by the Iowa Law Enforcement Academy.  
(Code of Iowa, Sec. 80B.11)

40.04 REQUIRED TRAINING. All peace officers shall have received the minimum training required by law at an approved law enforcement training school within one year of employment. Peace officers shall also meet the minimum in-service training as required by law.  
(Code of Iowa, Sec. 80B.11 [ 2 ] )  
(IAC, 501-3 and 501-8)

40.05 POLICE CHIEF APPOINTED. The Mayor shall appoint the Police Chief.  
(Code of Iowa, Sec. 372.4)

40.06 POLICE CHIEF: DUTIES. The Police Chief has the following powers and duties subject to the approval of the Council.  
(Code of Iowa, Sec. 372.13 [4])

1. General. Perform all duties required of the police chief or marshal by law or ordinance.

2. Enforce Laws. Enforce all laws, ordinances and regulations and bring all persons committing any offense before the proper court.
3. Writs. Execute and return all writs and other processes directed to the Police Chief.
4. Accident Reports. Report all motor vehicle accidents investigated to the State Department of Transportation.  
(Code of Iowa, Sec. 321.266)
5. Prisoners. Be responsible for the custody of prisoners, including conveyance to detention facilities as may be required.
6. Assist officials. When requested, provide aid to other City officers, boards and commissions in the execution of their official duties.
7. Investigations. Provide for such investigation as may be necessary for the prosecution of any person alleged to have violated any law or ordinance.
8. Record of Arrests. Keep a record of all arrests made in the City by showing whether said arrests were made under provisions of State law or City ordinance, the offense charged, who made the arrest and the disposition of the charge.
9. Reports. Compile and submit to the Mayor and Council an annual report as well as such other reports as may be requested by the Mayor or Council.
10. Command. Be in command of all officers appointed for police work and be responsible for the care, maintenance and use of all vehicles, equipment and materials of the department.

40.07 DEPARTMENTAL POLICY, RULES AND PROCEDURES. The Police Chief shall establish such policy, rules and procedures, not in conflict with the Code of Ordinances, and subject to the approval of the Council, as may be necessary for the operation of the department including policy, rules and procedures governing the following:

1. Rules of Conduct. The conduct and activity of members of the department during regular and off-duty hours.
2. Uniform. The wear and care of uniforms.

3. Weapons. The care, use and practice of side arms and other police weapons.
4. Communication. The procedures, use and care of the police radio and other communication systems.
5. Training. The nature, time and attendance requirements for in-service training of members of the department.
6. Emergencies. Temporary rules for the protection and functioning of the department as may be necessary in the event of an emergency until such rules may be considered by the Council.
7. Other. Such other rules as may be deemed necessary and advisable in assuring efficient and proper performance of the duties of the department.
8. Penalties. The penalties which may be imposed for violation of established departmental rules by members.
9. Notice. The Police Chief shall give written notice to any member charged with a violation of departmental rules specifying the rule violated, the nature of the violation and the penalty to be imposed.
10. Appeal. A member of the department charged with a violation of rules resulting in a recommendation by the Police Chief and City Administrator to the Council of a penalty of suspension without pay in excess of ten (10) days or termination may request a hearing before the Council by filing with the Clerk within ten - (10) days of receipt of notice of violation. The Council, at its next meeting, shall hold a hearing, review the facts and affirm, modify or disaffirm the action of the Police Chief and City Administrator.

40.08 SUMMONING AID. Any peace officer making a legal arrest may orally summon as many persons as the officer reasonably finds necessary to aid the officer in making the arrest.

(Code of Iowa, 804.17)

40.09 TAKING WEAPONS. Any person who makes an arrest may take from the person arrested all items which are capable of causing bodily harm which the arrested person may have within such person's control to be disposed of according to law.

(Code of Iowa, 804.18)

o o o o o o o

[The next page is 181]