

CHAPTER 12

POLICE.

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12-101. Increase or decrease in size of police force; police reserve.

The number of regular police may be increased or decreased at any time by the Mayor, with the consent of the City Council, or a majority of the same.

(Code 1973, 28-1; Ord. Nos. 2257, 2338, and 2674)

Reference: Neb. Rev. Stat. 1943, Section 16-308.

12-102. Chief of police generally; powers of police.

The Chief of Police, under the direction of the Mayor, shall have the superintendence of the police. He and the policemen of the City are empowered to arrest all offenders against the laws of the State or of the City, by day or night, in the manner as a sheriff or a constable and to keep them in the county jail or other place to prevent their escape, until a trial or examination may be had before the proper officer, and shall have the same power as the county sheriff in relation to all criminal matters and to all process issued by the appropriate court in connection with a violation of the City Code. He shall devote particular attention to street and traffic control.

(Code 1973, 28-2)

Reference: Neb. Rev. Stat. 1943, Section 16-308. As to powers and duties, see Neb. Rev. Stat. 1943, Sections 16-225, 16-323.

12-103. Duties.

It shall be the duty of all policemen and all police officers of this City to become thoroughly conversant with this Code and other ordinances of the City and to see that the same are strictly enforced at all times. They shall have power to arrest any person on view for the violation of any of the provisions of this Code or other ordinances of this City, or laws of the State, or to take into custody any person arrested by any other officer of the City or State, or any private person who shall have made the arrest, to make and file complaint in writing under oath and to take such arrested person before the appropriate court or to the county jail and, after conviction or preliminary examination, to take such person to the county jail. They shall notice all nuisances and all obstructions to sidewalks or streets within the City, and shall forthwith notify the persons guilty of committing or permitting such nuisance or obstruction to streets or sidewalks to comply at once with the ordinances of the City relating thereto.

(Code 1973, 28-4)

12-104. Oath of office.

Hastings City Code

All policemen and police reserve of this City shall take the usual oath of office, which shall be in writing and filed in the Office of the City Clerk.

(Code 1973, 28-6; Ord. No. 2676)

12-105. Failure to enforce laws, ordinances, etc.

No policeman shall wilfully fail, neglect or refuse to make an arrest, or purposely and wilfully fail to make complaint after an arrest is made. It shall be unlawful for the Mayor to retain any policeman as a police officer of this City, after such policeman shall have been duly convicted of the wilful violation of any law of the State or any provisions of this Code or other ordinance of the City.

(Code 1973, 28-7)

12-106. Applicability of chapter to policewomen.

Whenever the term "policemen" is used in this chapter that term shall also include policewomen.

(Code 1973, 28-8; Ord. No. 1970)

12-107. Sale of unclaimed property.

All personal property coming into the possession or custody of the Police Chief of the City which shall remain unclaimed for a period of six months after such property came into his possession or custody shall be sold under his direction at public auction after giving thirty days notice thereof, by advertisement published once in the official newspaper of the City.

(Code 1973, 28-9)

12-108. Police reserve unit.

There is hereby created and established a Police Reserve Unit for the City of Hastings in accordance with the provisions and definitions hereinafter provided.

(Ord. No. 2678)

12-109. Police reserve force -- Definitions.

When used in this Chapter the following terms shall have the meaning defined below. Where no definition is given, the term or terms shall have their normal dictionary meaning.

Active Service. The term Active Service shall mean those duties and services performed by a member of the Police Reserve Force of the City when such member is activated as hereinafter provided.

Chief. The term Chief shall mean the Chief of Police of the City of Hastings, Nebraska.

Member. The term Member shall mean any member of the Police Reserve Force of the City.

Reserve. The term Reserve shall mean the Police Reserve Force established pursuant to this Chapter.

Training Service. The term Training Service shall mean the activities of a member of the Police Reserve Force of the City when such member is attending training sessions for which he is not paid.

(Ord. No. 2678)

12-110. Police reserve force -- Composition, supervision.

The members of the Police Reserve Force shall be appointed by the Chief, subject to the approval and consent of the Mayor and the City Council, and shall be removable at any time by the Chief for cause. The Reserve shall consist of such number of members as shall from time to time be determined by the Mayor and City Council. The members shall be under the direction of the Chief of Police.

(Ord. No. 2678)

12-111. Police reserve force -- Qualifications of members; rules and regulations.

The Nebraska Commission on Law Enforcement and Criminal Justice shall establish minimum physical, mental, educational and moral qualifications for all members of the Police Reserve Force. The Commission shall also establish minimum training standards and be responsible for providing such training for all members.

Police

Individuals appointed to the Police Reserve Force shall receive training through or under the supervision of the Nebraska Law Enforcement Training Center and shall achieve the minimum training standards within one (1) year from the date of appointment. Such training may be provided by the Nebraska Law Enforcement Training Center to regional workshops, training sessions, or similar means of instruction anywhere in the State.

The City Council shall adopt and publish a Reserve Force manual setting forth the minimum qualifications, training standards and standard operating procedures for such Force, and such high qualifications, standards, and operating procedures as may actually be used. Each member of said Force shall take an oath to support the City, County, State and Federal governments.
(Ord. No. 2678)

12-112. Police reserve force -- Officers rights and duties when activated; weapons; subordinate to regular force officers.

Police Reserve officers, upon being activated by the Mayor or the Chief of Police, and while on assigned duty, shall be vested with the same rights, privileges, obligations, and duties of any other peace officer of this State.

No person appointed to the Reserve Force may carry a weapon or otherwise act as a peace officer until he has been approved by the City Council. After approval, he may carry a weapon only when authorized by the Chief of Police and when discharging official duties as a duly constituted peace officer.

Police Reserve officers shall be subordinate to regular force officers; shall not serve as a peace officer unless under the direction of regular officers; and when serving with regular force officers shall wear no insignia of rank. The Police Department shall appoint a regular force officer as the Reserve Force Coordinating and Supervising Officer. Such regular officer shall report directly to the Chief of Police.
(Ord. No. 2678)

Reference: Neb. Rev. Stat. 1943, Section 81-1443.

12-113. Police reserve force -- Uniforms, badges and equipment.

The uniform and equipment to be worn and carried by the Reserve shall be prescribed by the Chief of Police. Badges and insignias shall be purchased by the City and shall be the property of the City. Upon separation from the Reserve, all members shall return such equipment to the Chief of Police.
(Ord. No. 2678)

12-114. Police reserve force -- Compensation generally.

Each Reserve officer shall be paid a minimum of one (\$1.00) dollar per year. A member shall be an employee of the City for the time during which the Mayor, Acting Mayor or Chief of Police has placed the member on active service. Nothing herein shall be construed to authorize or permit a Reserve officer to become eligible for participation in any pension fund or retirement system created by the laws of the State of Nebraska to which regular police officers may become members.
(Ord. No. 2678)

Reference: Neb. Rev. Stat. 1943, Sections 81-1441, 81-1442.

12-115. Police reserve force -- Hospital and medical benefits.

Hospital and medical assistance shall be provided by the Mayor and City Council to members of the Reserve Force who sustain injury in the course of performing official duties. Such benefits shall be provided in the same manner as those benefits provided for a full-time police officer.
(Ord. No. 2678)

Reference: Neb. Rev. Stat 1943, Section 81-1441.

12-116. Police reserve force -- Minimum duty time.

To be eligible for membership in the Reserve, each applicant must indicate his willingness to serve a minimum of eight (8) hours per month in the public service.

Hastings City Code

(Ord. No. 2678)

12-117. Police reserve force -- Sponsoring of athletic program.

The Police Reserve as a unit may sponsor and conduct a continuing athletic program to include, but not limited to, that athletic activity related to individual self defense and physical fitness.

(Ord. No. 2678)

12-118. Police reserve force -- Supplementary capacity only.

The Reserve shall be deemed to be a part of the police services of the City Police Department; Provided that the City Council shall not reduce the authorized size of the Police Department because of the establishment or utilization of Reserve Officers.

Reserve officers shall act only in a supplementary capacity to the regular force and shall in no case assume the full-time duties of peace officers without first complying with all requirements for such regular peace officers.

(Ord. No. 2678)

Reference: Neb. Rev. Stat. 1943, Section 81-1445.

12-119. Police reserve force -- Bond required.

No appointment of a Police Reserve Force member shall be valid until a bond in the amount of Two Thousand (\$2,000) Dollars, payable to the City, has been filed with the City Clerk by the individual appointed, which bond shall be in conformity with the requirements of state law.

(Ord. No. 2678)

Reference: Neb. Rev. Stat. 1943, Section 81-1444.

12-120. Police reserve force -- Impersonating a member; penalty.

It shall be unlawful for any person to falsely impersonate or represent himself to be a member or to wear, use or possess any of the uniforms, badges or equipment used by the Reserve, unless he is authorized to do so. Any person failing to comply with the provisions of this Chapter for violating the provisions hereof shall be deemed guilty of a misdemeanor and shall be punished as provided in the Penal Section of the City Code or by the Statutes of the State of Nebraska.

(Ord. No. 2678)