

**ORDINANCE NO. 2014-05-473**

**AN ORDINANCE ESTABLISHING A POLICE DEPARTMENT FOR THE CITY OF TONTITOWN; PROVIDING FOR ITS ORGANIZATION; PRESCRIBING ITS DUTIES, AND DEFINING ITS POWERS; PROVIDING FOR THE NUMBER OF OFFICERS; AND DECLARING AN EMERGENCY**

**WHEREAS**, Tontitown became statutorily responsible for providing law enforcement several years ago, upon becoming a city of the second class; and

**WHEREAS**, said provision has been provided through a contractual agreement with the Washington County Sheriff's Department, which expires in early 2013; and

**WHEREAS**, state law provides that the city council shall have the power to establish a city police department, to organize it under the general superintendence of the Mayor, and to prescribe its duties and define its powers in such manner as will most effectually preserve the peace of the city, secure the citizens thereof from personal violence, and safeguard their property from unlawful deprivations; and

**WHEREAS**, state law provides that the city council shall direct the number of subordinate police officers to be appointed; and

**WHEREAS**, with the city's size nearing that of a first class city, the creation of a city police department is deemed to be in the best interests of the City of Tontitown and its citizens.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TONTITOWN, ARKANSAS:**

**SECTION 1.** There is hereby created a Tontitown Police Department.

**SECTION 2.** The Tontitown Police Department shall be headed by a Chief of Police, under the superintendence of the Mayor of the city. The Chief of Police shall have such power and authority as is granted by state law in carrying out his/her duties.

**SECTION 3.** Officers of the Tontitown Police Department shall have the full authority to act in pursuance of state law and are hereby granted the fullest extent of authority as is currently provided by state law to act as city police officers for the Tontitown Police Department.

**SECTION 4.** The number of officers that may be commissioned by the Mayor, upon the advice of the Chief of Police, shall be subject to approval of the City Council through adoption of the city budget.

**SECTION 5.** The Chief of Police shall be appointed and/or dismissed by the Mayor, with either action subject to overriding by a 2/3 vote of the City Council (A.C.A. 14-42-110). The Chief of Police and other officers of the Tontitown Police Department shall be under the direction of the Mayor.

**SECTION 6.** The Chief of Police and other officers of the Tontitown Police Department shall have the following duties:

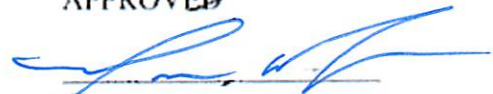
- (a) To suppress all riots, disturbances, and breaches of the peace;
- (b) To pursue and arrest any person fleeing from justice in any part of this state;
- (c) To apprehend any and all persons in the act of committing any offenses against the laws of the state or the ordinances of the city and forthwith bring the persons before the proper authority for trial or examination; and
- (d) To diligently and faithfully enforce at all times all such laws, ordinances, and regulations for the preservation of good order and the public welfare as the city council may ordain.

**SECTION 7.** The Chief of Police or a police officer of the city may, upon view, arrest any person who may be guilty of a breach of the ordinances of the city or of any crime against the laws of the state and may, upon reasonable information supported by affidavit, procure process for the arrest of any person who may be charged with a breach of any ordinance of the city.

**SECTION 8. Emergency Clause.** The need to create a Tontitown Police Department is immediate and necessary for the preservation of the peace, health, safety, and welfare of the citizens of the city, as well as for insuring a smooth transition from the current contractual arrangement. Therefore, an emergency is hereby declared to exist and this ordinance shall be effective and in full force and effect from and after its passage and approval.

PASSED THIS 16 DAY OF May, 2014

APPROVED

  
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Mayor Norman Beckford

ATTEST:

Alicia Collins

Alicia Collins Recorder/Treasurer