



CHAPTER 5 POLICE DEPARTMENT

ARTICLE 1 **Organization and Regulations**

5.0101 **Establishment** The Police Department heretofore created for the City of Bowman and by this Chapter continues shall consist of the Chief of Police and as many policeman, policewomen, patrolmen and officers as may be authorized by the governing body.

5.0102 **Additional Officers – Emergency** In case of riot or unusual or general disturbances of the peace, the Chief of Police shall have power to appoint such other and additional policemen and policewomen as he may deem necessary for the preservation of the public peace.

5.0103 **Duties of Chief** The Chief of Police shall keep such records and make such reports concerning the activities of his Department as may be required by statute or by the governing body. The Chief shall be responsible for the performance by the Police Department of its functions, and all persons who are members of the Police Department shall serve subject to the orders of the Chief of Police. The Chief of Police shall have the authority to administer oaths to police officers under his supervision. The Chief of Police shall also be designated as the City “Safety Inspector” for the purpose of determining that all abandoned or vacated buildings or structures comply with the provisions of law as set forth by the City of Bowman Ordinances or the North Dakota Century Code. Nothing in this Section shall be construed to mean that the Safety Inspector enforces the International Building Code, Plumbing Code, Electrical Code, or any other requirements concerning new building construction. (Revised 6/2/20)

5.0104 **Rules and Regulations** The Chief of the Police Department may make or prescribe such rules and regulations as he shall deem advisable; such rules, when approved by the governing body, shall be binding on such members. Such rules and regulations may cover, besides the conduct of the members, uniforms and equipment to be worn or carried, hours of service, vacations and all other similar matters necessary or desirable for the better efficiency of the department.

5.0105 **Duties of Police – General** It shall be the duty of the Police Department, and each and every member of the police force, to notice and diligently inquire into and report to the Chief of Police all violations of the City of Bowman ordinances, violations of the criminal laws of the state and breaches of peace, and to make complaint against the person or persons guilty thereof, and to attend punctually on all trials of offenses in regard to which complaint has been made by any policeman.

Within the City of Bowman limits and for a distance of one and one-half (1½) miles in all directions outside the city limits, the police officers and watchman of the City shall perform the duties and exercise the powers of peace officers as defined and prescribed by the laws of the State of North Dakota. (Revised 6/2/20)

5.0106 Duties of Police – Hot Pursuit A police officer in “hot pursuit” may continue beyond the one and one-half (1 ½) mile limit to make and arrest, in obedience to a warrant or without a warrant under the conditions of Section 29-06-15 of the North Dakota Century Code, whenever obtaining the aid of peace officers having jurisdiction beyond that limit would cause a delay permitting escape, as used in this subsection, “hot pursuit” means the immediate pursuit of a person who is endeavoring to avoid arrest.

5.0107 Duties of Police – Service of Process, etc. Police officers shall serve and execute any warrant, writ, process, order or notice issued to them by a Municipal Judge within the City of Bowman in any civil or criminal action or proceeding in which the city is a party or is interested beneficially. The police, within the limits prescribed in this section, may serve and execute all writs and process issued by justices in civil actions. In addition to the duties set out in this section, the police shall perform such other duties as may be prescribed by Chief of Police and governing body.

5.0108 Special Police At the request of any corporation, firm or person, the Chief of Police may appoint one (1) or more special policemen or policewomen to duty for such corporation, firm or person which special policemen or policewomen shall have all the authority no, or which may be hereafter conferred by law upon policemen, and may make arrangements that such special policemen or policewomen shall be paid by the corporation, firm or person requesting the same, and covered by their Workmen’s Compensation coverage in which case such special police shall receive no compensation from the City of Bowman and the City shall not be responsible for the negligent or unauthorized acts, this being the responsibility of the firm, person or corporation requesting their appointment.

ARTICLE 2 Miscellaneous

5.0201 Money or Property of Arrested Persons It shall be the duty of the Police Department, and of each and every member of the police force, to safely keep all moneys or property which may be found on the person, in possession of, or claimed by, any person arrested for crime, and pay or deliver over the same by the order of the Municipal Judge, and forthwith after taking the same, to report in writing the kind and amount thereof, to the Municipal Judge.

5.0202 Arrested Persons Any police officer after making any arrest, with or without a warrant, for any violation of the City of Bowman ordinances, shall take the person or persons so arrested, without any unreasonable delay, before the Municipal Judge, to be dealt with according to law and the ordinances of the City of Bowman.

5.0203 Stolen, Abandoned, Lost Property The Chief of Police shall have the custody of all lost, stolen or abandoned property recovered in the City and shall make a report concerning such property as provided by Section 3.0408 of these ordinances.

5.0204 Traffic Administration The police department shall have such duties concerning enforcement, investigation, record keeping and other matters concerning traffic administration as are more fully set forth in Article 2 of Chapter 39 of these ordinances.

5.0205 Witness Fees and Mileage of Municipal Police Officers Police officers of the City of Bowman shall be entitled to be paid the witness fees and mileage expenses allowed by law for other witnesses while off duty when such officers are subpoenaed to testify in actions involving the city. Said police officers shall submit vouchers for the above payment in accordance with 1.0704 and 1.0705 of these ordinances.

ARTICLE 3 Alarm Systems

5.0301 Definitions For the purposes of this section, the following definitions shall apply:

1. **Alarm User** Any person, firm, partnership, association, corporation or organization who utilizes an alarm system.
2. **Alarm System** A system intended for use in detection of unauthorized intrusion into a premise or detection of fire.
3. **False Alarm** Any activation of an alarm system by system failure, improper maintenance, improper operation or control, or accidental tripping. The activation of the alarm system shall not be considered a “false alarm” when due to an act of God or an occurrence beyond the alarm user’s control.
4. **Police Department** Is defined as the Bowman City Police Department.
(Enacted 4-03-2001)

5.0302 Police Not to Install or Monitor Alarm Systems The Police Department shall not install alarm systems, nor shall the police department assume any responsibility for maintenance or care of such systems, nor shall the department make any guarantees or representations to suggest it has a duty to monitor or respond to any alarm system. The use of auto dialers on alarm systems to dial the police department directly is prohibited.
(Enacted 4-03-2001)

5.0303 False Alarms In the event of a false alarm of an alarm system which creates a need for the Bowman Police Department to respond, a fee of \$25.00 shall be charged to the alarm user for the fourth (4th) false alarm and for each false alarm there after within a twelve (12) month period, January 1 through December 31 of each year.
(Enacted 4-03-2001)