

POLICE

**Chapter 16**

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**Cross references**—Police inspection of establishments selling alcoholic beverages, §§ 4-23, 4-93, 4-162; general duties of police department with respect to traffic, § 13-8; general authority of chief of police with respect to traffic, § 13-9

**State law reference**—Authority of city to provide police protection, Ga. Const. Art. IX, § II, ¶ III(a)(1).

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### **Sec. 16-1. Police Department Established.**

A police department is hereby established for the city. The department shall be composed of the chief of police and any police officers or other employees as may be necessary. Subject to the direction of the mayor and city council, the supervision and control of the department is vested in the chief of police.

### **Sec. 16-2. Appointment, term, etc., of chief.**

- (a) At the first regular meeting in January of each year, the mayor and council shall appoint a chief of police. The chief of police shall hold their office entirely at the will of the mayor and council, and shall be liable to removal for cause at any time and shall receive pay only for the time they have actually served.
- (b) Before entering upon the duties of his office, the chief of police shall subscribe before the mayor the following oath:

“I, \_\_\_\_\_ do solemnly affirm that I will support and defend the Constitution of the United State of America and the Constitution of the State of Georgia; that I will faithfully perform all the duties of my office; that I will faithfully observe all the rules, orders, and regulations of the Forsyth Police Department; and that I will faithfully enforce the laws of the State of Georgia and the ordinances of the City of Forsyth.

I do further affirm that I, as a police officer, will faithfully serve and protect, to the best of my ability, all citizens regardless of race, sex, age, national origin, religious affiliations, political affiliations, handicapped status, and military status.

I hereby accept the Law Enforcement Code of Ethics of the International Association of the Chiefs of Police as my standard of conduct while on and off duty and promise to hold myself and my department to the highest ethical standards.”

- (a) Proceeding the administration of the oath, the newly affirmed chief shall sign a written copy of the oath, which shall then be placed in their personnel file.

### **Sec. 16-3. General powers and duties of chief.**

The chief of police shall have the powers and duties prescribed by state law for law enforcement officers. He shall enforce the ordinances of the city and perform such other duties as are prescribed by this Code, the mayor, or the city council. In general, the chief of police shall:

- (1) Maintain the peace, good order, and tranquility of the city and all city-owned property and facilities by arrest and prosecution for the violation of any municipal ordinance, state law, or federal law;
- (2) Enforce all regulations of the department and administrative directives of the mayor;
- (3) Protect the rights of persons and property;
- (4) Guard the public health;
- (5) Provide police assistance at fires in the city;
- (6) Operate the city jail in an orderly and humane manner and/or oversee a contract with a county agency for jail services;
- (7) Issue and serve summons for violation of any laws or ordinances and to serve all processes, executions, attachments, and the like of the chief, city clerk, municipal court, or the mayor and the city council;

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- (8) Enter or cause to be entered the name, date of arrest, offense, name of the arresting officer or other person of each and every person arrested and taken into custody, upon the municipal court docket or other similar information retrieval system; and
- (9) Maintain records of the name, assignments, residence, telephone number, date of appointment, and general conduct record of each Forsyth police officer.
- (10) The chief of police shall have authority to issue written directives regarding operations of the police department, subject to and consistent with existing law, regulations, policies, and mayoral administrative directives.

### **Sec. 16-4. Authority of chief to summon aid of private citizens.**

Should any person resist the authority of the chief of police or attempt to escape his custody, or attempt to avoid arrest, the chief may summon to his aid any one or more persons, citizens of the city, and if any person refuses to respond to such summons, he shall be guilty of a misdemeanor.

### **Sec. 16-5. Adherence to existing laws.**

All police department employees shall uphold the city code of ordinances, state law, and federal law in all actions and at all times. Deference shall be made to applicable personnel policies when not specifically enumerated.

### **Sec. 16-6. Unclaimed or seized personal property; disposal.**

All lost or abandoned personal property in the possession of the city unclaimed for thirty (30) days and all property other than contraband seized as part of any police operation and unclaimed for thirty (30) days may be disposed of by the city as for surplus property or as otherwise provided by the law or this Code.

### **Sec. 16-7. Hiring and promotion of police officers.**

Hiring, termination, and promotion of police officers shall be done in accordance with the Forsyth Police Department's Personnel Policy as approved by the mayor and council. Minimum qualifications for all positions with the City of Forsyth shall be maintained in the Job Description for each position as adopted by City Council.