

**ORDINANCE NO. 90-2013 A****CITY OF OAK GROVE, ARKANSAS****AN ORDINANCE CREATING A POLICE DEPARTMENT FOR THE CITY OF OAK GROVE, ARKANSAS, PROVIDING FOR ITS ORGANIZATION, PRESCRIBING ITS DUTIES AND DEFINING ITS POWERS, PROVIDING FOR THE NUMBER OF OFFICERS, PROVIDING FOR THE EMERGENCY CLAUSE, AND FOR OTHER PURPOSES**

WHEREAS, the City of Oak Grove, Arkansas is an incorporated Arkansas municipal corporation organized and operated under the laws of the State of Arkansas, 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 fire and unlawful depredations, and

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

WHEREAS, currently the City of Oak Grove is making use of the Carroll County Sheriff's Office to provide law enforcement and policing to the city, and

WHEREAS, the creation of a city police department is in the best interests of the City of Oak Grove and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OAK GROVE, ARKANSAS:

Section 1: There is hereby created an Oak Grove Police Department.

Section 2: The Oak Grove 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 duties.

Section 3: Officers of the Oak Grove 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 Oak Grove 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 thru adoption of the city budget.

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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 (Ark. Code Ann. §14-42-110). The Chief of Police and other officers of the Oak Grove Police Department shall be under the direction of the Mayor.

Section 6: The Chief of Police and other officers of the Oak Grove 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 Mayor, 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 an Oak Grove Police Department is immediate and necessary for the peace, safety, and welfare of the citizens of the city. Therefore, an emergency is hereby declared to exist and this ordinance shall become in full force and effect from and after its passage by the city council and approval by the Mayor.

PASSED THIS 2<sup>nd</sup> DAY OF MAY, 2013.

APPROVED:

Sam Jones  
Sam Jones, Mayor

ATTEST:

Patsy Carlton  
Patsy Carlton  
City Clerk

Requested by: Mayor  
Prepared by: R. Dawn Allen, Attorney for the City

ALDERMEN VOTING "AYE"

FIRST READING:

SECOND READING:

THIRD READING:

ALDERMEN VOTING "NO":

FIRST READING

SECOND READING:

THIRD READING