

CHAPTER 12  
POLICE

Section 12-1. Appointment of officers and member of force.

The Town Council shall appoint, for an indefinite period, such number of officers and members to constitute the police department of the Town by appropriation or otherwise.

Section 12-2. Arrests.

- (a) The police officers of the Town shall have the power to make an arrest upon the warrant of any proper officer for a violation of any law of the state, county or ordinance of the Town.
- (b) A Town officer, if in uniform or displaying a badge of office, may arrest, without a warrant, any person who commits any crime in the presence of such officer and any person whom he has reasonable grounds or probable cause to suspect of having committed a felony not in his presence; and any such officer may, at the scene of any motor vehicle accident, or in the apprehension of any person charged with the theft of any motor vehicle, on any of the streets and highways of the Town, upon reasonable grounds to believe, based upon personal investigation, including information, obtained from eyewitnesses, that a crime has been committed by any person then and there present, apprehend such person without a warrant of arrest; and such officer may arrest without a warrant, persons duly charged with a crime in another jurisdiction, upon receipt of a photocopy of a warrant, telegram, computer printout, facsimile printout or radio, telephone or teletype message shall be given the name or a reasonable accurate description of such person wanted, the crime alleged and an allegation that such person is likely to flee the jurisdiction of the state; and such officers may arrest, without a warrant, for an alleged misdemeanor not committed in their present involving shoplifting in violation of Section 18.2-96 or 18.2-103 of the Code of Virginia or Section 10-26 or 10-27 of this Code, when such arrest is based on probable cause upon reasonable complaint of the person who observed the alleged offense.
- (c) Whenever a police officer makes an arrest without first securing a warrant therefore, he shall, as soon as possible, take the offender before some officer authorized to issue warrants of arrest, and he shall not place the offender in jail without an order, from a proper officer authorizing it, unless it is a case of emergency or necessary in order to prevent his escape, or in such cases as are provided for in other ordinances of the Town or by the laws of the state.

Section 12-4. Refusal to aid officer.

If any person, on being required by any police officer of the Town refuses or neglects to assist him;

- (1) In the execution of his office in a criminal case;
- (2) In the preservation of the peace;
- (3) In the apprehending or securing of any person for a breach of the peace; or
- (4) In any case of escape or rescue;

He shall be guilty of a Class 2 misdemeanor.

Section 12-5. Sale of unclaimed bicycles in possession of police.

Pursuant to Section 15.1-133 of the Code of Virginia, the Town police is hereby authorized to sell, by public auction, after advertising in a local newspaper for two (2) successive weeks, all unclaimed bicycles in the possession of the police department for a period of thirty (30) days or more.

Section 12-6. False alarm or report to police.

If any person shall knowingly give or cause to be given any false alarm of the need for police protection, assistance or investigation, or any false report to the police department, he shall be deemed to be guilty of a Class 1 misdemeanor.

Section 12-7. Employment of off-duty officers; fees.

- (a) The Town Council shall promulgate reasonable rules and regulations pertaining to employment of off-duty law enforcement officers, which employment may occasionally require the use of police powers.
- (b) Law enforcement officers of the Town are expressly authorized to engage in off-duty employment which may occasionally require the use of their police powers in the performance of such employment pursuant to the regulations thereto promulgated pursuant to this section.
- (c) For the off-duty employment of law enforcement officers, the persons, firms or organizations utilizing the services of such officers shall pay, for each law enforcement officer so employed, an hourly fee equal to the overtime rate of the police patrol officer's pay grade. The forgoing fee shall be paid to the Town Treasurer or an employee designated by him.