

Chapter 200

POLICE DEPARTMENT

ARTICLE I

In General

Section 200.010. Chief of Police — Appointment — Qualifications.

The Mayor with the approval of a majority of the members of the Board of Aldermen shall appoint a Chief of Police, who shall perform all duties required of the Chief of Police by law and any other Police Officers found by the Board of Aldermen to be necessary for the good government of the City. The Chief of Police shall be twenty-one (21) years of age or older.

Section 200.020. Size of Police Force — Powers. [CC 1979 §20.170]

- A. The Police of the City may be appointed in such numbers, for such times and in such manner as may be prescribed by ordinance. They shall have power to serve and execute all warrants, subpoenas, writs or other process and to make arrests in the same manner as the Chief of Police. They may exercise such powers in areas leased or owned by the municipality outside of the boundaries of such municipality. The Chief of Police and Policemen shall be conservators of the peace and shall be active and vigilant in the preservation of good order within the City.
- B. The Police Chief may hire and terminate Police Officers as needed only with advice and majority consent of the Board of Aldermen.

Section 200.030. Police Training Requirements.

All newly hired Peace Officers shall be required to have training for certification in accordance with Section 590.105, RSMo.

Section 200.040. Emergency Situation Outside City Limits. [Ord. No. 170 §§1—4, 4-26-1988]

- A. Any Police Officer of the City of Diamond, Missouri, who has completed the basic training program as established by Chapter 590 of the Revised Statutes of Missouri shall have the authority to respond to an emergency situation outside the boundaries of the City of Diamond, Missouri. As provided herein, "*emergency situation*" means any situation in which the Police Officer has a reasonable belief that a crime is about to be committed, is being committed, or has been committed, involving injury or threat of injury to any person, property or governmental interest, and the officer's response is reasonably necessary to prevent or end such emergency

situation or mitigate the likelihood of injury involved in such emergency situation. The determination of the existence of any emergency situation shall be in the discretion of the officer.

- B. The term "*response*", as used in this Section, shall mean to take any and all action which the Police Officer may lawfully take as if exercising normal powers within the City of Diamond, Missouri.
- C. The authority contained herein shall permit the response by one (1) or more City of Diamond, Missouri, Police Officers in this jurisdiction within the State of Missouri until the emergency situation has been adequately taken into control, in the discretion of the officer, by another appropriate jurisdiction.
- D. Every response to an emergency situation outside the City limits of the City of Diamond, Missouri, by the municipal Police Officers of the City of Diamond, Missouri, shall immediately be reported to the radio dispatcher for the Newton County Sheriff's office, and shall be reported by the Chief of Police of the City of Diamond, Missouri, to the Sheriff of Newton County, Missouri, with an explanation of the reason for the response.

Section 200.050. Compensation.

The Police Chief and Officers shall receive as full compensation such a sum as shall be, from time to time, fixed by resolution of the Board of Aldermen.

ARTICLE II
Unclaimed Property

Section 200.060. Unclaimed Property Recovered By Police Department. [Ord. No. 172 §§1—3, 12-12-1988]

- A. The Mayor or his/her designated representative shall be authorized to sell all unclaimed personal property, except guns, recovered by the Police Department. Items shall be retained by the Police Department for at least sixty (60) days from the date of initial possession. If the property is not claimed by its owner within sixty (60) days, the Chief of Police may sell the property at public auction as herein provided.
- B. The sale of guns which are unclaimed personal property shall be only to a Federally licensed firearms dealer upon approval of the Mayor and Board of Aldermen.
- C. Except as provided for in Subsection (B) hereof, all sales of personal property shall be at public auction. The City Clerk shall cause notice of sale to be published in a local newspaper at least seven (7) days prior to the sale, and publication to contain a list of all items to be sold at said sale.
- D. The proceeds of said sale, after deduction of the expenses of the sale, shall be deposited in the Police Department Fund of the City of Diamond and shall be accompanied by an itemized list of expenses of the sale and a verified list identifying the article sold, the sale price, and the name of the purchaser.