

CHAPTER X. POLICE DEPARTMENT

Article 1. Police Department

ARTICLE 1. POLICE DEPARTMENT

10-101. POLICE PERSONNEL; GENERAL DUTIES. It shall be the general duty of the chief of police and all sworn police personnel to the best of their ability to preserve the good, order, peace and quiet throughout the city as provided by law and ordinance.

(Ord. 685; Code 1984; Ord. 812; Code 2003)

10-102. DETENTION; SERVICE OF COMPLAINT AND SUMMONS. A law enforcement officer may detain a person when:

(a) He or she has a warrant commanding that such person be arrested; or

(b) He or she has reason to believe that a warrant for the person's arrest has been issued by any municipal court; or

(c) He or she has probable cause to believe that the person is committing or has committed a violation of an ordinance, and the law enforcement officer has probable cause to believe that such person will not be apprehended or evidence of the violation of the ordinance will be irretrievably lost unless such person is immediately detained, or such person may cause injury to himself, herself or others or damage to property unless immediately detained; or

(d) Any violation of an ordinance has been or is being committed by such person in his or her view.

A law enforcement officer having detained a person pursuant to the preceding paragraph, except subsection (a) or (b) thereof, may release the person or may prepare and serve upon such person a complaint or notice to appear, as provided by K.S.A. 12-4204 or 12-4205 and shall then release such accused person from detention, except in such instances where the law enforcement officer has power and authority to arrest such accused person as hereinafter set forth.

(Ord. 685; K.S.A. 12-4204, 12-4205; Ord. 812; Code 2003)

10-103. ARREST BY LAW ENFORCEMENT OFFICER. A law enforcement officer may arrest a person under any of the following circumstances:

(a) The officer has a warrant commanding that person be arrested.

(b) The officer has a probable cause to believe that a warrant for the person's arrest has been issued in this state jurisdiction for a felony committed therein.

(c) The officer has probable cause to believe that the person is committing or has committed:

(1) A felony; or

(2) A misdemeanor, and the law enforcement officer has probable cause to believe that:

(aa) The person will not be apprehended or evidence of the crime will be irretrievably lost unless the person is immediately arrested;

(ab) The person may cause injury to self or others or damage to property unless immediately arrested; or

(ac) The person has intentionally inflicted bodily harm to another person;

(ad) Any crime, except a traffic infraction, has been or is being committed by the person in the officer's view.

(Ord. 685; Ord. 812; Code 2003)

10-104. SERVICES PERFORMED; FEES. A processing fee as stated in Chapter 17 shall be collected by the city and paid to the city clerk from each person requesting to be fingerprinted prior to such service being performed.

A processing fee as set out in Chapter 17 shall be collected by the city and paid to the city clerk from each person requesting a driving record prior to such service being performed.

(Ord. 794; Ord. 795; Code 2003)