

**PART 13
PUBLIC SAFETY**

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POLICE DEPARTMENT

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SECTION 13-101 **POLICE DEPARTMENT CREATED; CHIEF.**

There shall be a police department, the head of which is the chief of police, or police chief, appointed by the town board of trustees and removable by the board. The chief of police is an officer of the town, and has supervision and control of the police department. Any reference in these ordinances or state law to town “marshal” shall be a reference to the police chief. All police officers are officers of the town.

State Law Reference: Police department and duties, 11 O.S. Sections 34-101 *et seq.*

SECTION 13-102 **DUTIES.**

It is the duty of the police department to apprehend and arrest on view or on warrant and bring to justice all violators of the ordinances of the town; to suppress all riots, affrays, and unlawful assemblies which may come to their knowledge, and generally to keep the peace; to serve all warrants, writs, executions, and other processes properly directed and delivered to them; to apprehend and arrest persons violating federal or state law as provided by law, and to turn them over to proper authorities; and in all respects to perform all duties pertaining to the offices of police officers. The police department has charge of and operates the town jail.

SECTION 13-103 **POLICE OFFICERS.**

Police officers shall be appointed by the chief of police subject to approval of the town board of trustees. Police officers who shall perform such duties as shall be required of them by the chief of police, town ordinances, federal, state and county regulations and any other actions required in the maintenance of good order and public peace.

CHAPTER 2

CIVIL DEFENSE

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SECTION 13-201 **PURPOSE OF CIVIL DEFENSE ORGANIZATION.**

A civil defense organization is created for the town to carry out preparations for and to function in the event of emergencies endangering the lives and property of the people of the town. The duties of the civil defense organization are the protection of the lives and health of the citizens and of property and property rights, both private and public, and performance of all functions necessary and incident thereto.

State Law Reference: Local civil defense organizations, 63 O.S. Section 683.11.

SECTION 13-202 **DEPARTMENT ESTABLISHED.**

There is hereby established under the executive branch of the government a department of civil defense which shall consist of:

1. A director of civil defense who shall be appointed and may be removed with or without cause by the mayor; and
2. A civil defense advisory committee. This committee shall consist of the mayor as chairman and five (5) members appointed by the mayor and serving at his pleasure. The committee shall select from its members a vice-chairman and secretary. It shall hold such meetings as are directed by the mayor and its function shall be to act in an advisory capacity as needed or requested by the mayor or the director of civil defense.

SECTION 13-203

DUTIES OF DIRECTOR.

The director of civil defense shall be the executive head of the department of the civil defense and shall be responsible for carrying out the civil defense program of the town. He shall serve without compensation but may be reimbursed for expenses incurred in the performance of his duties. It shall be the duty of the director of civil defense as soon as practicable after his appointment to perfect an organization to carry out the purposes set forth in this chapter and he shall have all necessary power and authority to form committees or other bodies and to appoint and designate the chairman or chief officer of such bodies as may be necessary to perfect such an organization. He shall have further duty and responsibility to cooperate with all civil defense agencies of other governmental units, including the state and the federal government. The director of civil defense is further authorized to formulate written plans and gather information and keep written record thereof to govern the functions of the civil defense organization.

SECTION 13-204

POWERS OF DIRECTOR IN EMERGENCIES.

A. In the event of an enemy-caused emergency or emergency resulting from natural causes, the director of civil defense after due authorization from the mayor shall have the power and authority to enforce all rules and regulations relating to civil defense and, if necessary, take control of transportation, communications, stocks of fuel, food, clothing, medicine, and public utilities for the purpose of protecting the civilian population. He shall cooperate in every way with the activities of other governmental agencies or civil defense organizations. If required by the mayor, the director shall have control over any and all funds allocated from any source for the purpose of alleviating distress conditions in the town.

B. The director of civil defense and other members of the civil defense organization created by him shall have the power and authority to enforce the laws of the state and ordinances of the town during the period of emergency and shall at such time have the further power to make arrests for violations of such laws or ordinances.

SECTION 13-205

COMPENSATION OF MEMBERS.

All members of the civil defense organization created in this chapter shall serve without compensation. The town shall not be liable for any personal or bodily injury received by any member of such organization while acting in the line of duty.

CHAPTER 3

UNCLAIMED PROPERTY

Section 13-301	Complete record required.
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SECTION 13-301 **COMPLETE RECORD REQUIRED.**

All personal property which comes into the possession of any police officer, which has been found or stolen or taken off the person or out of the possession of any prisoner or person suspected of, or charged with, being a criminal, and which is not known to belong to some person laying claim thereto, shall be, by the officer securing possession thereof, delivered into the charge of the chief of police. The chief shall, in a permanent record book kept for that purpose, make a record sufficient to identify the property, with the date and circumstances of the receipt thereof, the name of the person from whom it was taken and the place where it was found; and the record shall also disclose the subsequent disposal thereof, giving the date of sale, name and address of the purchaser, and the amount for which it was sold.

State Law Reference: Disposition of personal property or money or legal tender, 11 O.S., Section 34-104; Uniform Unclaimed Property Act, 60 O.S., 651 *et seq.*; 15 O.S. Sections 511 *et seq.* pertaining to finders of lost goods; 22 O.S. Sections 1321 *et seq.* pertaining to stolen property ; 22 O.S. Sections 1261 I. pertaining to disposal of liquor and gambling equipment; 37 O.S. 539, titled Search and Seizure – Forfeiture of Liquors – Destruction of Non-Tax Paid Liquor – Sale of Tax Paid Liquor – Disposition of Proceeds – Appeals from Order of Forfeiture.

SECTION 13-302 **DISPOSITION OF UNCLAIMED PROPERTY.**

Any unclaimed personal property, other than animals, which remains in the possession of the chief of police, unclaimed, or the ownership of which is not to him satisfactorily established, shall be sold, or disposed of, in the manner required by law, except such personal property as in the opinion of the town administrator can be more advantageously used by some department or office of the town government.

SECTION 13-303 **PROPERTY FOUND BY A PRIVATE PERSON.**

Any personal property found by a person other than a public official or employee, which is delivered to any police officer for identification, if not claimed or identified within one hundred eighty (180) days, or as such time period may otherwise be established by law, shall, within ten (10) additional days thereafter, if requested by the finder, be returned to him, and a record of such disposal made thereof. If the finder does not request return of the property to him within such additional ten (10) days, then the chief of police shall sell the property in the manner required by law as if it had been found by a public official or employee, or on instruction by the

town manager deliver it to some department or office of the town government for its use. If any uncertainty arises as to whether or not property should be returned to the finder, or whether such property is owned or should be returned to a person claiming ownership, the town administrator, with approval of a majority of the board of trustees, is to authorized to direct the town attorney to file legal proceedings seeking clarification from the district court as to the proper disposition and/or ownership of the property, whether by a suit seeking a declaratory judgment, or otherwise.

SECTION 13-304

RECOVERY BY OWNER.

If any property is sold as herein provided, and the owner thereof takes and recovers possession of same from the purchaser within 90 days of the sale of the property, and the owner files a verified claim within 30 days of the recovery of possession of the property, the amount paid therefor shall be returned to the purchaser, upon verified claim being submitted and approved by the board of trustees.