

**CHAPTER 23  
POLICE DEPARTMENT**

**Art. I. In General, §§ 23-1 - 23-10**

**Art. II. Policemen's Pension and Relief Fund, §§ 23-11 - 23-22**

**ARTICLE I. In General**

**Sec. 23-1. Police Department.**

The Police Department of the City of Searcy, shall consist of the Chief of Police and such police officers as the Mayor by and with the consent of the Council, may from time to time appoint, who shall act as policemen of said City. *(Code 1938, § 104)*

**Sec. 23-2. Preservation of Order; Execution of Warrants, Orders, Process; Commitments.**

The Chief of Police and the several policemen when on duty shall devote their time and attention to the discharge of the duties of their stations, according to the rules and regulations of the Police Department. It shall be their duty to preserve order, peace, and quiet, and enforce the laws and ordinances throughout the City; they shall have power to arrest with or without process, all persons found in the City in the act of violating any law or ordinance, or aiding and abetting in the same, and shall arrest all persons found under suspicious circumstances. They shall have power to serve and execute warrants and other processes for apprehension and commitment of persons charged with, or held for examination or trial, or taken in execution for the commission of any crime, or misdemeanor, or violation of any law or ordinance of the City. *(Code 1938, § 107)*

**Sec. 23-2-1. Duties of Police Officers.**

The Chief of Police and the several policemen when on duty shall devote their time and attention to the discharge of the duties of their stations, according to the rules and regulations of the Police Department, as may be adopted from time to time. It shall be their duty to preserve order, peace, and quiet, and enforce the laws and ordinances throughout the City; they shall have power to arrest with or without process, all persons found in the City in the act of violating any law or ordinance, or aiding and abetting in the same, and shall arrest all persons found under suspicious circumstances.

**Sec 23-2-2.**

**A. Service of Warrants.** The Chief of Police and the several policemen, when on duty, shall have power to serve and execute warrants and other process for apprehension and commitment off persons charged with, or held for examination or trial, or taken in execution for the commission of any crime, or misdemeanor, or violation of any law or ordinance within the City.

**B. Warrant and Process Fee.** The Searcy Police Department shall collect any fees permitted by Ark. Code Ann. §§ 21-6-502 and 21-6-307, as may be amended from time to time, for issuing a subpoena or warrant of arrest and for summoning or arresting the witnesses or for serving any warrant of arrest or other process otherwise permitted by law.

**C. Collection and Remittance of Warrant Fee.** The Chief of Police, the Mayor, or their designee, shall coordinate the collection of the fees authorized in this Section with the White County Sheriff, or any other law enforcement or other official, for the monthly remittance of these said fees to the City Clerk-Treasurer and the fees authorized in this Section must be paid, cash-in-hand-paid and not with the substitution of any bond, prior to the release of any person subject to payment of said fee. *(Ord. No. 2007-28, § 1, 7-10-07)*

**Sec. 23-3. Appointment of Special Deputies.**

Hereafter, the Chief of Police of the City shall have the power and authority to appoint special deputies not to exceed twenty-five (25) in number, when, in his opinion, special circumstances exist which justify such appointments. The appointments shall be valid only so long as the special circumstances exist for which the appointments were made.

Such special deputies shall be under the direct supervision of the Chief of Police, who shall be responsible in his official capacity for their actions.

Such special deputies shall have such police authority, as may be bestowed upon them by the Chief of Police when such appointment is made, including authority to make arrests. *(Ord. No. 476, §§ 1 - 3, 9-7-65)*

**Sec. 23-4. Salaries, Vacations and Sick Leave.**

The salaries the Searcy policemen are presently receiving and the salaries they receive in the future shall and presently do include payment for all legal holidays prescribed by the Statutes of Arkansas.

1. The Searcy policemen shall receive an annual vacation as prescribed by the Statutes of Arkansas.
2. The Searcy policemen shall be entitled to working day sick leave with pay as prescribed by the Statutes of Arkansas. *(Ord. No. 532, §§ 1 - 3, 2-2-71)*

**Sec. 23-5. Monthly Payroll Incentives for Professional Education and Training.**

A schedule of the Educational Incentive Pay (E.I.P.) shall be as follows:

Certificate Level	Training/Education Points	#Years W/SPD	\$ Per Hour
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Basic		3 Years	\$0.12
General		4 Years	\$0.44
Intermediate		5 Years	\$0.73
Advanced	1 Per Year	6 Years	\$1.00
Senior	1 Per Year	7 Years	\$1.28

Once an officer becomes eligible to begin receiving EIP at the Advanced level or above, the officer must obtain the required Training/Education Points annually and continuing until retirement in order to continue receiving EIP. If an officer has not obtained the required Training/Education Points by December 31st in any given year, then EOP will cease at the end of that year. In order to resume uninterrupted eligibility to receive EIP, the officer must obtain a minimum of two (2) Training/Education Points not later than March 31st of the year immediately following the year in which the officer failed to obtain the required Training/Education Points. Otherwise, resumption of EIP will be the first month following the month in which the officer obtains the required two (2) Training/Education Points. Delinquent Training/Education Points shall cumulate and must be made-up in order to resume receiving EIP. To receive one (1) training point the officer must satisfactorily complete twenty (20) classroom hours of police training approved by the Searcy Civil Service Commission. To receive one (1) education point the officer must obtain one (1) semester hour of credit from an accredited college or university with at least a 2.75 GPA on a 4.0 scale.

Eligibility for EIP will require the officer to furnish to the Personnel Department, through the Chief of Police, the pertinent Minimum Standards Certificate and documentation of satisfactory completion of the required additional training or education points. The required consecutive service at the SPD will be verified by the Chief of Police. Payments will not be cumulative (e.g., an officer qualifying at Advanced level will receive \$1.00 per hour), and EIP will be in addition to, but included in the officers payroll check each pay period, and will be subject to the same withholding requirements as his/her other pay. For purposes of this Ordinance basic, general, intermediate, advanced, and senior certificates will mean what the Arkansas Commission on Law Enforcement Standards and Training has set forth in their rules and regulations, Specification S-15. (*Ord. No. 94-11, 4-12-94*)

**Sec. 23-6. Disposition of Personal Sidearm.**

23-6-1. Retirement. Upon regular service retirement, as that term may be defined by the Local Police and Fire Retirement Board upon the provision of notice of retirement by a Searcy Police Officer, under honorable circumstances, the Chief of Police may, but shall not be required to, recognize the service of such officer and award to such officer the personal sidearm carried by such officer at the time of such officer's retirement from service.

23-6-2. Death of Officer. Upon the death of any officer during his term of employment with Searcy Police Department, the Chief of Police may, in recognition of the service provided by such officer during his life and acknowledging the sacrifice of this officer in death, present to the surviving widow, or children in the event that said officer is not married and said children are of the age of majority, or the parents of such officer, the personal sidearm carried by such officer at the time of such officer's death. *(Ord. No. 2006-25, 9-12-2006)*

**Sec. 23-7 -- 23-10. Reserved.**

## **ARTICLE II. Policemen's Pension and Relief Fund**

**Sec. 23-11. Annual Tax Levy.**

Annually hereafter, a tax of one mill on the assessed value of all taxable real and personal property within the City, is hereby levied as a fund to pay retirement salaries and pensions to policemen, and to pay widows and minor children of deceased policemen, and widows and minor children of deceased retired policemen as now or hereafter provided by law. *(Ord. No. 514, § 1, 1-7-69)*

**Sec. 23-12. Same - Collection.**

The fund created by the levy and collection of such tax shall be known as the Policemen's Pension and Relief Fund and shall be collected by the tax collector of White County, Arkansas, or such other collecting agent as may be selected by the Board of Trustees. *(Ord. No. 514, § 2, 1-7-69)*

**Sec. 23-13. Same - Supplemental to Other Funds.**

The funds collected by the levy and collection of such tax shall be supplemental, and in addition to, any funds provided for by any other law, including, but not restricted to, the supplemental funds provided for herein. *(Ord. No. 514, § 3, 1-7-69)*

**Sec. 23-14. Administration of Funds; Board of Trustees.**

Such funds shall be turned over to and be administered by the Board of Trustees of the Policemen's Pension and Relief Fund in accordance with this article and with the policies, rules and regulations adopted by the Board of Trustees. *(Ord. No. 514, § 4, 1-7-69)*

**Sec. 23-15. Appropriations to Funds; Annual Vacations.**

There shall be added to the tax funds collected the following monies:

- a. All forfeitures and fines imposed from time to time upon any member of the

Police Department by way of discipline;

- b. All money given or donated to such funds;
- c. All money deducted from the salary of any member of the police department on account of absence or loss of time;
- d. One-half of all reward paid for any purpose;
- e. Ten percent (10%) of all fines and forfeitures collected by the Police Department for violation of City ordinances or state laws;
- f. Four percent (4%) of the monthly salary of each member of the department to be deducted each month by the City and immediately paid to the Board of Trustees of the policemen's pension and relief fund; provided however, that in the event of resignation or discharge from the Police Department of any member thereof, all monies deducted from his salary shall be immediately returned to him without interest, and the Chief of the Police Department shall so arrange that each employee shall be granted an annual vacation of not less than fifteen (15) working days with full pay. (*Ord. No. 514, § 5, 1-7-69*)

**Sec. 23-16. Same - Traffic Violations, Bond Forfeitures, Violations of State Laws.**

In addition to any fines now provided by law, there shall be assessed and collected a penalty of one dollar (\$1.00) for each conviction of a moving traffic violation, such conviction arising out of the unlawful operation of a motor vehicle in violation of municipal ordinances and/or the laws of this state. Such penalties shall also apply to each conviction for the violation of a criminal law in this state. For purposes of this section, the term "conviction" shall include forfeiture of bond and any bond posted pursuant to a charge or citation for violation of any law or ordinance specified herein shall include the one dollar (\$1.00) additional penalty provided for. (*Ord. No. 514, § 6, 1-7-69*)

**Sec. 23-17. Same-Same-Monthly Remittance.**

All penalties thus collected shall be deemed to be collected for the benefit and use of the policemen's pension and relief fund and shall be remitted by the collecting officials to the treasurer of the Board of Trustees of such pension relief fund on or before the fifth day of the month next following the month of collection thereof. (*Ord. No. 514, § 7, 1-7-69*)

**Sec. 23-18. Membership of Board of Trustees.**

The Board of Trustees of the policemen's pension and relief fund shall consist of five (5) members, composed of:

- a. Chairman of the Police Committee, who shall be chairman of the board;
- b. The City Treasurer, who shall be treasurer of the fund;
- c. A member of the Police Department elected by the department, who shall be secretary of the board; and
- d. Two members to be selected by the three (3) hereinabove named, one of whom shall be a reputable physician who shall represent the board in examination of any member of the department upon a claim of disability, and the fifth member shall be a reputable citizen who shall not hold any public office.

Each member of the board shall serve for a period of two (2) years of until his successor is duly elected and qualified. (*Ord. No. 514, § 8, 1-7-69*)

**Sec. 23-19. Absolute Control of Funds by Board of Trustees; Rules and Regulations.**

The said board shall have the absolute control and management of the funds and all monies donated, paid or assessed for the relief or pension of disabled superannuated and retired members of the Police Department, their widows and minor children or widowed mother solely dependent on such member for her support. The board shall make all necessary rules and regulations for its government and the discharge of its duties and shall herein decide all applications for relief or pension. Such decision upon the application shall be final and conclusive not subject to review or reversal except by the board. The board shall also cause to be kept a record of all of its meetings and proceedings. (*Ord. No. 514, § 9, 1-7-69*)

**Sec. 23-20. Investment of Funds; Securities Qualified.**

The Board of Trustees shall have the power to draw such sums from its treasury to invest such sums in the name of the Board of Trustees of the policemen's pension and relief fund in interest-bearing bonds of the United States, State of Arkansas, or of the City in which the board is located, in a local government joint investment trust pursuant to § 19-8-301 et seq., in the Arkansas Local Police and Fire Retirement System, or in savings and loan associations duly established and authorized to do business as such in this state. All such security shall be deposited with the treasurer of the Board of Trustees and shall be subject to the order of said board. (*Ord. No. 514, § 10, 1-7-69; Ord. No. 96-16, § 22, 6-10-96*)

**Sec. 23-21. State Laws and City Ordinances Govern Administration of Fund.**

The administration of the funds and the right of the beneficiaries thereunder shall be governed by the laws of the State of Arkansas, the ordinances of the City of Searcy and the rules and regulations of the board not inconsistent with the said laws and ordinances. (*Ord. No. 514, § 11, 1-7-69*)

**Sec. 23-22. Status of Present Members of Police Department.**

The present members of the Searcy Police Department shall be covered by the provisions of this article from the effective date of their initial employment as members of the Police Department, except that they shall not be subject to the provisions of section 23-15(f). *(Ord. No. 514, § 12, 1-7-69)*

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