

CHAPTER 3

Police

- Section 3.1 Organization
- Section 3.2 Board to have control.
- Section 3.3 Chief of Police.
- Section 3.4 Oath of Office; holding other offices.
- Section 3.5 Uniforms.
- Section 3.6 Powers and duties of policemen.
- Section 3.7 Extraterritorial jurisdiction of policemen.
- Section 3.8 Resisting police prohibited.
- Section 3.9 Carrying concealed handguns prohibited on Town property.
- Section 3.10 Auxiliary Police Division for the Town of Hudson Police Department.

Section 3.1 Organization.

The police department of the Town shall consist of a chief and as many policemen as the Board shall from time to time determine and elect and as many special policemen as the Mayor and Board may deem necessary to appoint for special purposes.

Section 3.2 Board to have control.

The Board shall have general supervision over the police department. The Board may suspend, for cause, any member of the police department until the next regular meeting at which time final disposition shall be made.

Section 3.3 Chief of Police.

The chief shall have control over the police department under the supervision of the Board. The chief shall keep the Board informed of the department's activities and make such reports that the Board may from time to time require, and he shall perform such other duties as may be required of him by the Board.

Section 3.4 Oath of office; holding other offices.

Each person appointed or employed as Chief of Police, policeman, or auxiliary policeman shall take and subscribe before some person authorized by law to administer oaths/ the oath of office required by Article VI, Sec. 7, of the Constitution. The oath shall be filed with the Clerk. The offices of policeman, Chief of Police and auxiliary policeman may be held concurrently with any other appointive office pursuant to Article VI, Sec. 9 of the Constitution. (See G.S. 160A-284)

Section 3.5 Uniforms

All police officers shall wear uniforms as shall be provided by the Town and shall keep such uniforms in a neat and clean condition, and shall surrender all uniforms and equipment upon leaving the police service of the Town if such uniforms and equipment were furnished by the Town.

Section 3.6 Powers and duties of policemen.

Each policeman shall:

- (1) Have within the corporate limits of the Town all of the powers invested in law-enforcement officers by statute or common law;
- (2) Have power to serve all civil and criminal process that may be directed to him by any officer of the General Court of Justice;
- (3) Rigidly enforce all laws, ordinances and regulations of the Town and the State of North Carolina;
- (4) At all times preserve the peace, protect the property and safety of the citizens of Hudson (See G.S. 160A-285)

Section 3.7 Extraterritorial jurisdiction of policemen.

- (a) In addition to their authority within the corporate limits policemen shall have all the powers invested in law-enforcement officers by statute or common law within one mile of the corporate limits of the Town.
- (b) When any offense is committed within the corporate limits of the Town or within its extraterritorial jurisdiction under circumstances that would authorize a police officer to arrest the offender without a warrant, the officer may pursue the offender outside the jurisdiction for the purpose of making an arrest during such offender's immediate and continuous flight from that territory. Any officer pursuing an offender outside the corporate limits or extraterritorial jurisdiction of the Town shall be entitled to all of the privileges, immunities, and benefits to which he would be entitled if acting within the Town, including coverage under the Workmen's Compensation laws. (See G. S. 160A-286) *(Section (b) amended 6/17/14.)*

Section 3.8 Resisting police prohibited.

No person shall resist the police while in the discharge of their duty, by force, words or threats, or any attempt to excite others to resistance, or in any other manner obstruct them in the performance of their duty.

Section 3.9 Carrying concealed handguns prohibited on Town property.

- (a) Except as provided in subsection (b) below, all persons are prohibited from carrying concealed handguns as defined in G.S. 14-269 in Town owned buildings, their appurtenant premises and parks.
- (b) This prohibition shall not apply to the following persons:

(1) Officers and enlisted personnel of the forces of the United States when in discharge of their official duties as such and acting under orders requiring them to carry arms and weapons;

(2) Civil officers of the United States while in the discharge of their official duties;

(3) Officers and soldiers of the militia and the national guard when called into actual service;

(4) Sworn law enforcement officers;

(5) Animal Control officers,

(c) A conspicuous notice shall be posted at each entrance to any property forth in (a) above stating: "Possession of weapons or carrying a concealed handgun is prohibited."

(d) Any person in violation of this section shall be guilty of a misdemeanor and upon conviction shall be fined \$500.00 or imprisoned for six months or both.

(e) Weapons possessed in violation of this section are hereby declared to be contraband. The Chief of Police or his designee shall hold such weapon for disposal pursuant to court order, in the absence of any court order, the weapon shall be destroyed. (Ord. of 9-12-95)

Section 3.10 (Adopted 06/04)

**AN ORDINANCE ADDRESSING AN
AUXILIARY POLICE DIVISION
FOR THE TOWN OF HUDSON
POLICE DEPARTMENT**

WHEREAS, pursuant to North Carolina General Statutes 160A-282 (a) and (b), a Town may, by ordinance, provide for the organization of an auxiliary police staff made up of volunteer members; and,

WHEREAS, by enactment of an ordinance, the Town may provide that while undergoing official training, and while performing duties on behalf of the Town pursuant to orders or instructions of the Chief of Police of the Town, auxiliary law-enforcement personnel shall be entitled to benefits under the North Carolina Workers-Compensation Act, and to any fringe benefits for which such volunteer personnel qualify.

**NOW, THEREFORE, BE IT
ORDAINED** by the Board of Commissioners of the Town of Hudson, that there is hereby established within the Town of Hudson Police Department, as a division thereof, an auxiliary police division, with the auxiliary police division being a volunteer organization, whose members shall serve without compensation, composed of as many members as may from time to time be determined by the Town of Hudson Chief of Police, and approved by the Town Manager.