

AMHERST TOWN CODE

CHAPTER 12

**POLICE DEPARTMENT.<sup>1</sup>**

**Sec. 12-1. Personnel; ranks; organization.**

The police department shall have such personnel, who shall hold such ranks, as from time to time may be provided by the town council; and the organization of the police department shall be as from time to time provided by the town council or as prescribed in the rules and regulations of the police department.

**Sec. 12-2. Chief of police.<sup>2</sup>**

The chief of police, under the general direction of the mayor,<sup>3</sup> shall be responsible for the administration, training, discipline, and morale of the members of the department and their effective deployment and employment to preserve and maintain law and order in the town and to enforce therein all applicable provisions of State law, the Town Charter, this Code and other ordinances and resolutions of the town council.

**Sec. 12-3. Employment of off duty officers; fees.**

- (a) The chief of police shall promulgate reasonable rules and regulations pertaining to employment of off-duty law enforcement officers, which employment may require the use of police powers and authorities.
- (b) Law enforcement officers of the town are expressly authorized to engage in off-duty employment which may require the use of police powers and authorities in the performance of such employment pursuant to the regulations promulgated by the chief of police.
- (c) All persons, firms or organizations utilizing the services shall pay, for each law enforcement officer so employed, an hourly fee equal to the current overtime rate of the police officer's salary

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<sup>1</sup>For charter provisions as to authority of town to establish and maintain a department or division of police, see Char., art. IX, Sec. 1, subsec. (11).

For state law as to powers and duties of police force of towns, see Code of Virginia, Secs. 15.2-1704 and 15.2-1710. As to exercise of police powers beyond town limits, see Code of Virginia, Sec. 15.2-1794, 15.2-1727.

As to false reports being submitted to police departments, see Sec. 11-13 of this Code.

<sup>2</sup>For charter provisions as to appointment, term, duties and compensation of town sergeant, who shall also be chief of police and vested with the powers of a conservator of the peace, see Char., art. III, Sec. 1, subsec. (17).

For state law as to town sergeants having same powers and discharging the same duties as sheriffs within town and for distance of one mile beyond town, see Code of Virginia Sec. 19.2-250.

<sup>3</sup>For charter provisions as to duty of mayor to take care that the ordinances, acts and resolutions of the town council are faithfully executed and obeyed, etc., see Char., art. III, Sec. 1, subsec. (7).

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or twenty-five dollars per hour, whichever is greater, plus an amount sufficient to cover the cost of FICA and workers compensation insurance.

- (d) The foregoing fees shall be paid to the treasurer of the Town of Amherst.
- (e) Officers so assigned shall be monetarily compensated at the current overtime rate of their salary, or at the rate of twenty five dollars per hour, whichever is greater at the next occurring normal pay disbursement.

(Adopted October 11, 2006. State law reference: Code of Virginia, § 15.2-1712.)