

CHAPTER B--POLICE

ARTICLE I—ORGANIZATION AND DUTIES

Section 1—Organization

The police department of the Town shall consist of as many policemen as the Board of Commissioners shall from time to time authorize who meet the standards of the North Carolina Criminal Justice Education and Training Standards Commission, as set out in N.C.G.S. Chapter 17C.

Section 2—Manager to Have Control

The Manager shall have the authority to set the salary, hire, and fire members of the police department. The Manager may suspend, any member of the police department consistent with provisions of the Personnel Policy.

Section 3—Duties of Police

The Police department shall carry out all orders of the Manager, enforce all laws and ordinances of the Town and the State of North Carolina, and shall at all times preserve the peace, protect the property and the safety of the citizens of Oriental.

Section 4—Selected Officer

The Town Manager shall identify an officer who shall have control over the Police Department subject to the supervision of the Town Manager.

Section 5—Reserve Police

There is here by established within the town police department, Reserve Officers. Reserve Officers may be appointed from time to time in order to have additional officers available should the need arise. These officers will retain NC credentials and only be considered employees during the time they are asked to serve.

Section 6—Emergency

In times of emergency the selected officer shall have the right to deputize any number of unpaid auxiliary police until such time as the emergency is over.

ARTICLE II—CIVIL EMERGENCIES

Section 1—When State of Emergency Deemed to Exist A state of emergency shall be deemed to exist whenever there is an occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made accidental, military, or paramilitary cause.(G.S.SS166A-4and166A-8)

Section 2—Proclamation by Mayor

(a) In the event of an existing or potential state of emergency endangering the lives, safety, health, and welfare of the people within the town or threatening damage to or destruction of property, the Mayor is here by authorized and empowered to

issue a public proclamation declaring to all persons the existence of a state of emergency and, in order to more effectively protect the lives and property of people within the town, place into effect any of the restrictions authorized in this chapter.

- (b) The Mayor is hereby authorized and empowered to limit by the proclamation the application of all or any part of the restrictions to any area specifically designated or described within the corporate limits and to specific hours of the day or night; and to exempt from those restrictions law enforcement officers, firefighters, and other public employees; doctors, nurses, and employees of hospitals and other medical facilities; on duty military personnel, whether state or federal; on-duty employees of public utilities; public transportation companies; newspaper, magazine, radio broadcasting, and television broadcasting corporations operated for profit; and such other classes of persons as may be essential to the preservation of public order and immediately necessary to serve the safety, health, and welfare needs of the people within the town.

Section 3–Restrictions During Emergency

During the existence of a proclaimed state of emergency, the Mayor may impose by proclamation any of the following restrictions:

- (a) Prohibit or regulate the possession of one's own premises of explosives, firearms, ammunition, or dangerous weapons of any kind and prohibit the purchase, sale, transfer, or other disposition thereof.
- (b) Prohibit or regulate the buying or selling of beer, wine, or intoxicating beverages of any kind and their possession or consumption of one's own premises.
- (c) Prohibit or regulate any demonstration, parade, march, vigil, or participation there in from taking place on any of the public ways or upon any public property.
- (d) Prohibit or regulate the sale of gasoline, kerosene, naphtha, or any other explosive or inflammable fluids or substances.
- (e) Prohibit or regulate travel upon any public street, alley, or roadway, or upon any other public property, except by those in search of medical assistance, food, or other commodity or service necessary to sustain the well-being of themselves, their families, or some member thereof. Prohibit or regulate the participation in or carrying on of any business activity and prohibit or regulate the keeping open of places of business, places of entertainment, and any other places of public assembly.
- (f) Any proclamation may be extended, altered, or repealed in any particular during the continued or threatened existence of a state of emergency by the issuance of a subsequent proclamation.

Statutory reference: Authority to set forth such restrictions, see G.S.SS14-288.12, 14-288.16

Section 4–Violations Prohibited

During the existence of a proclaimed state of emergency, it shall be unlawful for any person to violate any provision of any restriction imposed by any proclamation authorized by this chapter.

Section 5–Proclamation of End of State of Emergency

The Mayor shall proclaim the end of a state of emergency or all or any part of the restrictions imposed as soon as circumstances warrant or when directed to do so by the Town Commissioners. Statutory reference: Rescission of proclamations, see G.S.14-288.16