

Chapter 21 POLICE

ARTICLE I. IN GENERAL

Secs. 21-1--21-25. Reserved.

ARTICLE II. INTERLOCAL ASSISTANCE

Sec. 21-26. Authorization.

- (a) The city commission by resolution and pursuant to this article may enter into mutual assistance agreements in the best interests of health, welfare and safety.
- (b) In the event of riot, rebellion, civil disorder, manmade or natural disaster, criminal assault or other serious crime, windstorm, flood, power failure or other emergency, the city shall cooperate in an effort to provide police services within the corporate limits of other participating governmental units requesting aid, subject, however, to the terms and conditions of an agreement and as prescribed in this article.
(Comp. Ords. 1985, §§ 20.166, 20.175; Ord. of 1-21-97(6))

Sec. 21-27. Determination of need.

The city administrator or police chief of the city shall have the authority at any time to determine whether and when men and equipment shall be sent into any other participating governmental unit. The intention of a mutual aid agreement is to vest in each local participating agency the sole right to determine when its needs will permit it to respond to a call by another participating agency. If the city administrator or police chief refrain from sending any men and equipment beyond the city's jurisdiction, the city shall not be liable for damage to any other party to an agreement.
(Comp. Ords. 1985, § 20.167; Ord. of 1-21-97(6))

Sec. 21-28. Response discretionary.

Upon request by the properly designated official of any department governmental unit which is a party hereto to an agreement, the properly designated official of the department governmental unit to whom such request shall be directed may, at his discretion, order personnel and equipment of his department into the service of the other party without regard to the corporate limits of the other governmental unit. The properly designated official of the department whose aid is requested shall cooperate and do all that is possible, according to his discretion, to carry out the purpose of this agreement.
(Comp. Ords. 1985, § 20.168; Ord. of 1-21-97(6))

Sec. 21-29. Requestor to command units.

The city administrator or police chief when requesting mutual aid shall be in command of all units responding from other municipalities. All commands and orders for the use of such personnel and equipment shall be made for the commanding officer of the

requesting department through the ranking officer of the units responding, whenever possible. The officer in charge of the department sending assistance shall, however, at all times have the power to recall to the responding department any men or equipment from an assistance mission.

(Comp. Ords. 1985, § 20.169; Ord. of 1-21-97(6))

Sec. 21-30. Applicability.

The provisions of an agreement may be invoked when the city administrator or chief of police shall determine that an emergency exists, and that mutual aid assistance is required and shall declare the same to properly designated officials of participating governmental units by a request for such aid as deemed necessary.

(Comp. Ords. 1985, § 20.170; Ord. of 1-21-97(6))

Sec. 21-31. Power of responders.

Law enforcement officers responding to mutual aid requests shall assume the same powers, duties and responsibilities within the governmental unit requesting assistance as would be theirs within the jurisdiction of the governmental unit by which they are employed.

(Comp. Ords. 1985, § 20.171; Ord. of 1-21-97(6))

Sec. 21-32. Liability.

Each governmental unit entering an agreement shall be liable for the acts of its employees performed outside of its jurisdiction in the same manner and to the same degree as if those acts were performed while the employee was on duty within the jurisdiction of the governmental unit by which employed.

(Comp. Ords. 1985, § 20.172; Ord. of 1-21-97(6))

Sec. 21-33. Compensation.

Each governmental unit entering into an agreement shall continue to provide the same salaries, compensation for death or disability, and retirement and furlough payments to their employees who are assigned to render assistance to another governmental unit in performance of an agreement as that employee would receive if on duty within the corporate limits of the governmental unit by which he is employed. Costs of equipment, supplies and materials used or expended while rendering assistance under this agreement will be borne by the governmental unit owning the equipment, supplies and materials.

(Comp. Ords. 1985, § 20.173; Ord. of 1-21-97(6))

Sec. 21-34. Withdrawal from participation.

Any participating governmental unit may at any time withdraw from further participation in an agreement by giving written notice of termination to the other parties of an agreement.

(Comp. Ords. 1985, § 20.174; Ord. of 1-21-97(6))