

AN ORDINANCE RELATING TO LAW ENFORCEMENT; TO PROVIDE FOR ARREST AND DETENTION OF AN OFFENDER IN OTHER JURISDICTIONS AS PRESCRIBED; TO PROVIDE FOR INTERLOCAL AGREEMENTS FOR LAW ENFORCEMENT SERVICES; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; TO PROVIDE FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF ANSLEY, NEBRASKA:

Section 1. That Chapter 3, Article 4, Section 403, of the Municipal Code of Ansley, Nebraska be added to read as follows:

POLICE DEPARTMENT; ARREST JURISDICTION. (1) The Village Marshal or any other Municipal police officer shall have the power and authority to enforce the laws of this state and the Village or otherwise perform the functions of that office anywhere within his or her primary jurisdiction. Primary jurisdiction shall mean the geographic area within territorial limits of the Village of _____.

(2) The Village Marshal or any other Municipal police officer who is within this state but beyond the territorial limits of his or her primary jurisdiction, shall have the power and authority to enforce the laws of this state or any legal ordinance of the Village or otherwise perform the functions of his or her office, including the authority to arrest and detain suspects, as if enforcing the laws or performing the functions within the territorial limits of his or her primary jurisdiction in the following cases:

(a) The Village Marshal or any other Municipal police officer, if in a fresh attempt to apprehend a person suspected of committing a felony, may follow such person into any other jurisdiction in this state and there arrest and detain such person and return such person to the officer's primary jurisdiction;

(b) The Village Marshal or any other Municipal police officer, if in a fresh attempt to apprehend a person suspected of committing a misdemeanor or a traffic infraction, may follow such person anywhere in an area within twenty-five (25) miles of the boundaries of the officer's primary jurisdiction and there arrest and detain such person and return such person to the officer's primary jurisdiction;


(c) The Village Marshal or any other Municipal police officer shall have such enforcement and arrest and detention authority when responding to a call in which a local, state, or federal law enforcement officer is in need of assistance. A law enforcement officer in need of assistance shall mean (i) a law enforcement officer whose life is in danger or (ii) a law enforcement officer who needs assistance in making an arrest and the suspect (A) will not be apprehended unless immediately arrested, (B) may cause injury to himself or herself or others or damage to property unless immediately arrested, or (C) may destroy or conceal evidence of the commission of a crime; and

(d) If the Village, under the provisions of the Interlocal Cooperation Act, enters into a contract with any other municipality or county for law enforcement services or joint law enforcement services, law enforcement personnel may have such enforcement authority within the jurisdiction of each of the participating political subdivisions if provided for in the agreement. Unless otherwise provided in the agreement, the Village shall provide liability insurance coverage for its own law enforcement personnel as provided in section 13-1802 RS Neb. (Ref. 29-215 RS Neb.)

Section 2. That any other ordinance or section passed and approved prior to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions, is hereby repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this 8th day of December, 1997.


Chairperson

(SEAL)


Clerk