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The City Council met in regular session at 4 o'clock P. M., Wednesday, December 2, 1942, in the Council Chamber, City Hall, with Mayor Currie presiding and the following members present: Councilmen Albea, Baker, Beasley, Daughtry, Hovis, Painter, Price, Ross, Slye and Ward.

Absent: Councilman Little.

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SALVATION ARMY GRANTED PERMISSION TO PLACE "DIME BOARDS" ON SIDEWALKS.

Mr. Algie Lawing and Major Frank Longino, representing The Salvation Army, appeared before the Council with request that they be permitted to place two "Mile'O Dime Boards" on the streets of Charlotte, from Friday, December 4th. through December 24th., one in front of the Ann Lewis Dress Shop and the other in front of Liggett's Drug Store; the managers of these two stores having already given their permission for the boards to be placed in front of their stores. Mr. Lawing stated that the only objection might come from the fact that parking meters are located in front of these locations, but Councilman Ward moved that the request be granted, which motion was seconded by Councilman Albea and carried.

BURTON SMITH PROTESTED PASSING OF A "DOG LEASH LAW".

Mr. Burton Smith again appeared before the Council with reference to stray dogs and the proposed passage of a "leash law" ordinance to remedy same, stating that such a law would not be the answer to the problem, and that he had purchased a muzzle of the humane-type, which permits a dog to eat and drink, and that a local concern has a supply of these muzzles in stock.

He filed with the Mayor a list of 19 people, ranging in age from 4 months to 79 years, who had been bitten by dogs during the month of November. He demanded enforcement of the ordinance which the City has on its books. No action was taken on this matter at this time.

STREET PAVING ASSESSMENT ACCOUNT NO. 20670 AND ADOPTION OF RESOLUTION WITH REGARD TO SAME.

Mr. J. H. McLain, Assistant Tax Collector, appeared at this time with reference to two street assessment accounts, which it is necessary to have cleared up before the statute of limitations runs out on same. The first one was with reference to Account No. 20670, which has been charged against Mrs. W. A. Burdick and Mrs. H. A. Smith, whereas, it should be against the owner of the property, St. Catherine Gold Mining Co., and in connection therewith the following resolution was unanimously adopted, on motion made by Councilman Baker, seconded by Councilman Albea:

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RESOLUTION WITH REGARD TO
STREET ASSESSMENT ACCOUNT NO. 20670, AFFECTING
59.5 FEET OF FRONTAGE AT 424-26 POST STREET.

* * * * *

WHEREAS, the following facts have been presented to the City Council of the City of Charlotte:

Street Assessment Account No. 20670 for the paving of 59.5 feet frontage at 424-26 Post Street in the total principal amount of \$341.76, appears on the Assessment Book as a charge against said property standing in the name of Mrs. W. A. Burdick and Mrs. H. A. Smith. According to the records in the City Engineer's office, and in the City Clerk's office, the petition for the paving was not signed by either Mrs. Burdick or Mrs. Smith, and none of the instalments set forth in said account have been paid.

The property of Mrs. Burdick and Mrs. Smith does not front on Post Street at this particular location. Instead, the property of Mrs. Burdick and Mrs. Smith is separated from Post Street by a strip of land 2 feet wide at the northwesterly end and 7 feet wide at the southeasterly end, and having a frontage along Post Street of 59.5 feet, more or less.

The title to said strip of land is vested in St. Catherine Gold Mining Company.

NOW, THEREFORE, BE IT RESOLVED that street assessment Account No. 20670 in the total principal amount of \$341.76 for the paving of 59.5 feet frontage at 424-26 Post Street in the City of Charlotte, be removed as a charge against Mrs. W. A. Burdick and Mrs. H. A. Smith, who are not the owners of said land against which the lien was assessed, and that said account be charged against the St. Catherine Gold Mining Company, the owner of said land fronting on Post Street at that location.

BE IT FURTHER RESOLVED that the City Clerk be, and she hereby is, instructed, authorized and directed to have published a notice in the newspaper setting forth the fact that 424-26 Post Street, with a frontage of 59.5 feet, has been assessed for the paving of Post Street in the total principal amount of \$341.76, and that said charge has been made against the St. Catherine Gold Mining Company, the owner of said property; that the assessment roll showing the details of said assessment is on deposit in the office of the City Clerk, and may be inspected by interested parties; that at a City Council meeting on Wednesday, December 16th, 1942, at 4:00 o'clock P. M., the governing body of the City of Charlotte will hear any allegations and objections in respect to this special assessment.

RESOLUTION WITH REGARD TO STREET ASSESSMENT, ACCOUNT NUMBER 27655 FOR
PAVING OF 51.4 FT. FRONTAGE AT 2412-18 STATESVILLE AVENUE.

The following resolution was unanimously adopted upon motion of Councilman Albea, duly seconded by Councilman Slye:

WHEREAS, the City Council, on February 4th, 1942, made a re-assessment of street assessment Account No. 7262, and as a part of said re-assessment created a street assessment Account No. 27655, and all the land against which the new account constitutes a lien is occupied by a street shown as Druid Circle South on a map recorded in Map Book 4, at page 459, in the Mecklenburg Public Registry, and, whereas, since the re-assessment Druid Circle South has been accepted by the City of Charlotte for maintenance as a public street in said City.

NOW, THEREFORE, BE IT RESOLVED that the street assessment Account No. 27655 be charged against the City of Charlotte, and the City Treasurer be, and he hereby is, instructed, authorized and directed to pay said paving assessment account and charge same to the emergency fund.

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MINUTES OF PREVIOUS MEETING APPROVED.

The minutes of the meeting of November 25th. were approved as read, upon motion made by Councilman Albea, and seconded by Councilman Painter.

CITY EMPLOYEES TO RECEIVE FULL MONTH'S PAY CHECK ON DECEMBER 15, 1942.

Councilman Slye made a motion that all City employees be paid a full month's salary for the month of December on December 15th., this having been the policy of the City for years past. Motion was seconded by Councilman Albea, and after considerable discussion, the motion was carried, with Councilman Ross recorded as voting against the motion.

PURCHASE OF CHEMICAL SUPPLIES FOR WATER DEPARTMENT.

The City Manager reported that after advertising for bids for an estimated year's supply of chemicals for the Water Department, the following bids were received:

SECTION 1 - ALUMINUM SULPHATE.

American Cyanamid & Chemical Corp., Charlotte, only bid received

Alternate No. 1

270 Tons (estimated quantity) in paper bags as specified, Specification "A" @ \$28.60, net delivered price \$7722.00

Alternate No. 2

270 Tons (same as above) Specification "B" " " 7722.00

Upon motion made by Councilman Hovis, seconded by Councilman Albea, award was made to the American Cyanamid & Chemical Corp., under Specification "A", at the estimated net delivered price of \$7722.00, and the Mayor and Clerk were authorized to sign the contract.

SECTION II - CHEMICAL HYDRATE LIME

North American Cement Co. Baltimore, Md.

250 Tons @ 11.11 Less \$25.00, net delivered price \$2752.50

Cathey Lumber Co. Charlotte

250 Tons @ 11.26 Less \$62.50 " " " 2752.50
(This includes Federal Tax which went into effect Dec.1st.

Tucker-Kirby Co. Charlotte

250 Tons @ 11.40 net delivered price 2850.00

Gager Lime Mfg. Co. Sherwood, Tenn.

250 Tons @ 11.96 " " " 2927.50

Since the bid of North American Cement Co. and that of Cathey Lumber Co. were the same, it was the recommendation of the Manager that award be made to the local concern, and Councilman Albea moved that the recommendation be approved, and that the Mayor and Clerk sign contract with the Cathey Lumber Company at the estimated net delivered price of \$2752.50. Motion seconded by Councilman Ward and carried.

CEMETERY DEEDS.

Councilman Albea moved that the following cemetery deeds be authorized for transfer:

Nick Prekezes, Lot No. 235, Section "Y", Elmwood Cemetery	\$35.00
Transfer of South Half of Lot No. 75, in Section "D", Elmwood from Mr. and Mrs. David Draddy to Mrs. Harvey Marshall Garrison and Mrs. William Wood Anderson (daughters of Mrs. Draddy)	1.00
Also transfer of perpetual care agreement on same lot.	

RECESS AT 5 P.M.

At 5 o'clock P. M., a recess was taken to the Mayor's office, for consideration of the Police Department Rules and Regulations submitted by Chief Anderson, and at 6 o'clock the Council reconvened and the Mayor called the meeting to order.

T. S. MCPHEETERS EMPLOYED FOR WORK IN CONNECTION WITH FORDSON AVENUE WIDENING.

Councilman Ross presented a letter from Mr. T. S. McPheeters local real estate agent, in which he made a price of \$75.00 for work in connection with securing deed for 10 foot strip of land needed in the widening of Fordson Avenue, and Councilman Ross moved that Mr. McPheeters be employed at the fee of \$75.00, this to be paid from the fund set up for the widening of this street. Motion seconded by Councilman Albea and carried.

COURT COSTS IN CASE OF WEBSTER VS CITY OF CHARLOTTE TO BE PAID.

Upon motion of Councilman Ross, duly seconded by Councilman Albea, authority was given for the payment of court costs in the sum of \$24.45, by adoption of the following resolution:

RESOLUTION APPROPRIATING MONEY TO PAY COSTS
IN THE CASE OF WEBSTER V. CITY OF CHARLOTTE.

RESOLVED that the City Treasurer be, and he is, directed to pay \$24.45 to the Clerk of the Supreme Court of North Carolina for costs taxed against the City in the case of Webster v. City of Charlotte recently decided, the said sum being appropriated from the Emergency Fund.

ADOPTION OF POLICE RULES AND REGULATIONS.

The following letter was read by Mr. C. W. Tillett, City Attorney, from Chief W. F. Anderson, Charlotte Police Department:

"In accordance with the requirements of the City Charter, I have made rules and regulations for the Police Department and enclose same herewith to be submitted to the Council, these rules and regulations to become effective immediately upon approval by the City Council.

Effective upon the approval by the Council of these rules and regulations, I revoke the rules and regulations now in effect insofar as the future conduct of members of the department is concerned, but the same are to remain in full force and effect with respect to prior conduct of members of the Department, to the end that previous violations of the same, if any there are, shall be dealt with according to law."

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The following Ordinance was then read and upon motion made by Councilman Beasley, seconded in each instance by Councilman Slye, was unanimously adopted on three readings and declared by the Mayor to be an ordinance of the City of Charlotte, effective from and after this date:

AN ORDINANCE
APPROVING RULES AND REGULATIONS FOR POLICE
DEPARTMENT.

WHEREAS, Walter F. Anderson, Chief of Police of the City, has made a set of rules and regulations governing the Police Department and has submitted same to the Council for approval, and, whereas, effective upon approval by the Council of these rules and regulations he has revoked the rules and regulations now in effect in so far as the future conduct of members of the department is concerned, but has stipulated that the same are to remain in full force and effect with respect to prior conduct of members of the department to the end that previous violations of the same, if any there are, shall be dealt with according to law;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CHARLOTTE, N. C.:

1. That the following rules and regulations made and established by Walter F. Anderson, Chief of Police, be, and they are, approved and ordered to be carried into effect:

RULES AND REGULATIONS FOR POLICE DEPARTMENT
CITY OF CHARLOTTE, N.C.

O R G A N I Z A T I O N

1. Divisions. The Police Department of Charlotte, North Carolina, shall consist of a Patrol Division, Traffic Division, Detective Division, Record Division and/or such other Divisions or units as it may be necessary to establish. Each of these Divisions, unless otherwise determined, will be commanded by a Captain of Police, who will be responsible to the Chief of Police for the faithful, diligent, and honest performance of duties, and the efficient functioning of his Division. The Chief of Police may designate additional subordinate officers to assist the Captain of Police in carrying out the duties and responsibilities of his Division.

2. Strength of Department. The Police Department of the City of Charlotte, North Carolina, shall consist of the Chief of Police, Captains of Police, Lieutenants of Police, Sergeants of Police, Detectives, Police-women, Patrolmen, and Civilian Employees, as the Council may from time to time deem necessary.

A D M I N I S T R A T I O N

C H I E F O F P O L I C E

3. Duties. The Chief of Police shall be the chief executive officer of the Police Department and shall be responsible for the discipline and efficiency of the same. It shall be his duty to see that the laws of North Carolina, the ordinances of the City of Charlotte and the rules and regulations of the Police Department are properly enforced, and that proper cooperation is extended by the department to other law enforcement agencies of this and other counties and states, and of the Federal Government. He shall be accountable to the City Manager and the City Council for the faithful performance of his duties. He shall perform his duties subject to

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the general provision that the City Manager is the administrative head of the city government, responsible for the administration of all departments.

4. Acting Chief of Police. During the absence or disability of the Chief, the department will be operated under the direction of an Acting Chief who will have the same authority and responsibility during the period when he is so acting as the Chief, but the Acting Chief shall not countermand or modify previously given orders of the Chief except in cases of extreme emergency. Such Acting Chief shall be appointed to serve in that capacity by the Chief from the membership of the department, subject to the provision that if the office of chief becomes vacant or the Chief fails to appoint an Acting Chief during his absence or disability, the Council may appoint such Acting Chief, and subject to the further provision that the Council may at any time revoke any such appointment made by the Chief and substitute an acting chief of its own selection.

5. Instructions to the Chief of Police. All official instructions to the Chief of Police shall emanate from and be issued to him by the City Manager.

6. Issuing of Equipment. It shall be the duty of the Chief of Police to supervise the issuance of all Police equipment and to keep a record of the persons to whom equipment has been distributed.

7. Assignment of Officers. The Chief of Police shall have control of the assignment of officers and members of the Police Department, and no transfers of such officers or members shall be made without his approval.

8. Orders to Personnel. It shall be the duty of the Chief of Police to issue such orders and instructions to members of the Department from time to time as he may deem necessary for the efficient operation and proper administration of the Department, and the discipline and supervision of its personnel.

CAPTAINS OF POLICE

9. Duties of Captains. Captains of Police shall be under the supervision of the Chief of Police, and shall perform such duties as the Chief of Police may direct. They shall be vested with full responsibility for the Divisions under their command, and shall exercise full authority over their Divisions, subject to the approval of the Chief of Police.

10. Enforce Laws. Each Captain will be held strictly responsible for the proper functioning of his Division in the protection of life and property, the preservation of public peace, and good order, and the enforcement of the laws of North Carolina, these Rules and Regulations and the Ordinances of the City, and for that purpose he shall station the men under his command in such parts of the City and assign them to such duties as may be necessary, under the supervision of the Chief of Police.

11. Responsible for Conduct of Members. Each Captain shall be held responsible for the good conduct, discipline, and efficiency of all Officers under his command. He shall promptly investigate any neglect of duty or misconduct or violation of any of the rules and regulations by any members of his command immediately upon his becoming acquainted therewith, and shall make a report in writing of such investigation to the Chief of Police.

12. Meetings and Gatherings. The Captains shall keep themselves informed relative to meetings or gatherings likely to attract a large number of persons at particular places in the City, and shall arrange for sufficient Officers to be present to maintain order or take such steps as may be necessary or proper.

13. To Inspect Men. The Captains shall regularly inspect their men and report to the Chief of Police any negligence in attire, want of cleanliness or neatness, or other improper personal appearance, as well

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as every case of sickness, misconduct, neglect or unfitness for duty.

14. To Test Knowledge of His Men. The Captains shall examine their men as to their police duties, including action to be taken at fires, riots, making arrests, presenting cases in Court, the principles of First Aid, and other matters pertaining to their work. He shall see that each member of the force under his command has a copy of the Rules and Regulations, and that he shall study and obey them.

15. To Keep Proper Records. Each Captain shall be responsible for the proper taking, investigation, reviewing and filing of all complaints coming into the office under his command, and shall see that each complaint is thoroughly investigated and the proper action taken, and that proper entries are made on the records. He shall be responsible for the proper keeping of all records pertaining to his Division. He shall see that all warrants, subpoenas and notices from other departments are properly served and that the proper returns are made on same.

16. Correspondence. Each Captain shall be responsible for proper attention to all correspondence referred to him or pertaining to his division; he shall promptly and accurately dictate all communications with reference thereto unless the Chief directs otherwise. All such correspondence and communications, before being forwarded, shall be delivered to the office of the Chief, who will check same, and if found to be correct, will sign and forward same. When in an emergency or for any other good reason it is impossible to submit such correspondence or communications to the Chief before same are forwarded, the Captain may sign the name of the Chief thereto, per the Captain's initials, but shall forward copies to the Chief's office at once.

LIEUTENANTS OF POLICE

17. Duties of Lieutenants. Lieutenants shall be in command of platoons and shall be vested with the same authority and responsibilities as Captains in the absence of their Commanding Captain. They shall perform such duties as directed by their Commanding Captain, and such other duties as may be ordered by the Chief of Police. They will be held responsible for the proper functioning of their platoons and the general conduct of the Officers and members of their command. They shall be diligent in enforcing the statutes of the State of North Carolina, the ordinances of the City of Charlotte and the Rules and Regulations of the Police Department.

18. Test Knowledge of His Men. Lieutenants shall frequently test the knowledge of Officers under their command as to conditions upon their beats or posts or assignments, persons residing or doing business there, the nature of business that is being transacted, and their knowledge of the criminal laws, City Ordinances, and Rules and Regulations of the Police Department.

19. Meetings and Gatherings. Lieutenants shall keep themselves informed as to all meetings and gatherings likely to attract large numbers of persons at particular places in the City and shall send thereto sufficient Officers to assure order.

20. Investigation of Major Occurrences. Upon receipt of information from any source of an unusual casualty, crime, serious riot, strike, fire, accident, or other police occurrence, Lieutenants shall transmit the same immediately to their Commanding Officer and such other City officials as the circumstances may require, and then proceed immediately to the scene. All other information shall be transmitted as further particulars are received and on the completion of such matters Lieutenants shall make a full report in writing to their Commanding Officer, who will forward a copy to the Chief of Police.

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SERGEANTS.

21. Sergeants' Duties. Sergeants shall perform such duties as may be directed to them by their Lieutenants, Commanding Captains, or the Chief of Police. They shall see that all orders or commands are carried out promptly and efficiently, and shall labor at all times for the efficiency of the Department to be on the highest plane possible. They shall give time and attention to the training of new Patrolmen and shall instruct and explain the Rules and Regulations of the Department and the ordinances of the City and the statutes of the State of North Carolina and Federal Government to inexperienced Officers. They shall report to the Commanding Officer all matters affecting the supervision and good order of the Department, and shall keep their Commanding Officer informed of conditions existing in the City and other matters affecting their duties. They shall assist the Commanding Officer in keeping Officers posted where they are most needed.

22. Responsibility of Sergeants. Sergeants when on patrol duty shall be responsible for the efficiency and discipline of all members of the Department under their supervision.

23. To Report Misconduct. Sergeants will make themselves thoroughly acquainted with the capabilities of all patrolmen and impartially report to the Commanding Officer of their platoon every case of misconduct or neglect of duty on the part of the Patrolmen under their supervision.

24. To Patrol Beats or Posts. Sergeants will constantly and faithfully patrol their respective beats or posts, visiting each beat or post as often as practicable, ascertaining the presence of each man at his proper place and that he is properly performing his duties.

25. Inspect Attire and Equipment. The Sergeants shall require the members of their command to be properly and neatly attired. They shall also frequently inspect the firearms of subordinate Officers and see that they are kept clean and in good condition. They will see that the Officers under their command do not wear their uniforms except during their tour of duty. Upon being relieved of their duties the Officers will immediately change clothes and leave their uniforms in their lockers. They shall see that the Officers take the proper care of their uniforms and equipment and keep their lockers clean and in good condition.

DETECTIVES

26. Detective Lieutenants and Detectives. All Detective Lieutenants, Detectives, or other employees assigned to the Detective Division, shall be under the immediate command of the Captain of Detectives and shall be subject to his orders and those of the Chief of Police. They shall give professional criminals their special attention at all times and shall use all legal means to detect crime and apprehend the perpetrators. It shall be the duty of such officers to keep informed relative to criminal activities in the City and report the haunts and habits of known criminals to their Commanding Officer. They shall use every effort to discover and thwart the principals in any contemplated crime, to identify and arrest criminals, and recover stolen property. They must develop the facts and secure the evidence that will free the innocent as well as to develop the facts and secure the evidence that will convict the guilty. They must thoroughly investigate and make a complete report on all assignments given them and report as soon as possible on all correspondence, telegrams, and other messages received from other agencies or other law enforcement departments.

27. Detectives to Cooperate and Work as a Unit. Detectives shall even when assigned to special details cooperate and work as a unit in arresting criminals who may be in their jurisdiction and if they receive information that criminals in organized bands or otherwise are coming to the City they must immediately report the same in writing to their Commanding Officer.

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28. Proper Credit to be Given. Detectives shall give proper credit to any member of other Divisions for any information furnished or arrests made of any known or suspected criminal or important assistance rendered to the Detective Division.

POLICEWOMEN

29. Duties of Policewomen. The Police Department may have on its force one or more Policewomen, whose duty it shall be to handle such matters and make such investigations as may be assigned to her including matters in which women or girls are the defendants or prosecuting witnesses, or in which the morals of women and girls are involved. She shall search women prisoners. The Policewoman shall have full police power, shall take the same oath of office as other Police Officers, and shall be subject to the Rules and Regulations of the Department. She may be assigned secretarial or clerical duties as the Chief of Police may decide in addition to her duties as Policewoman.

PATROLMEN

30. Assembly and Roll Call. Patrolmen shall report for roll call on time, with shoes shined, uniforms brushed and cleaned, clean shaven, and shall present at all times a neat appearance. When reporting for roll call Patrolmen shall proceed at once to the assembly hall and shall not loiter or visit other Officers of the Department without authority to do so. Patrolmen shall assemble at headquarters promptly at all appointed times and if absence without leave shall report to their Superior Officer before going on duty.

31. Prevention of Crime. The prevention of crime being a most important duty, the Patrolmen's efforts must be constantly directed to accomplishing that objective. He must examine and make himself familiar with every part of his beat or post and vigilantly observe persons passing his way and conditions and occurrences on his beat or post.

32. Exercise Vigilance. He must by his vigilance do all in his power to prevent crime from being committed.

33. Remain on Beat or Post Until Relieved. At the expiration of his tour of duty a Patrolman will remain on his beat or post or at a designated point until properly relieved or excused. If he is not properly relieved he will communicate with his Commanding Officer and conform to instructions.

34. How to Patrol Beat or Post. Patrolmen while on duty shall not walk or talk with other members of the force or other persons except in the line of duty and such communication must be as brief as possible. The Patrolman must not remain in one spot but must constantly patrol his beat or post except when on special assignment of traffic or other duty or otherwise instructed. He shall not lounge, loaf or foregather with other Patrolmen at corners, in places of amusement, or within doors.

35. To Question Suspects. He may question any person whom he shall have reason to suspect of any unlawful business or design and may inquire of him his business and where he is going, but this authority must be exercised with great prudence and caution.

36. To Observe and Know Persons. A Patrolman shall, as far as he can do so without intruding on the proper privacy of individuals, know the removals of persons from and into the limits of his beat or post. He shall acquire such knowledge of the inhabitants of his beat or post as will enable him to recognize as many of them as possible and shall make himself thoroughly acquainted with all parts of his beat or post, including the streets, thoroughfares, alleys, courts and houses therein.

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37. Disturbances and Crimes While on Duty. He shall when any disturbances or affrays occur on his tour of duty, proceed at once to the post and use his best efforts to restore peace and quiet. If any person shall have committed a crime or persisted in disturbing the peace, such persons shall be taken into custody.

38. To List Certain Places. He shall take particular notice on his beat or post of all places where contraband goods or articles may be sold, all junk shops, second-hand stores, pawn shops, places of amusement, suspected houses, suspected venders of policy and lottery tickets, and other premises which may be used for illegal purposes and shall keep a list thereof in his notebook for reference and shall report all of the same to his Commanding Officer.

39. List Vacant Houses. A Patrolman shall enter in his notebook a list of vacant houses on his beat or post, visiting each during his tour of patrol, and report at the expiration of his tour such buildings as are not secured. He shall watch male and female night walkers and persons who improperly accost people of the opposite sex upon the streets and shall do all in his power to protect women from insult and annoyance. He shall note during his hours of duty all vehicles, the drivers or occupants of which excite suspicion, and shall report all such facts.

40. Keep Informed About Every Part of Beat or Post. He shall carefully inspect every part of his beat or post. The regularity of the inspection above mentioned shall not prevent his remaining at any particular place if his presence be required, but he shall satisfy his Superior Officer that there was sufficient cause for such action. He shall at all times be able to furnish particular information respecting the state of his beat or post.

41. Keep Check on Conduct of Persons of Bad Character. He shall strictly watch the conduct of all persons of known bad character. He shall note the time of the appearance of any person of known bad character on his beat or post of duty and the circumstances attending, and the premises that said person may enter, and report same to the Officer under whom he is assigned.

42. Removal of Dangerous and Offensive Matters from Streets. He shall take note of all garbage, dead animals and other offensive matters, or other refuse thrown upon or into any street or alley, and take immediate steps to see that same is removed.

43. Report of Dangerous Street Conditions. If any member of the department, whether on or off duty, observes a dangerous condition in any of the streets or sidewalks of the City which might result in injury to persons or property, thereby causing a suit for damages to be filed against the City, he shall promptly report same, in writing, to the Chief, and the Chief shall promptly transmit such report to the City Engineer.

44. Report of Dilapidated Housing and Dangerous Buildings. If any member of the department, whether on or off duty, observes a dwelling or other building which is dangerous or unfit for human habitation due to dilapidation, defects increasing the hazards of fire, accidents or other calamities, lack of ventilation, light or sanitary facilities, he shall promptly report same, in writing to the Chief, and the Chief shall promptly transmit such report to the Chief Building Inspector.

45. Give Name and Badge Number on Request. He shall give his name and badge number in a respectful manner to any person who may inquire for same.

46. When Officer May Leave Beat or Post. No officer shall leave his beat or post to execute a warrant or for any other purpose without authority of his Superior Officer, except in a case of emergency, the reason for which must be furnished his Superior Officer.

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47. Badge Worn Outside of Coat or Shirt. All Officers in uniform when on duty shall wear the badge on the outside of the outermost garment over the left breast so that the entire surface of the badge may be easily and distinctly seen.

POLICE TRAINING SCHOOL

48. Director. The Police Training School Director shall have immediate supervision and control subject to the orders of the Chief of Police of the Police Training School and of the proper training and education of all members of the Department who may be required to attend the school and he shall be held strictly responsible for the attainment of the highest possible degree of development and accomplishment by the members through the efficient application of the system of courses and instructions established for that purpose. The Police Training School Director shall with the assistance of such other persons as may be designated, carefully instruct all persons attending the school on all subjects of criminal law, Federal procedure, city ordinances, and such other subjects as may be designated by the Chief of Police. The Police Training School Director shall hold regular classes for instruction, the times and places to be designated by the Chief of Police. All members of the Department unless excused by the Chief of Police shall attend all classes at the times and places designated and regardless of rank will be under the direct command of the Director of Police Training while attending such classes.

CIVILIAN EMPLOYEES

49. Subject to these Rules. Civilian employees shall efficiently perform whatever duty may be assigned them and be subject to the same Rules and Regulations as other members of the Department.

GENERAL RULES AND REGULATIONS

50. Charges. Any violation of these regulations may be made the basis of charges against a member of the Department, but the following in particular are to be considered specific cause for fine, suspension, dismissal or other disciplinary measures:

1. Drinking or intoxication while on duty or while in uniform.
2. Excessive use of intoxicating liquor while off duty.
3. Conviction of a felony under the laws of North Carolina or the United States, or of a misdemeanor involving moral turpitude.
4. The use of the third degree or any other unnecessary or unwarranted violence to a prisoner, suspect or other person.
5. Immoral or disorderly conduct.
6. Disrespect shown to a Superior Officer or wilful disobedience of any order lawfully issued by any Superior Officer.
7. Cowardice; dishonesty.
8. Incompetency; general inefficiency.

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9. Retaining property recovered or taken from arrested persons.
10. Neglect of duty.
11. Making of false official report.
12. Absence without leave or sleeping while on duty.
13. Use of profane or indecent language while on duty.
14. Revealing any proposed action or movements of the Department to an unauthorized person.
15. Contracting debts knowing they cannot be paid or unreasonable failure to pay debts or discharge any lawful obligation.
16. Conduct unbecoming an officer, or injurious to good order and discipline.

51. Chief's Power to Suspend. The Chief may suspend, without pay, for a period of time not exceeding thirty (30) days any member of the department for violating any rule or regulation, provided that if such member wishes to do so, he may appeal from such order of suspension to the Civil Service Board by giving written notice of appeal to the Chief within five (5) days after the issuance of such order.

52. Cleanliness. Each member of the Department shall keep his person, clothing and quarters in a clean and sanitary condition at all times.

53. Cooperation. Members of the force shall cooperate fully with other law enforcement officials, local, state and Federal, and render every possible assistance to them in the detection of crime and apprehension of criminals. Officers shall also fully cooperate with each other.

54. Courtesy. All members must be courteous in their dealings with the general public, furnishing requested aid or general information whenever consistent with the duties of Officers. Profane, obscene, abusive or improper language will not be tolerated. Officers shall be courteous to each other, work together in harmony, and show due respect for the Superior Officers.

55. Complaints Against Personnel. All complaints of one member against another shall be made to the Chief of Police and any member who considers that he has cause shall feel free to make either a verbal or written complaint when off duty. Unless the Chief considers it inadvisable, outsiders making complaints against Officers shall be required to repeat the charges in the presence of the Officer concerned. Superior Officers making complaints or unfavorable reports or recommendations concerning subordinates shall insofar as possible cite specific acts, or omissions, giving rise to the unfavorable opinion formed.

56. Confidential Information. The source of confidential information or the identity of confidential informants shall not be revealed to unauthorized persons, but each officer shall furnish the head of the Department with names and addresses of confidential informants developed by him, together with data as to the kind of information which can be furnished by each. No Officer shall disclose to any unauthorized person the evidence in pending investigations, projected movements of the Force, or any information which would be prejudicial to the best interests of the Department.

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57. Debts. Officers will be expected to pay their debts, but the Department will not act as a collecting agency for creditors. The contracting of debts, knowing they cannot be paid or unreasonable failure to discharge any lawful obligation will not be tolerated. No Officer shall sell or assign his salary. Habitual borrowing from each other by members of the Force will not be allowed.

58. Duress. Physical violence of any kind except such as it necessary in self defense or to overcome violent resistance to the lawful exercise of authority is forbidden. Brutality, maltreatment or the unwarranted striking or otherwise injuring of any person will be punished by dismissal. Extreme care shall be exercised in questioning prisoners, suspects or other persons involved in investigations, to avoid providing any basis for a charge of duress or the contention that any threat or promise was made or inducement offered to obtain a confession.

59. Duties. It shall be the duty of each Officer to do everything within his power to preserve the peace, protect life and property, prevent crimes, detest and arrest offenders. He is specifically charged with the responsibility of:

1. Enforcing the laws of North Carolina, these regulations, and the ordinances of the City.
2. Executing the lawful orders of courts, judges and magistrates.
3. Obeying the commands of the Chief or other Superior Officers.

60. Efficiency Records. The Chief shall set up and maintain a system of efficiency records upon which will be entered credits to each member of the Department for the efficient performance of his duties, and if according to such records any member fails to maintain an average of efficiency which is satisfactory to the Chief, the Chief is authorized to prefer charges before the Civil Service Board for general inefficiency, and if such member is found by the Board by reexamination or upon a hearing to be generally inefficient, he will be subject to fine, suspension or dismissal. Upon such hearing the efficiency records will be competent evidence.

61. Enforcement of Federal Laws. Each member of the Department shall familiarize himself with those Federal Statutes which affect the safety of persons and property under the jurisdiction of the Department and which are legally enforceable by the Department, and each member of the Department will be charged with the duty of enforcing said statutes directly and in cooperation with the Federal Government.

62. Entrapment. Entrapment or any other illegal or unethical tactics in procuring evidence or information will not be tolerated.

63. Equipment and Property. Each member of the Department shall be responsible for the proper care of all equipment issued to him. All due precautions must be exercised to prevent the loss, destruction, or damage to equipment issued to the Officer or property coming into his hands. If equipment or property is lost, destroyed or damaged, a written explanation of the circumstances must be made, and if the loss was wilful or due to negligence, the Officer may be called upon to make good for it. All property must be kept in a neat and tidy condition, and will be checked periodically. Equipment issued to Officers, automobiles and other property of the Department, shall be used for official purposes only. Equal care shall be exercised with reference to property lawfully seized in an investigation or take from the possession of prisoners. Whenever a receipt is given a prisoner for personal belongings or other property taken from him a duplicate original copy of the receipt shall be kept on record. No person's property shall be

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improperly withheld from him. If seized in connection with a pending criminal case, it shall be held subject to the order of the court having jurisdiction. Upon the return of any property to the person from whom it was taken, a receipt shall be obtained.

64. False Reports. No member of the Department shall make any false official report or knowingly enter, or cause to be entered, in any book or record any inaccurate, false or improper booking or registration of names, information or matter of any sort.

65. Firearms. Officers will be held personally responsible for maintaining in good condition at all times any firearms or ammunitions which may be issued to them. They will be expected to attain proficiency in the use of firearms by practicing as frequently as practicable in accordance with such arrangements as may be made by the Department for practice sessions.

66. General Inefficiency. It shall be deemed a violation of these rules and regulations if any member of the Department becomes generally inefficient in the performance of his duties, and such general inefficiency will be deemed to have occurred if, as a result of a general and continuing course of default, a member exhibits a lack of that ability or attitude necessary for the efficient performance of his duties. A member of the Department may be fined, suspended or dismissed for a violation of this rule even though he may not have been guilty of any single act which, in and of itself, would be cause for the preferment of charges under another rule. If there occurs a series of minor acts, no one of which would be sufficient to support a charge under another rule, but the sum total of which shows a lack of the attitude and ability required by this rule, then this rule will be deemed to have been violated.

67. Gratuities and Rewards. No private reward or gratuity shall be accepted, directly or indirectly, by any member of the Department, and no gifts shall be given by any subordinate to a superior officer. Where public rewards are earned by one or more members of the Department, the same shall be collected by the Chief and by him delivered to the treasurer of the Police Department Benevolent Fund, to be used for the purposes of such Fund.

68. Knowledge of Rules and Regulations. All members of the Department shall be held responsible for a full and complete knowledge of the contents of these Rules and Regulations.

69. Liquor. The use of intoxicating liquor while on duty is forbidden, as well as the excessive use while off duty. Members shall not frequent places where liquor is dispensed or sold except in the performance of duty. No liquor shall be kept in the locker or quarters of an Officer.

70. Mail. Opening, destroying, appropriating, detaining or tampering in any way with the mail of persons under investigation will not be tolerated except that correspondence to and from prisoners in custody shall be inspected in the interest of detecting plots to escape from jail, warnings to accomplices, attempts to bring about the destruction of evidence, or other schemes to defeat the ends of justice.

71. Members unable to Report for Duty. Members of the Department unable to report for duty at the designated time must notify their commanding officer prior to the time set for the commencement of their tour of duty.

72. Not to be Surety on Bonds. Members of the Department shall not go on the bond of or furnish bail for any person arrested, nor shall they accept any fee or gift from any persons who may become bail for any arrested or convicted person, or any fee or gift from any attorney-at-law who may prosecute or defend any person arrested or prosecuted for any offense. Members of the Department are also prohibited from recommending to prisoners any bondsmen or the employment of any person as attorney or counsel and are forbidden to suggest or name any lawyer or other person to a prisoner with a view to his defense.

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73. Not to Solicit Special Assignment of Duty. Members of the Department are forbidden to solicit persons in or outside of the Department to interfere or intercede in their behalf for assignment for special duty or service or for promotion or restoration to any position from which they may have been removed.

74. Other Employment. No Officer shall operate a business or partnership or engage in work or employment other than his duties as a member of the Department without the consent of the Chief of Police.

75. Politics. No member of the Department shall take any part in any election or political function other than that of exercising his right to vote.

76. Publicity. No publicity of any kind pertaining to the Department or cases handled by it shall be given out to the Press or other agency by any member of the force without the prior authorization of the Chief of Police. Likewise, no member of the Department shall speak before a public gathering without first having obtained the approval of the Chief of Police.

77. Records. All records of a confidential nature shall be treated as such and no information regarding such records given out to unauthorized persons. All records shall be accurately and legibly kept and properly filed in the manner prescribed.

78. Reports. All reports shall be prepared and submitted in accordance with such standards as may be required by the Chief of Police. Each Officer must carry with him at all times while on duty a notebook or memorandum book in which to enter information gathered by him in investigations. Every Officer will be expected to make full use of his memorandum book, which must be kept neatly and legibly and which shall be subject to inspection from time to time by his Superior Officer.

79. Reserve or Extra Duty. Members of the Department shall do such reserve duty as emergency situations demand. The Chief of Police may when he deems it best for the Department require members to work more than the allotted hours assigned them each day and when so worked the members shall do so without extra compensation.

80. Settlement of Cases. All members of the Department are forbidden to take part in or be concerned directly or indirectly with either the negotiating of any compromise or arrangement with any person whatsoever the purpose or object of which may be to permit one accused of wrong doing to escape the penalty of the law. They shall not seek to obtain the continuance of any trial in Court out of friendship for the accused or to otherwise interfere with the course of justice. They shall not render assistance to either party of any civil case or dispute whatever unless served with a process of Court to do so except to prevent a breach of the peace or to suppress a disturbance actually commenced.

81. Telephones. The telephone or telephones of the Department shall be used only on official business.

82. Temporary Duty and Authority. Any officer who may be assigned or designated to perform the duties of an officer of higher rank temporarily or at regular intervals shall exercise the authority, perform the duties and bear all the responsibilities of such higher officer as if he had been regularly appointed to the higher rank. Members of the Department, however, while performing the duties of a higher rank, shall not except in extreme emergency, modify or countermand orders of the officers whose duties they are performing for the time being.

83. Testifying. Whenever called upon to testify in Court the Officer shall do so without bias, exaggeration, misrepresentation, or display of emotion. He shall testify in a clear, distinct tone of

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voice with due modesty and showing proper respect for the Court.

84. Testimonials. Members of the Department shall not give testimonials for or endorse commercial products or enterprises.

85. Unconscious Persons. When persons are found upon the streets or public places in an unconscious condition, medical aid must be procured as soon as possible, and no person who may be carried to police headquarters in such condition shall be placed in a cell until examined by a physician.

86. Uniforms. Each Officer to whom a uniform is issued shall wear his uniform while on duty as prescribed unless properly excused. Uniforms shall not be worn off duty. Uniforms must be kept cleaned and pressed and each Officer whether wearing uniform or in plain clothes is expected to maintain a good personal appearance by keeping his clothes clean, shaving properly, obtaining haircuts when necessary, seeing that his shoes are shined, etc.

87. When to Surrender Police Property. Upon resignation, dismissal, suspension or when leaving the service of the Department for any reason, Officers shall immediately surrender all property of the Department which may be in their possession.

88. Probationers. For the first six months after a person has become a member of the Department he shall be on probation or trial, and the provisions of the Civil Service section of the Charter shall not apply to him. During such six months period he shall faithfully observe the requirements of these rules and regulations. He shall be subject to discharge by the Chief for failure to abide by the same, or any of them, and he shall also be subject to discharge by the Chief if the Chief decides that he does not have the physical or mental qualifications or attitude necessary, in the Chief's opinion, to make him an efficient member of the Department. A probationer may appeal from an order of discharge by the Chief to the Civil Service Board by giving written notice of appeal to the Chief within five days after the issuance of such order.

Section 2. That the rules and regulations now in effect governing the Police Department be, and they are, revoked in so far as the future conduct of members of the Department is concerned, but continued in full force and effect with respect to prior conduct of members of the Department, to the end that previous violations of the same, if any there are, shall be dealt with according to law.

Section 3. That the rules and regulations this day adopted be published in pamphlet form and distributed to the members of the Department, and that each member of the Department be, and he is, required to familiarize himself with said rules and regulations.

Section 4. This ordinance shall take effect from and after its passage.

APPROVED AS TO FORM:

Tillett and Campbell
City Attorneys

ADJOURNMENT.

Upon motion of Councilman Price, duly seconded and carried, the meeting adjourned.

Alice B. McConnell
City Clerk