

TITLE 7

Police

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POLICE

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Chapter 7.02
DEPARTMENT¹

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7.02.010 Chief's authority.

The Chief of Police, with approval of the City Manager, shall have authority to make all necessary rules and regulations for the government of the police force and the management and control of the jail. The rules so adopted may provide for the temporary suspension, not exceeding 30 days, of a police officer for violation of such rules or for conduct unbecoming an officer. Such suspension shall be made by the Chief of Police, and the officer so suspended shall be allowed no pay during the period of such suspension.

(Ord. 14910 § 2; passed Oct. 28, 1953: Ord. 5197 § 2; passed Jan. 22, 1913)

7.02.020 Emergency officers.

Whenever the immediate peace and good order of the City so demands, the Chief of Police, with the approval of the City Manager, shall have authority to appoint emergency patrolmen, who shall hold office for such times as said Chief of Police may direct, but not longer than 60 days, and who, while acting, shall possess the powers and perform the duties of regular patrolmen and shall be subject to the orders, rules and regulations of the Department and the Chief of Police in the same manner as regular patrolmen.

(Ord. 14910 § 3; passed Oct. 28, 1953: Ord. 5197 § 3; passed Jan. 22, 1913)

7.02.030 Members – Duties.

Each member of the police force shall at all times cause the ordinances of the City of Tacoma to be properly enforced, and is hereby given full power and authority to make arrests, with or without warrants, as may be permitted by law, within the City, and to take into custody any person who shall commit, in the presence of such member or within his view, any breach of the peace or offense prohibited by the laws of the State or by an ordinance of the City, and to summon aid and exercise all other powers necessary and requisite for the prevention of disorder or the apprehension of offenders.

It shall be the duty of every member of the police force at all times of the day or night, and the members of said force are hereby thereunto empowered, to especially preserve the public peace, prevent crime, detect and arrest offenders, disperse unlawful assemblages and assemblages which obstruct the free passage of the public streets and sidewalks, protect the rights of person and property, guard the public health, preserve order at elections and all public meetings and assemblages, prevent and regulate the movement of teams and vehicles in public streets and remove all nuisances therefrom; provide proper police attendance at fires; carefully observe and inspect all places of public amusement, all places of business having excise or other license to carry on any business, all houses of ill-fame or prostitution and houses where common prostitutes resort or reside; all lottery offices, policy shops and places where lottery tickets or lottery policies are sold or offered for sale; all gambling houses and public common dance houses, and for these purposes to arrest all persons guilty of violating any law or ordinance for the suppression or punishment of crime or offenses.²

(Ord. 14910 § 4; passed Oct. 28, 1953: Ord. 5197 § 4, 6; passed Jan. 22, 1913)

7.02.040 Arrest to be reported.

In every case of arrest by any member of the police force, the same shall be made known immediately to the Chief of Police by the person making the same.

(Ord. 5197 §5; passed Jan. 22, 1913)

7.02.045 Chief's reports.

Monthly and annual reports of the Chief of Police shall be transmitted to the City Manager.

¹ General duties of Police Department – See Section 1.06.470.

² See Administrative Code – Section 1.06.470.

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(Ord. 14910; passed Oct. 28, 1953: Ord. 5197 § 7; passed Jan. 22, 1913)

7.02.050 Salaries.

Members of the Police Department shall receive such monthly salaries as may be provided by ordinance from time to time.

(Ord. 5197 § 8; passed Jan. 22, 1913)

Chapter 7.04

JAIL

Sections:

- 7.04.010 Location.
- 7.04.020 Supervision by Chief of Police.
- 7.04.030 Prisoners.
- 7.04.040 Imprisonment in lieu of fine.

7.04.010 Location.

The Jail of the City of Tacoma, in the State of Washington, is hereby designated and established; and the said jail is hereby now located in that certain building known as the County/City Building situated between South 9th Street and South 11th Street and between South Tacoma Avenue and South Yakima Avenue in Tacoma, Washington.

(Ord. 17095 § 1; passed Jun. 26, 1962)

7.04.020 Supervision by Chief of Police.

The Chief of Police of said City shall have charge and supervision of said jail, under the direction of the City Council; and he shall have power to establish and enforce such rules and regulations not inconsistent with the laws of the State of Washington and the ordinances of the City, as he shall deem necessary or expedient for the good government and protection of said jail and those confined therein, for the maintenance of decency, the preservation of peace, the suppression of disorder, the preservation of health and the enforcement of personal cleanliness.

(Ord. 1474 § 2; passed Jul. 27, 1900)

7.04.030 Prisoners.

All persons lawfully in the custody of the police authorities of the City shall be confined and safely kept in said jail until lawfully discharged.

(Ord. 1474 § 3; passed Jul. 27, 1900)

7.04.040 Imprisonment in lieu of fine.

Any person who shall have been duly tried and convicted of the violation of any of the ordinances of the City of Tacoma, and adjudged to pay a fine and costs, shall, on his failure to pay the same, be imprisoned in the jail until such fine and costs shall have been paid, or until he has been imprisoned in such jail one day for every \$4.00 of such fine and costs.

(Ord. 15655; passed Jul. 9, 1956: Ord. 900 § 1 1893)

Chapter 7.06

PHYSICIANS' REPORT OF INJURIES

Sections:

- 7.06.010 Duty to report to police.
- 7.06.020 Contents of report.
- 7.06.030 Hospital reports.
- 7.06.040 Violation – Penalty.

7.06.010 Duty to report to police.

It shall be the duty of every licensed physician and surgeon and the proprietor of every hospital in the City of Tacoma to make a written report to the Police Department of the City of each case of wounds or other injury to the person procured by the known or suspected criminal act or negligence of either the patient or third persons, coming to him or it for treatment, within 24 hours after the commencement of such treatment.

(Ord. 6170 § 1; passed Aug. 4, 1915)

7.06.020 Contents of report.

Said report shall contain the name, apparent age, and sex of the patient, and a general description of the injury suffered, and where, when, and in what manner it occurred; provided, that, in cases where the patient is unconscious or refuses to give information, the information given in the report herein required need be no fuller than is obtainable by observation; but the fact of unconsciousness or refusal shall be stated.

(Ord. 6170 § 2; passed Aug. 4, 1915)

7.06.030 Hospital reports.

The operating physicians or surgeons shall make reports of cases treated at hospitals, for their several institutions.

(Ord. 6170 § 3; passed Aug. 4, 1915)

7.06.040 Violation – Penalty.

Any person violating any of the provisions of this chapter shall, upon conviction thereof, be punished by a fine in any sum not exceeding \$100.00.

(Ord. 6170 § 4; passed Aug. 4, 1915)

Chapter 7.08
REWARDS TO POLICE

Sections:

- 7.08.010 Prohibited.
- 7.08.020 Penalty – Immediate dismissal.
- 7.08.030 Enforcement.
- 7.08.040 Donations to pension fund permitted.

7.08.010 Prohibited.

It shall be unlawful for any member of the police force of the City of Tacoma to accept or receive from any person, firm or corporation any reward for the capture or detection of any criminal, or for the recovery of any stolen or lost articles, except upon special order of the City Council.

(Ord. 7365 § 1; passed Nov. 10, 1920)

7.08.020 Penalty – Immediate dismissal.

Any member of the police force of the City of Tacoma violating any of the provisions of this chapter shall be subject to immediate dismissal from the said police force of said City of Tacoma.

(Ord. 7365 § 2; passed Nov. 10, 1920)

7.08.030 Enforcement.

The Chief of Police of the City of Tacoma is hereby empowered to give the necessary orders to members of the police force of said City of Tacoma to make effective the provisions of this chapter.

(Ord. 7365 § 3; passed Nov. 10, 1920)

7.08.040 Donations to pension fund permitted.

This chapter shall not be construed to prevent any person, firm or corporation from giving any reward or donation to the Police Pension Fund of the City of Tacoma for the benefit of members of the police force who, through old age, sickness or other infirmity, have become incapacitated from performing their regular duties.

(Ord. 7365 § 4; passed Nov. 10, 1920)

Chapter 7.10
SPECIAL OFFICERS

Sections:

- 7.10.010 Unlawful wearing of badge or uniform.
- 7.10.020 Definitions.
- 7.10.030 Application for appointment.
- 7.10.040 Appointment.
- 7.10.045 Temporary appointments.
- 7.10.050 Duties.
- 7.10.060 Badges; issuance.
- 7.10.070 Revocation of appointment – Commission not transferable.
- 7.10.080 Violation – Penalty.

7.10.010 Unlawful wearing of badge or uniform.

It shall be unlawful for any person, unless he is a duly and regularly appointed and acting special police officer under the provisions of this chapter, a security officer, private police officer or a guard licensed under the provisions of Chapter 6.29³ of this Code, or a police officer of the United States Government, the State of Washington, the County of Pierce, or the City of Tacoma, to wear or carry upon his person or to possess any special police badge or similar insignia or thing in imitation or similitude thereof, or to wear the uniform of a special police officer or any similitude thereof, except as provided in Section 7.10.060 hereof. It shall further be unlawful for any person to act or serve as a special police officer unless he is duly and regularly appointed as such, pursuant to the provisions of this chapter.

(Ord. 19586 § 3; passed May 30, 1972: Ord. 14911 § 1; passed Oct. 26, 1953)

7.10.020 Definitions.

“Special police officer,” as used in this chapter, means any person acting as a merchant patrolman or security officer as those terms are defined in Section 6.29.0201, and any other person engaged in any occupation with police-related duties who requires the issuance of a special police commission in the performance of such duties. Special police officers who are not performing such duty as a part of their regular City employment shall serve without compensation of the City of Tacoma. No special police officer, unless performing such duty as a part of his regular City employment, shall be considered as an employee of the City of Tacoma for any purpose, and in no event shall any special police officer be entitled to the benefits of the Police Pension Fund Act, or the Washington Law Enforcement Officers and Fire Fighters Retirement Act.

(Ord. 19586 § 4; passed May 30, 1972: Ord. 18851 § 1; passed Jun. 17, 1969: Ord. 15386; passed Jul. 25, 1955: Ord. 14911 § 2; passed Oct. 26, 1953)

7.10.030 Application for appointment.

A. Any person, other than City or Metropolitan Park District employees or Tacoma Humane Society employees, Tacoma Housing Authority employees, or Port of Tacoma employees, desiring appointment as a special police officer shall file with the Chief of Police an application form properly filled out, sworn to under penalty of perjury, and signed by the applicant. Each application shall include:

1. An affidavit of applicant’s previous history, setting out in full the applicant’s name, date of birth, residence, occupation and most recent place of employment. Such affidavit shall show sufficient facts to prove good character, competency and integrity, and shall list any previous police record;
2. A list of five character references, each of whom shall be able to state that he has personally known the applicant for a period of three years or more prior to the application and that he believes the applicant is competent, honest and of good character and suitable to engage in police work;
3. A statement from the Chief of Police to the prospective employer setting forth pertinent information from the records of the Tacoma Police Department showing whether or not the files indicate any record on the applicant;
4. A request from the applicant’s prospective employer to the Chief of Police requesting that the applicant be issued a Special Police Officer’s Commission;
5. A picture, physical profile, and fingerprints of the applicant;

³ Code reviser’s note: Chapter 6.29 was repealed by Ord. 24972.

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6. A continuous bond, subject to cancellation by 10 days' notice to the Tax and License Department, in the sum of \$1,000.00 in the form to be approved by the City Attorney, and with sureties approved by the Director of Finance, and conditioned to secure and indemnify the City against all claims and demands for injuries or damages growing out of any acts or omissions by such special police officers; provided that, where a similar bond is required under the licensing ordinances of the City of Tacoma, such bond may be used for compliance with this subsection; provided further, that, as an alternative, the applicant may file a copy of a currently valid general liability insurance policy, in form and by a company to be approved by the City Attorney, insuring the applicant, with the City of Tacoma named as an additional insured, against any claims for injuries or damages growing out of any acts or omissions of such special police officers. Such insurance policy shall have liability limits of at least \$100,000.00 for injury or damages to any one person arising out of any one occurrence and \$300,000.00 for injury or damages to more than one person in any one occurrence. Said policy must be kept in full force and effect while the special police commission is in effect and must contain a clause obligating the company issuing the same to give written notice to the Tax and License Department 10 days before cancellation thereof;

The application, together with the statement from the Chief of Police shall be forwarded by the Chief of Police to the applicant's prospective employer for his perusal prior to prospective employer's request that the special police commission be issued.

B. City or Metropolitan Park District employees or Tacoma Humane Society employees or Tacoma Housing Authority employees or Port of Tacoma employees who require appointment as special police officers in order to properly perform the duties to which they are assigned shall file with the Chief of Police an application form properly filled out, sworn to under penalty of perjury, and signed by the applicant. Each application shall include:

1. An affidavit of applicant's previous history, setting out in full the applicant's name, date of birth, residence, occupation, and most recent place of employment. Such affidavit shall show sufficient facts to prove good character, competency and integrity, and shall list any previous police record;
2. A list of five character references, each of whom shall be able to state that he has personally known the applicant for a period of three years or more prior to the application and that he believes the applicant is competent, honest and of good character and suitable to engage in police work;
3. A statement from the Chief of Police to the head of the department under whom the duties will be performed, setting forth pertinent information from the records of the Tacoma Police Department showing whether or not the files indicate any record of the applicant;
4. A request from the head of the department under whom the duties will be performed, to the Chief of Police, requesting that the applicant be issued a special police officer's commission;
5. A picture, physical profile and fingerprints of the applicant.

The application, together with the statement from the Chief of Police, shall be forwarded by the Chief of Police to the head of the department under whom the duties will be performed, for his perusal prior to that department head's request that the special police commission be issued.

(Ord. 19586 § 5; passed May 30, 1972; Ord. 18851 § 2; passed Jun. 17, 1969; Ord. 17698; passed Oct. 20, 1964; Ord. 15924; passed Aug. 12, 1957; Ord. 14911 § 3; passed Oct. 26, 1953)

7.10.040 Appointment.

Upon receipt of properly completed and satisfactory applications, the City Manager may commission, from time to time, in accordance with the provisions of the City Charter and this chapter, such number of special police officers as he shall deem necessary and who are found by him to be qualified therefor. Commissions will be issued on printed forms signed by the City Manager.

(Ord. 14911 § 4; passed Oct. 26, 1953)

7.10.045 Temporary appointments.

Pending determination of whether or not to issue a regular commission under this chapter, the City Manager, or his designee, may, but shall not be required to, issue a temporary special police commission, which shall expire upon the issuance or denial of a regular commission, but no later than six months from the date of issuance, unless sooner revoked.

(Ord. 23493 § 1; passed Oct. 22, 1985)

7.10.050 Duties.

Successful applicants will be commissioned as special police officers for such special duty as stated in the application, subject to the orders, rules and regulations of the Police Department and the Chief of Police. Special police officers also shall:

- A. Keep on file with the Chief of Police the true home address and telephone number of such special police officer;
- B. Wear on his person a special police officer badge at all times while performing the duties of special police officer;
- C. Maintain himself at all times while acting as a special police officer in a businesslike, quiet and dignified manner;
- D. Submit proposed uniforms to the Chief of Police for approval.

(Ord. 14911 § 5; passed Oct. 26, 1953)

7.10.060 Badges; issuance.

Special police officers' badges shall be stamped "special," or of such wording and shape as designated by the Chief of Police, and shall be of such a different shape and design from the official police officers' badges as to be readily distinguishable.

Special police officers' badges shall be issued by the Chief of Police and only to those persons who have secured commissions as provided in this chapter and who have paid all deposits and license fees required by licensing ordinances and posted the bond as required; provided, that certain agencies which desire to furnish their employees with a special badge may furnish such badge only after the wording on the badge, the shape, and design have been approved by the Chief of Police.

The Chief of Police shall make a charge of \$5.00 for the issuance of every badge, which sum shall be considered as rental for the use of such badge, and which sum shall be reimbursed upon proper return of the badge and commission.

(Ord. 17925 § 2; passed Sept. 7, 1965; Ord. 14911 § 6; passed Oct. 26, 1953)

7.10.070 Revocation of appointment – Commission not transferable.

Any special police officer may be removed by the City Manager at any time at his pleasure. The employer of any special police officer who has been removed or who has ceased to perform the duties which require a special police officer's badge and commission, or such special police officer if self-employed, shall forthwith return the same to the Chief of Police. Badges and commissions are not transferable.

(Ord. 19586 § 6; passed May 30, 1972; Ord. 14911 § 7; passed Oct. 26, 1953)

7.10.080 Violation – Penalty.

The violation or failure to comply with any of the provisions of this chapter shall constitute a misdemeanor punishable by a fine not exceeding \$300.00, or by imprisonment in the County Jail not exceeding 90 days, or by both fine and imprisonment.

(Ord. 14911 § 9; passed Oct. 26, 1953)

Chapter 7.14
UNCLAIMED MONEY

Sections:

7.14.010 Disposition after 90 days.

7.14.010 Disposition after 90 days.⁴

All money held by the Chief of Police of the City of Tacoma as evidence in any gambling raid, which shall be and remain unclaimed for a period of 90 days after the final disposition of the cases for which the money aforesaid was held as evidence, shall be paid by the Chief of Police to the Treasurer of the City of Tacoma, and by the Treasurer applied to the Police Relief and Pension Fund.

(Ord. 7292 § 1; passed Jul. 21, 1920)

⁴ See Chapter 63.32 RCW for statutory provisions.

Chapter 7.20
ALARM SYSTEMS

Repealed by Ord. 26955

(Ord. 26955 § 2; passed Jun. 4, 2002; Ord. 25988 § 1; passed Dec. 12, 1989)