

Chapter 24

LAW ENFORCEMENT*

- Sec. 24-1. Official Oath or Affirmation of Police Officers.
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***Cross Reference** – Administration, ch. 2

State Law References – Authority to exercise police powers, Ga. Const. art. 9, sec. 2, para. 3(a)(1); Georgia Peace Officer Standards and Training Act of O.C.G.A. §35-8-1 et seq; police officer defined, O.C.G.A. §40-1-1; compensation of municipal law enforcement officers to be by fixed salary only, O.C.G.A. §36-30-9.

LAW ENFORCEMENT

Sec. 24-1. Official Oath or Affirmation of Police Officers.

Before entering upon the duties of the office, the Chief of Police, and each Police Officer, whether regular or special, will take the following Oath or Affirmation:

“I, _____, having been appointed Police Officer of the City of Elberton, do swear (or affirm) that I will truly and faithfully perform the duties of the office to the best of my ability and understanding; so long as I continue in the office and discharge of the duties thereof; that I am a citizen of Georgia and live within a radius of 30 miles of the Elberton Police Department located on Elbert Street, 19 years of age, and am not the holder of any public monies due the City of Elberton or the State of Georgia, or the United States of America, unaccounted for; that I am not the holder of any office of trust under the United States, and that I am otherwise qualified to hold office under the Constitution of the United States and the State of Georgia, So Help Me God”.
(Code 1968, §2-115)

Sec. 24.2. Powers; Duties; Immunities as Provided by Law.

After taking the Oath of Office, each member of the police force, whether regular or special, shall have all the powers, duties and immunities of a peace officer imposed and granted under the law.
(Code 1968, §2-116).

Sec. 24-3. Carrying Offender Before Court; Releasing on Bond or Recognizance.

Every offender against the laws of the city shall be arrested by the police and carried before the Municipal Court Judge at the next sitting of the Municipal Court. The Chief of Police may accept for any offender a good and sufficient bond for such offender's appearance in the Municipal Court at the time designated, or may in his discretion release such offender upon his own recognizance to appear as above stated, or commit him to prison to await the trial.
(Code 1968, §2-117)

Section 24-4. Technology Surcharge Fee.

There shall be imposed by the Elberton Municipal Court a Technology Surcharge in the amount of \$12.00 per offense, for all offenses except O. C. G. A. Sections 40-8-76 and 40-8-76.1, said Technology Surcharge to be in addition to all other fines and fees imposed by the Elberton Municipal Court. All revenues derived from the Technology Surcharge shall be utilized by the City of Elberton to provide for technology support for the City of Elberton Law Enforcement function and Elberton Municipal Court function.
(Ord 2146, 9-14/2007)