

ORDINANCE NO. 384

AN ORDINANCE DEFINING AND PROHIBITING THE OFFENSES OF RESISTING ARREST AND THREATENING AN OFFICER, WITHIN THE JURISDICTION OF THE CITY OF ROLLA, ND, AND PROVIDING PENALTIES FOR VIOLATION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA, ND.

SECTION 1. IT SHALL BE UNLAWFUL WITHIN THE JURISDICTION OF THE CITY OF ROLLA, ND, FOR ANY PERSON TO RESIST ANY LAWFUL ARREST BY THE USE OF ANY FORCE OR VIOLENCE, OR ASSAULT, OR THREAT TO DO HARM OR INJURY.

THIS SECTION SHALL APPLY WHETHER THE ARREST IS BEING ATTEMPTED FOR A VIOLATION OF A CITY ORDINANCE OF THE CITY OF ROLLA, OR FOR A VIOLATION OF A LAW OF THE STATE OF NORTH DAKOTA. ARREST PROCEDURES FOR THE VIOLATION OF A CITY ORDINANCE SHALL BE THE SAME AS ARREST PROCEDURES UNDER THE LAWS OF NORTH DAKOTA, AND NO ARREST FOR VIOLATION OF A CITY ORDINANCE SHALL BE MADE WITHOUT PROPER WARRANT OF ARREST UNLESS THE OFFENSE COMPLAINED OF IS COMMITTED IN THE PRESENCE OF THE ARRESTING OFFICER.

SECTION 2. ANY PERSON WHO VIOLATES OR FAILS TO COMPLY WITH ANY PROVISION OF THIS ORDINANCE SHALL BE SUBJECT TO A FINE OF NOT MORE THAN \$500 OR BY IMPRISONMENT NOT MORE THAN 30 DAYS OR BY BOTH SUCH FINE AND IMPRISONMENT.

SECTION 3. EFFECTIVE DATE. THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS FINAL PASSAGE AND ADOPTION.

FIRST READING: April 21, 1999
SECOND READING: May 3, 1999
APPROVED: May 3, 1999


DENNIS NEAMEYER, MAYOR

ATTEST:

MARY NORDMARK, CITY AUDITOR