

**C H A R T E R**  
**of**  
**Anaconda-Deer Lodge County**

**Effective January 1, 1997**

**Original Charter Adopted 1976 - November General Election  
Effective May 2, 1977**  
**Amended Charter 1994 - Adopted in Charter Amendment Election  
on June 8, 1993 and**  
**Amended Charter 1996 - Adopted in 1996 November General  
Election Effective January 1, 1997**

**ARTICLE XI**  
**Chief of Law Enforcement**

**Section 1. Qualifications, Election, Removal, and Vacancy**

1. The Anaconda-Deer Lodge County Chief of Law Enforcement shall be elected by a plurality vote on a non-partisan ballot for a four (4) year term.
2. All qualified electors of Anaconda-Deer Lodge County who submit an Affidavit stating that they have at least five (5) years experience in law enforcement are eligible for election to the position of Chief of Law Enforcement.
3. The Chief of Law Enforcement shall not hold any other public office or be employed by anyone other than Anaconda-Deer Lodge County, and shall not be the department head of, or supervise, any other department of local government.
4. The office of Chief of Law Enforcement shall become vacant upon the Chief of Law Enforcement's:
  - A. death;
  - B. resignation;
  - C. loss of eligibility for election;
  - D. violation of any express prohibition of this Charter;
  - E. conviction of a felony by a court of competent jurisdiction.
5. In the event of a vacancy, the Commission shall, by majority vote of its members, appoint a Chief of Law Enforcement to fill the vacancy until the next regular election, at which time the remainder of the term of office shall be completed as provided by law.
6. The Commission shall be the judge of the election and qualifications of the Chief of Law Enforcement and of the grounds for removal from office. A Chief of Law Enforcement charged with conduct constituting grounds for loss of office shall be entitled to a public hearing on demand and notice of such hearing shall be published in a manner consistent with state law.

7. By letter filed with the Commission, the Chief of Law Enforcement shall designate an acting Chief of Law Enforcement to perform the duties of the Chief of Law Enforcement during his/her temporary absence or disability. During such absence or disability, the Commission may revoke such designation at any time, and appoint another officer of the local government to serve until the Chief of Law Enforcement shall return or his/her disability shall cease.

## **Section 2. Compensation**

The Commission shall set the salary and other benefits of employment of the Chief of Law Enforcement.

## **Section 3. Duties**

The Chief of Law Enforcement's responsibilities shall be to:

1. Preserve the peace;
2. Arrest and take before the nearest magistrate for examination all persons who attempt to commit or have committed a public offense;
3. Prevent and suppress all affrays, breaches of the peace, riots, and insurrections which may come to his/her knowledge;
4. Perform the duties of a humane officer within the County with reference to the protection of animals;
5. Attend all courts, except municipal, justices' and city courts, at their respective terms or sessions held within the County and obey their lawful orders and directions;
6. Take charge of, maintains and manages the detention center and the inmates therein;
7. Serve all process or notices in the manner prescribed by law;
8. Take charge of and supervise search and rescue units and their officers whenever search and rescue units are called into service; and

9. Directs and supervises all enforcement officers; conducts criminal investigations;
10. Enforces all laws, ordinances, and resolutions; manages traffic control and parking;
11. Complies with personnel procedures and the budget established by the Commission;
12. Directs and supervises the operation of the 911 Center;
13. Performs such other duties as are required by law or ordinance, at the direction of the Chief Executive.

**Section 4.** This Amendment shall become effective on January 1, 1997.

Adopted for the people of Anaconda-Deer Lodge County, Montana, as approved by the people at the June 8, 1993 and November 5, 1996 Charter Amendment Elections, this \_\_\_\_\_ day of \_\_\_\_\_, 1997.

\_\_\_\_\_  
Tracey Sweeney, Election  
Administrator

Attest:

\_\_\_\_\_  
Carol L. Gilluly  
Clerk of the Commission

(seal)