

## Chapter 24

### LAW ENFORCEMENT\*

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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; Standard Peace Officer Oath, O.C.G.A. §35-8-8

### 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, \_\_\_\_\_, hereby swear or affirm that I will faithfully, fairly, and without malice or partiality uphold the laws of the State of Georgia, as well as any ordinances which I am authorized to enforce, to the best of my ability and support and defend the Constitution of the United States and the Constitution of Georgia.

I further swear and affirm that I live within a radius of 50 miles of the Elberton Police Department located on Elbert Street, and at least 18 years of age. I am not the holder of any office of trust under the government of the United States, any other state, or any foreign state which I am by the laws of the State of Georgia prohibited from holding;

I am not the holder of any unaccounted public money due this state or any political subdivision or authority thereof; I am otherwise qualified to hold the office of a peace officer according to the Constitution and laws of the State of Georgia, so help me God.  
(Code 1968, §2-115; HB384, Ord 2231, 03/06/2026)

#### **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. (2007, Ord 2146)