

ORDINANCE NO. 2009-04-28-002
(Amendment of 2006-10-24-003)

AN ORDINANCE OF THE CITY OF KEMPNER, TEXAS, PROVIDING FOR THE ESTABLISHMENT OF A POLICE RESERVE FORCE; PROVIDING FOR THE QUALIFICATIONS, TRAINING AND APPOINTMENT OF RESERVE OFFICERS; PROVIDING FOR THE SUPERVISION AND NUMBER OF AUTHORIZED RESERVE OFFICER; PROVIDING FOR SERVICE BY OFFICER; AND PROVIDING FOR RELATED MATTERS.

Whereas, pursuant to 341.012, Tex. Gov't Code, the governing body of a municipality is authorized to provide for the establishment of a police reserve force;

Whereas, the City Council is authorized to appoint and establish the duties of city officers and employees, provide for the public peace, and appoint of police officers; and

Whereas, the establishment of a police reserve force will serve the public safety and welfare of the citizens of the City of Kempner.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KEMPNER, TEXAS, THAT:

Section 1. A police reserve force is hereby established in the City of Kempner, Texas. The reserve force will consist of no more than ten (10) reserve officers.

Section 2. The Chief of Police shall appoint the members of the police reserve force subject to ratification and approval by the City Council. The appointment of individual members of the police reserve force shall not be in effect until such individual appointments are approved by a majority vote of the City Council.

Section 3. It shall be the individual responsibility of each reserve police officer to maintain their standing as a licensed peace officer and to receive such training as is required to maintain such license. The reserve officers shall further maintain and complete no less than the continuing training as is required by TCLEOSE and the Chief of Police.

Section 4. The Chief of Police may call reserve police officers into service and schedule such reserve officers for duty as the Chief determines necessary and reasonable. Such reserve police officers shall have the authority of a peace officer within the City only when such reserve officer is on duty as requested, directed or scheduled by the Chief of Police.

Section 5. Subject to the approval of the City Council, the Chief of Police may prepare and enforce a policy, regulations and requirements, applicable to other qualifications, appointments, service, training, conduct, discipline and dismissal of reserve police officers appointed pursuant to this ordinance.

Section 6. A minimum of ten (10) hours duty per month has been established per reserve officer; any variance from that will require Mayor or City Council approval.

Section 7. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

Section 8. It is hereby declared to be the intention of the City Council that the section, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment of decree of any court of competent jurisdiction, such invalidity of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, shall not affect other provisions or applications of this Ordinance are declared to be severable.

Section 9. This Ordinance shall take effect upon its final passage and approval.

Section 10. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapter 551, Texas Government Code*.

PASSED AND APPROVED this the 28th day of April, 2009.

Attest:

THE CITY OF KEMPNER, TEXAS



Frances Spinney, City Secretary



Gene Isenhour, Mayor