ORDINANCE NO. 688

"Police Reserve Force"

AN ORDINANCE OF THE CITY OF GRANITE SHOALS, TEXAS, AMENDING ORDINANCE NO. 191 ESTABLISHING A RESERVE POLICE FORCE; ESTABLISHING STANDARDS OF QUALIFICATIONS AND TRAINING; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; SEVERABILITY; REPEALER; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the City Council of the City of Granite Shoals, Texas (the "City") seeks to provide for the public health, safety and welfare of its citizens; and

WHEREAS, by Ordinance No. 191, the City Council on June 25, 1984 created a reserve police force and established its size, method of appointment and operation, and the qualifications of its officers; and

WHEREAS, amendment is allowed and is necessary to conform such Ordinance to the terms of Texas Government Code section 341.012 which was enacted following adoption of Ordinance 191 and governs the establishment of municipal reserve police forces; and

WHEREAS, the City Council finds it to be in the best interest of the public to provide for the safety of its citizens and protection of their property by the amendment of Ordinance 191 to conform to current law regarding a municipal reserve police force; and

WHEREAS, the Council finds that the recommended amendments as enumerated herein are in the best interest of the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRANITE SHOALS, TEXAS:

SECTION I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION II. AMENDMENT

Chapter 22 (Law Enforcement) of the City of Granite Shoals Code of Ordinances is hereby amended by adding a new Article III (Reserve Police Force) as follows:

ARTICLE III.-RESERVE POLICE FORCE

"SECTION 22-24.-Reserve Police Force Established.

Pursuant to the provisions of Texas Local Government Code sec. 341.012,

there is hereby established a reserve police force. The reserve police force shall be appointed at the discretion of the Chief of Police with approval of the City Council.

SECTION 22-25.-Qualifications and Standards.

Members of said reserve police force shall meet the qualifications and standards of training required for peace officers as are established, or may hereafter be established, and currently in force and effect, by the Texas Commission on Law Enforcement (TCOLE).

SECTION 22-26.- Appointment of Reserve Police Force Members.

The Chief of Police shall appoint the members of the reserve police force, subject to approval by the City Council. City Council approval is required before a person appointed to the reserve police force may carry a weapon or otherwise act as a peace officer. A duly appointed member of the reserve police force who is a peace officer as described by Code of Criminal Procedure art. 2.12 may be authorized by the Chief of Police to carry a weapon or act as a peace officer at all times, regardless of whether the person is engaged in the actual discharge of official duties, or may limit the authority of the person to carry a weapon or act as a peace officer to only those times during which the person is engaged in the actual discharge of official duties as a reserve officer for the City of Granite Shoals. Appointment approval by the City Council may be withdrawn at the pleasure of the Council.

SECTION 22-27.-Service.

That members of the police reserve force serve at the discretion of the Chief of Police and may be called into service at any time the Chief of Police considers it necessary to have additional officers to preserve the peace and to enforce the law..

SECTION 22-28.-Capacity of Reserve Police Force.

City of Granite Shoals reserve police officers may act only in a supplementary capacity to the regular police force and may not assume the full-time duties of regular police officers without complying with the requirements for regular police officers.

SECTION 22-29.-Medical Assistance for Injuries.

That each reserve officer duly appointed by the Chief of Police and approved by the City Council may be provided hospital and medical assistance for injuries sustained in the course of performing official duties in the same manner as is now or may hereafter be provided for full time police officers.

SECTION 22-30.-Compensation.

Members of the Reserve Police Force serve without compensation.

Members of the Reserve Police Force are not employees of the City of Granite Shoals, Texas, and receive no employment benefits.

SECTION III. SAVINGS

The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this Ordinance.

SECTION IV. SEVERABILITY

Should any sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance be adjusted or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance in whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

SECTION V. REPEALER

The provisions of this Ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent that such inconsistency is apparent. This Ordinance shall not be construed to require or allow any act that is prohibited by any other ordinance.

SECTION VI. EFFECTIVE DATE

This Ordinance shall take effect immediately from and after its passage and publication as may be required by law.

SECTION VII. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at that 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 of the Texas Government Code.

PASSED AND APPROVED this 23rd day of August, 2016.

Tom Dillard, Mayor Pro Tem

ATTEST:

Elaine Simpson, City Secretary