

ORDINANCE NO. 156

ESTABLISHMENT OF POLICE DEPARTMENT AND POLICE RESERVE FORCE AN ORDINANCE OF THE TOWN OF ANNETTA, TEXAS; PROVIDING FOR THE CREATION OF A POLICE DEPARTMENT; PROVIDING FOR MEMBERS OF THE POLICE DEPARTMENT; PRESCRIBING QUALIFICATIONS FOR MEMBERS OF THE POLICE DEPARTMENT; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE HEREIN

WHEREAS, the Town of Annetta, Texas is a Type A general-law municipality located in Parker County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas;

WHEREAS, the Texas Local Government Code Chapter 341 allows the governing body of a municipality to establish and regulate a municipal police force, and

WHEREAS, the City Council of the Town of Annetta have deemed it in the best interest of the citizens of Annetta to establish a Police Department, and

WHEREAS, the creation of a Police Department and Police Reserve Force to serve and protect the citizens, residences and businesses of the Town of Annetta will greatly enhance the quality of life and promote the health, safety and welfare of the citizens of Annetta.

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

I. CREATION OF POLICE DEPARTMENT AND POLICE RESERVE FORCE

That there is hereby created and established for the Town of Annetta, Texas, a Police Department and Police Reserve Force to be directed by the Chief of Police, who shall be approved by the majority of the City Council.

II. CONTROL OF POLICE DEPARTMENT

The Police Department and Police Reserve Force shall be composed of the Chief of Police and other such members as the City Council may from time to time so determine. The Chief of Police shall have the immediate direction and control of the Police Department, subject to such ordinances, policies, rules, regulations and orders as the City Council may prescribe. The Chief of Police will report to and be supervised by the City Council.

III. COMPLIANCE

The members of the Police Department other than the Chief of Police shall be selected by the Chief of Police except that, in compliance with Section 341.012, Texas Local Government Code, the City Council must approve the appointment of any member of the Police Reserve Force who may be authorized to carry a weapon or otherwise act as a peace officer. All members of the Police Department shall serve at the direction and pleasure of the City Council and must be approved by the City Council before taking office. No police officers of the Annetta Police Department will be officers for the purposes of Section 22.077, Texas Local Government Code.

IV. EMPLOYMENT RECORDS

The Chief of Police shall make available to the City Council all background checks, other information, and forms required by the Texas Occupations Code, 1701.451. The City Council shall review this information prior to approving anyone as a peace officer for the Town of Annetta.

V. OATH OF OFFICE

The Chief of Police and each member of the Police Department shall, before undertaking his or her duties, subscribe to an oath that he/she will faithfully, without fear or favor, perform the duties of his/her office. The duties and salaries of each member of the Police Department, including the Chief of Police, shall be set by the City Council, after consultation with and recommendations by the Chief of Police and City Administrator.

VI. PEACE OFFICER REQUIREMENT

Such Chief of Police and members of the Police Department shall be peace officers as defined in Article 2.12, Texas Code of Criminal Procedure, with all of the powers and duties conferred upon peace officers under the laws of the State of Texas.

VII. CERTIFICATION

The Chief of Police and each member of the Police Department shall hold a license as a qualified law enforcement officer from the Texas Commission on Law Enforcement as provided in Texas Occupations Code, Chapter 1701, unless serving under a temporary or probationary appointment as provided in said Chapter.

VIII. POWER AND AUTHORITY

The Chief of Police and the members of the Police Department of the Town of Annetta shall be and are hereby vested with all the power and authority given to them as police officers under the laws of the State of Texas in taking cognizance of and enforcing criminal laws of the State of Texas and the ordinances and regulations of the Town

of Annetta within the city limits, and it shall be the duty of each such police officer to use his/her best endeavors to prevent the commission of offenses against the laws of this state and against the ordinances and regulations of this city within the city limits.

IX. UNIFORMS

After consultation with and recommendations by the Chief of Police, the City Council shall prescribe the uniforms and badges for the Chief of Police and the members of the Police Department. The Chief of Police shall have authority to determine how the members of the Police Department shall be armed.

X. REPEALER

All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of the conflict.

XI. SEVERABILITY

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

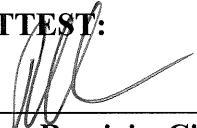
ADOPTED AND APPROVED on this the 18th day of December, 2014 by a vote of the City Council of the Town of Annetta, Texas.

TOWN OF ANNETTA, TEXAS



Bruce Pinckard, Mayor

ATTEST:



Rico Remigio, City Secretary

