

**State of Alabama
Geneva County
City of Samson**

ORDINANCE FOR ESTABLISHING A RESERVE POLICE FORCE

Ordinance Number 2016-004

WHEREAS, the City Council of the City of Samson, Alabama, is desirous of amending ordinance 003-2013, an ordinance establishing a police reserve force within the Police Department of the City of Samson, Alabama, thereby providing for the repeal of said ordinance 003-2013, and any ordinances or parts of ordinances in conflict herewith; and providing for the herein described newly established ordinance to become effective upon its passage, approval, and publication; and therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAMSON, ALABAMA, AS FOLLOWS:

SECTION 1: ESTABLISHMENT

As provided by Section 11-43-210, Code of Alabama, 1975, a police reserve force hereinafter called Reserve, is hereby established within the Police Department of the City of Samson, Alabama.

SECTION 2: QUALIFICATIONS

The Reserve shall consist of not more than ten members. Any person desiring appointment to the Reserve must submit a written application to the Chief-of-Police of the City of Samson, Alabama, certifying that he or she is a resident of the State of Alabama, is at least twenty-one (21) years of age, with a valid drivers license, of good moral character and reputation, and has never been convicted of a felony or misdemeanor involving force, violence or moral turpitude. Applicants must consent in writing a fingerprint, background search and submission to an initial drug test.

SECTION 3: APPOINTMENT

Appointment to the Reserve shall be made by the Chief-of-Police with the approval of the Mayor. Members of the Reserve serve at the pleasure of the Chief-of-Police and may be removed with or without cause and without a hearing, by the Chief-of-Police with the approval of the Mayor.

SECTION 4: SUPERVISION

The Reserve shall function under the immediate direction of the Chief-of-Police, who shall provide for its organization and training. The Chief-of-Police is hereby authorized and

directed to establish such rules and regulations as may be necessary for the efficient operation of the Reserve.

SECTION 5: EQUIPMENT

Each member of the Reserve shall be issued an identification card signed by the Chief-of-Police. Members of the Reserve shall carry this identification card with them at all times.

SECTION 6: DUTIES

For purposes of this ordinance, the term "certified law enforcement officer" shall mean a full-time, part-time, or reserve municipal police officer who has completed the training requirements of the Alabama Peace Officers Standards and Training Commission as set out in Article 3, Chapter 21, Title 36, Code of Alabama, 1975.

For purposes of this ordinance, the term "uncertified Reserve Officer" shall mean a member of the Reserves who has not completed the training requirements of the Alabama Peace Officers Standards and Training Commission as set out in Article 3, Chapter 21, Title 36, Code of Alabama, 1975.

For purposes of this section the term "direct control and supervision" means that the Reserve Officer is within the direct line of sight and audible range of the human voice from his/her supervising certified law enforcement officer.

Reserve Officers who are certified law enforcement officers (i.e., those who have completed the training requirements for a peace officer set forth by Alabama Peace Officers Standards and Training Commission) may, in accordance with any policies and procedures that may be promulgated from time to time by the Chief-of-Police, perform any and all duties that may be performed by full-time or part-time certified law enforcement officers of the City of Samson.

The duties of uncertified Reserve Officers are confined to the following:

1. Patrol operation performed for the purpose of detection, prevention and suppression of crime or enforcement of the traffic or highway laws of the state provided the uncertified Reserve Officer acts at all times under the direct control and supervision of the certified law enforcement officer.
2. Traffic direction and control may be performed without direct supervision, provided however, that supervisory control is exercised by a certified law enforcement officer whose total span of control would be considered within reasonable limits.
3. Reserve Officers may render crowd control assistance at public gatherings or municipal functions as directed by the municipality provided supervisory control will be exercised by a certified law enforcement officer whose span of control would be considered within reasonable limits.

SECTION 7: ARREST POWERS

No member of the Reserve shall have any authority to exercise any power of arrest unless he or she has completed the training requirements of the Alabama Peace Officers Standards and Training Commission as set out in Article 3, Chapter 21, Title 36, Code of Alabama, 1975.

SECTION 8: ACTIVE DUTY

Members of the Reserve shall be called to active duty by the Chief-of-Police.

SECTION 9: WEAPONS

No uncertified Reserve Officer shall carry any firearm unless the member is Twenty-one (21) years of age, and has obtained a properly issued permit from the Geneva County Sheriff's Department for such firearm. The member must be qualified in the use of said firearms by a Certified Firearms Instructor approved by the Chief-of-Police prior to approval of the application, and must re-qualify annually. The Instructor will send a copy of the Reserve Officer certification to the Chief-of-Police. Reserve Member may use firearms and other weapons only to the extent permitted by properly promulgated regulations of the Chief-of-Police. The Reserve Officer shall be qualified by a Certified Firearm Instructor within 30 days of acceptance to the Reserve Officer Program. The Police Officer with whom the Reserve(s) is/are working with shall inspect the Reserve firearm to make sure it is the firearm that he/she has been qualified. If the Reserve Officer is not carrying his/her qualified firearm then the Reserve Officer cannot work their shift. NO EXCEPTION!!!

SECTION 10: COMPENSATION

Reserve Officers are unpaid volunteers. No member of the Reserve shall receive compensation for services performed as a Reserve Officer. Members of the Reserve may be compensated for any reasonable expenses incurred in the performance of official duties while on active duty at the discretion of the Chief-of-Police. Before reimbursement may be made, the Reserve Officer must submit an expense voucher, along with receipts and other supporting documents, to the Chief-of-Police. All reimbursements must be approved before any payment can be issued.

SECTION 11: VIOLATIONS

1. It shall be a violation of this ordinance for any person, not a member of the Reserve, to wear, carry or display a Reserve identification card, badge or cap, or in any way to represent himself or herself to be connected with the Reserve.
2. It shall be a violation of this ordinance for any member of the Reserve to loan, sell, lease, or otherwise permit any person, not a member of the Reserve, to wear, carry, or display a Reserve identification card, badge or cap.
3. It shall be a violation of this ordinance for any member of the Reserve to assist any person, not a member of the Reserve, to represent himself or herself as connected to the Reserve.

SECTION 12: PENALTY

Any person found guilty of violating the provisions of Section 11 of this ordinance shall, upon conviction, be fined in an amount not exceeding five hundred dollars (\$500.00), or sentenced to imprisonment not to exceeding six (6) months, either or both, at the discretion of the court trying the cause.

Additionally any member of the Reserve charged with violating subsection (2) and (3) of Section 11 of this Ordinance shall be suspended from the Reserve pending a determination of guilt. Suspended Reserve members must surrender their identification card, badge and cap to the Chief-of-Police. Reserve members who are convicted of violating subsection (2) and (3) of Section 11 of this Ordinance shall immediately be removed from the Reserve Force. A person convicted of violating Subsection (2) and (3) of Section 11 of this Ordinance is not eligible for reappointment to the Reserve.

SECTION 13: RELATIVES IN THE POLICE RESERVE

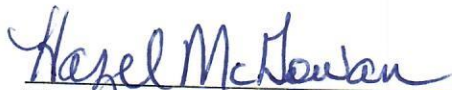
A Reserve Officer shall not work with any City of Samson Police Officer, including full-time, part-time, and Reserve Officers, who are members of his or her immediate family or those of like relationship (e.g., step-son, step-mother, step-brother, etc.). Immediate family is defined as a wife, husband, mother, mother-in-law, father, father-in-law, sister, sister-in-law, step-sister, brother, brother-in-law, step-brother, son, step-son, son-in-law, daughter, step-daughter, daughter-in-law, grandparents, grandchildren, step-grandchildren, uncle, aunt, nephew, niece, and also includes a current or former spouse, any person with whom the Reserve has a child in common, a present or former household member, or a person who has or had a dating or engagement relationship with the Reserve. This section shall not prevent the Chief-of-Police from utilizing all available Police Reserve in an emergency situation.

SECTION 14: EFFECTIVE DATE

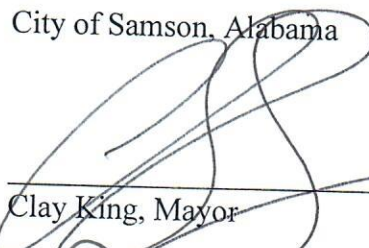
This ordinance shall become effective immediately upon its adoption and publication as required by law.

ADOPTED AND APPROVED BY THE CITY COUNCIL this 20th day of September, 2016.

ATTEST:


Hazel McGowan, City Clerk

City of Samson, Alabama


Clay King, Mayor


Roger Baine, Council Member

City Seal

