

CITY OF BELLS

ORDINANCE NO. PP-002

ESTABLISHMENT OF POLICE DEPARTMENT AN ORDINANCE OF THE CITY OF BELLS, TEXAS; PROVIDING FOR THE CREATION OF A POLICE DEPARTMENT; PROVIDING FOR MEMBERS OF THE POLICE DEPARTMENT; PRESCRIBING QUALIFICATONS; PROVIDING FOR A REPEALER CLAUSE PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR THE EXPIRATION OF THIS ORDINANCE.

WHEREAS, the City Council of Bells wishes to establish a Police Department under Ordinance No. PP-002, being unable to locate any previous ordinance.

WHEREAS, the City Council, wishing to clarify that the current officers serving as police officers for the City have all the proper authority necessary to effectuate their duties to serve and protect the citizens, residents and businesses of the City of Bells, has deemed it in the best interest to establish a Police Department; and

WHEREAS, the establishment of a Police Department to serve and protect the citizens, will enhance the quality of life and promote the health, safety and welfare of the citizens of Bells:

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

I. CREATION OF POLICE DEPARTMENT

There is hereby created and established for the City of Bells, Texas, a Police Department to be directed by the Chief of Police.

II. CONTROL OF POLICE DEPARTMENT

The Police Department 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.

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 pleasure of the City Council and must be approved by the City Council before taking office. For the purposes of Section 22.077, Texas Local Government Code, police officers of the Bells Police Department are employees of the City rather than Municipal Officers.

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 City of Bells.

V. OATH OF OFFICE

The Chief of Police and each member of the Police Department shall, before undertaking his and 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.

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 the 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 Officer Standards and Education as provided in Texas Occupations Code, Chapter 1701, unless serving under a temporary or probationary appointment as provided in said Act.

VIII. POWER AND AUTHORITY

The Chief of Police and the members of the Police Department of the City of Bells 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 City of Bells 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

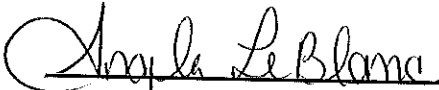
All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of the conflict.

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 severable.


ADOPTED AND APPROVED on this the 1 st day of April, 2014 by a vote of the City Council of the City of Bells, Texas.

CITY OF BELLS, TEXAS



Angela LeBlanc, Mayor

ATTEST:



Joanna Duevel, City Secretary