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County Seat of St. Clair County

ORDINANCE 2022-017

AN ORDINANCE TO ESTABLISH A RESERVE POLICE FORCE

WHEREAS, the City of Ashville (the "City") desires to establish a reserve police force;

NOW THEREFORE, be it ordained by the City Council of Ashville, 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 Ashville, Alabama.

SECTION 2. QUALIFICATIONS. The reserve shall consist of not more than 10 members. Any person desiring appointment to the reserve must submit a written application to the chief of police of the City of Ashville, Alabama, certifying that he or she is a resident of St. Clair County, Alabama, is at least 19 years of age, of good moral character and reputation and has never been convicted of a felony or of a misdemeanor involving force, violence, or moral turpitude. Applicants must consent in writing to a fingerprint and background search and such other requirements as may be deemed necessary or convenient by the Chief of Police and Mayor.

SECTION 3. APPOINTMENT. Appointments 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 hearing, by the chief of police.

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. A member of the reserve shall be issued a badge which shall be worn at all times while on active duty in the manner prescribed by the chief of police. Each reserve member will be responsible for purchasing their own equipment such as weapon, duty gear, outerwear, etc.

SECTION 6. DUTIES. The duties of reserve officers are confined to the following:

- (I) 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 reserve law enforcement officer acts at all times under the direct control and supervision of a certified law enforcement officer

Council Members

Robin L. Bowlin - Edward Roscoe Lane - Sue Price - Shirley Smith - R. Denise Williams

- (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 total span of control would be considered within reasonable limits.

For purposes of this section, the term "certified law enforcement officer" shall mean a 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.

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. Members of the reserve can carry a weapon while on active duty only if the member has obtained a properly issued permit for the firearm and has met the Ashville Police Department qualifications to carry a firearm.

SECTION 10. COMPENSATION. No member of the reserve shall receive any compensation for time required by Reserve rules and regulations while on active duty.

SECTION 11. VIOLATIONS.

(1) It shall be a misdemeanor 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 represent himself or herself to be connected with the reserve.

(2) It shall be a misdemeanor 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 misdemeanor for any member of the reserve to assist any person not a member of the reserve to represent himself or herself as connected with 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) or sentenced to imprisonment for not 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 subsections (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 subsections (2) and (3) of Section 11 of this ordinance shall immediately be removed from the reserve force. A person convicted of violating subsections (2) and (3) of Section 11 of this ordinance is not eligible for reappointment to the reserve.

SECTION 13. POLICIES OF DEPARTMENT. All rules, regulations, policies, Standard Operating Procedures and other orders relative to law enforcement officer of the City shall apply to all

members of the Reserve including but not limited to, any such regs relative to use of a weapon.

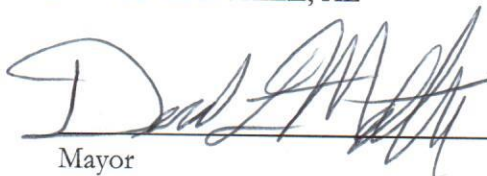
The Chief of Police may put in to place such additional policies and procedures as they may find to be necessary and appropriate to govern the reserve and its members not inconsistent with this Ordinance.

SECTION 14. EFFECTIVE DATE. This ordinance shall become effective immediately upon its adoption and publication as required by law.

ADOPTED THIS THE 21st DAY OF NOVEMBER 2022



CITY OF ASHVILLE, AL



Mayor

ATTEST:



City Clerk