

**ORDINANCE NO. 18 -100**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT STOCKTON, CHAPTER 18, POLICE\* BY INCORPORATING ARTICLE I. ESTABLISHMENT OF A “FORT STOCKTON POLICE DEPARTMENT RESERVE FORCE”; PRESCRIBING QUALIFICATIONS OF MEMBERS; ORDER OF COMMAND; RULES GOVERNING OPERATION THEREOF & REPEALING ALL OTHER ORDINANCES OR PORTIONS THEREOF IN CONFLICT, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City Council has determined that the changes set forth would be in the best interest of the citizens of Fort Stockton.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT STOCKTON, PECOS COUNTY, TEXAS:

**ARTICLE I.**  
**ESTABLISHMENT OF A**  
**“FORT STOCKTON POLICE DEPARTMENT RESERVE FORCE”**

**SEC. 18-9. AUXILLARY POLICE FORCE TO BE KNOWN AS “FORT STOCKTON POLICE DEPARTMENT RESERVE FORCE” ESTABLISHED.**

An auxiliary police force known as the “Fort Stockton Police Department Reserve Force” is hereby established. It shall be composed of personnel who have volunteered to join the organization and whose application for membership has been accepted and who have complied with the rules and regulations set forth by the City of Fort Stockton’s applicant process. Such members must adhere to and be in good standing with rules set forth by the Texas Commission on Law Enforcement (TCOLE), to such standards that are imposed on regular full-time peace officers.

**SEC. 18-10. CHIEF OF POLICE TO HAVE CONTROL.**

The members of the police reserve shall be under the authority, control and command of the Chief of Police of the City of Fort Stockton subject to all of the provisions of the ordinances of the City and of this article. Members shall be appointed from a list of eligible applicants, compiled as herein after provided.

**SEC. 18-11. APPLICATION AND ELIGIBILITY FOR MEMBERSHIP.**

- A) A list of eligible applicants shall be established in compliance with the rules and regulations set forth as follows:
1. Meet the minimum standards for licensing peace officers as set out by the Texas Commission on Law Enforcement (TCOLE).
  2. Be of good moral character as determined by a thorough background investigation.
  3. Be interviewed and appointed by the Chief of Police.
  4. Be approved as a reserve peace officer for the City of Fort Stockton by the City Council.
- B) Every member of the Fort Stockton Police Department Reserve Force shall:
1. Satisfy all the conditions listed in subsection (A) above.
  2. Must have proof of licensing through or from TCOLE prior to being allowed to carry a weapon.
  3. Have completed the application process as prescribed by TCOLE including but not limited to a completed personal history statement and completed background investigation.
  4. Have a High School Diploma or GED required. Must possess valid Texas Driver’s License with good driving record; Texas Basic Certificate of Law Enforcement Officer Training ; current TCOLE certification required; must be a U.S. citizen to be sworn in as a Texas Officer.

**SEC. 18-12. DUTIES.**

The duties of the police reserve force, subject at all times to the direction, supervision and control of the Chief of Police, shall be to assist the regular members of the police department of this city in the enforcement of the law and in the maintenance of the peace and order. To this end, members of the police reserve force shall 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 or desirable to have additional officers to preserve the peace and enforce the law.

**SEC. 18-13. IDENTIFICATION.**

An identification card and other insignia or evidence of identity as the Chief may prescribe shall be issued to each member, who must carry the card and other identification at all times while on duty, and he must surrender them upon the termination of his membership.

**SEC. 18-14. REMOVAL FROM MEMBERSHIP – RESIGNATION.**

Membership of any person may be terminated by the Chief of Police at any time for any cause deemed sufficient by the Chief of Police. Any member may resign from the police reserve force at any time, but it shall be the duty of the member to notify the Chief of his resignation.

**SEC. 18-15. POWER AND AUTHORITY AS POLICE.**

**A. Carrying of Firearms.**

Members of the police reserve force who are peace officers as described in Article 2.12 Code of Criminal Procedures shall conform to the same policies, procedures or general orders set forth within the Fort Stockton Police Department unless expressly ordered otherwise by the Chief of Police.

**B. Power of Arrest.**

Members of the police reserve force who are peace officers as described in Article 2.12, Code of Criminal Procedures shall have all the rights, privileges and authority as such and as described in Article 2.13, Code of Criminal Procedures. Such rights, privileges and authority may be altered or removed by the Chief of Police.

**SEC. 18-16. SUMMARY DISMISSAL AND PUBLICATION.**


In addition to the penalties provided by laws, any violation of law and/or breach of the rules and regulations established by the Chief of Police under color of the performance of his duties as a member of the Fort Stockton Police Department Reserve Force shall be subject to summary expulsion and the fact thereof maybe published at the discretion of the Chief of Police.

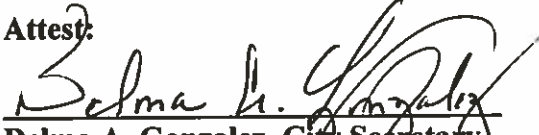
It is the intention of the City Council of the City of Fort Stockton that if any phrase, sentence, section, or paragraph of this Ordinance shall be declared unconstitutional or otherwise invalid by final judgment of a court of competent jurisdiction, such unconstitutionally or invalidity shall not affect any of the remainder of this ordinance since the same would have been enacted by the City Council without the incorporation of the unconstitutional or invalid phrase, sentence, section or paragraph.

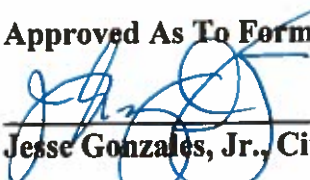
It is ordered and ordained that this ordinance take effect immediately upon its passage and publication, as required by law.

**APPROVED & ADOPTED this 9<sup>TH</sup> day of January, 2018.**

  
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**Frank Rodriguez III, City Manager**

  
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**Joe Chris Alexander, Mayor**

Attest:  
  
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**Delma A. Gonzalez, City Secretary**

Approved As To Form & Legality:  
  
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**Jesse Gonzales, Jr., City Attorney**