

ORDINANCE NO. 23-G-30

AN ORDINANCE OF THE CITY OF SCHERTZ, TEXAS, AMENDING CHAPTER 66 OF THE CODE OF ORDINANCES OF THE CITY OF SCHERTZ, TEXAS; ESTABLISHING A RESERVE POLICE FORCE IN ACCORDANCE WITH TEXAS GOVERNMENT CODE SECTION 341.012; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Schertz, Texas (“City”) is a Texas Home Rule Municipality acting under authority of its Charter and laws of the State of Texas; and

WHEREAS, the City has previously adopted Chapter 66 of the Code of Ordinances, providing for the establishment of a police department; and

WHEREAS, the City has determined a the need for a reserve police force to assist the regularly constituted police force in the active and efficient civil defense program in the City; and

WHEREAS, the City, in accordance with Texas Government Code Section 341.012 may establish a reserve police force and establish qualifications and standards of training for reserve force members; and

WHEREAS, the City may limit the size of the reserve force and authorize the chief of police to appoint reserve force members, subject to the approval of the City Council; and

WHEREAS, the City has determined that amending Chapter 66 of the Code of Ordinances for the establishment of a reserve police force is necessary to assist in preserving the public safety of the City.

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

Section 1. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. City Council hereby amends Chapter 66 of the City Code of Ordinances by adding Section 66-4 establishing the Reserve Police Force of the City of Schertz, as set forth in Exhibit “A” attached to this Ordinance.

Section 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 4. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 5. This Ordinance shall be construed and enforced in accordance with the laws of the

State of Texas and the United States of America.

Section 6. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 7. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 8. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

PASSED ON FIRST READING, the ____ day of _____, 2023.

PASSED, APPROVED and ADOPTED ON SECOND READING, the __ day of _____, 2023.

Mayor, Ralph Gutierrez

ATTEST:

City Secretary, Sheila Edmondson

(Seal of City)

Exhibit "A"

Chapter 66 of the City of Schertz Code of Ordinances is hereby amended by adding Section 66-4 establishing the Reserve Police Force of the City of Schertz, as set forth below:

Sec. 66-4 - RESERVE POLICE FORCE

- (a) **Establishment; composition.** The city has established a reserve police force to function in addition to the regularly constituted police department of the city, the reserve to consist of not more than six members serving without pay.
- (b) **Purposes.** The purpose and necessity for the reserve police force is to assist in the creation of an active and efficient civil defense program in the city, and as an aid to the regularly constituted police department in the performance of assigned duties as set forth in this Code or as directed by the city council.
- (c) **Qualifications of members.**
- 1) All reserve officers must meet minimum Texas Commission on Law Enforcement standards and complete the same hiring process as required for full-time police officers.
 - 2) Members of the reserve police force must at all times conform to rules and regulations of the police department, as approved by the city council.
- (d) **Organization.** The reserve force and its members shall be under active control of the appointed full-time police chief, who shall exercise supervision over appointment, training and utilization of the reserve police force membership. Reserve officers serve at the pleasure of the police chief and may be dismissed from service with or without cause. The decision of the police chief regarding dismissals is final, and there is no appeal process for reserve officers.
- (e) **Badge, uniform, equipment and training.** Members of the reserve force, when on duty, shall wear the uniform and equipment prescribed by the police chief. Budgeted public funds in approved amounts will be utilized for necessary training, supplies, equipment maintenance and replacement thereof to the reserve police force.