

CITY OF BAYOU LA BATRE

ORDINANCE NUMBER: 2001- 447

**AN ORDINANCE TO ESTABLISH A RESERVE FORCE WITHIN THE
POLICE DEPARTMENT OF THE CITY OF BAYOU LA BATRE,
ALABAMA**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAYOU LA
BATRE, ALABAMA, as follows:**

SECTION I: 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 Bayou La Batre, Alabama.

SECTION II: QUALIFICATIONS

The Reserve shall consist of not more than eight members. Any person desiring appointment to the Reserve must submit a written application to the Chief of Police of the City of Bayou La Batre, Alabama, certifying that he or she is a resident of Mobile County, Alabama, is at least twenty-one 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. Applicant must also meet any other qualifications as are required by Section 11-43-210, Code of Alabama (1975).

SECTION III: APPOINTMENT

The Chief of Police with the approval of the Mayor shall make appointments to the Reserve. Such appointments shall be for terms of two years. 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 with the approval of the Mayor.

SECTION IV: 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 V: EQUIPMENT

Each member of the Reserve shall be issued a badge, cap, full uniform and an identification card signed by the Chief of Police and Mayor. Members of the Reserve shall carry this identification card with them at all times. Whenever a member of the Reserve shall be called to active duty, he or she shall be in full uniform in the manner prescribed and approved by the Chief of Police.

SECTION VI: DUTIES

The duties of 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 reserve law enforcement officers acts at all times under the direct control and supervision of a 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 whole total span of control would be considered within reasonable limits.
- (3) Reserve officer may render crowd control assistance at public gatherings or municipal functions as directed by the Municipality, provided a certified law enforcement officer whose span of control would be considered within reasonable limits will exercise supervisory control.

For the purposes of this section, the term "certified law enforcement officer" shall mean a commissioned municipal police officer who has completed the training requirements of the Alabama Peace Officer' Standards and Training Commission as set out in Article 3, Chapter 21, Title 36, Code of Alabama (1975).

SECTION VII: 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 VIII: ACTIVE DUTY

Members of the Reserve shall be called to active duty by the Chief of Police with the approval of the Mayor and must serve a minimum of sixteen (16) hours per month. However, such time may be adjusted at the sole discretion of Chief of Police or Mayor.

VIII: WEAPONS

Members of the Reserve are permitted to carry a weapon on active duty, providing the member has obtained a properly issued permit for the firearm by the Mobile County Sheriff. The use of such weapons shall be governed by the rules and regulations as set forth by the Chief of Police and approved by the Mayor.

SECTION X: COMPENSATION

No member of the Reserve shall receive compensation for time while on Active Duty.

SECTION XI: 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 to 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 XII: PENALTY

- (a) 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 (\$500.00) Dollars or sentenced to imprisonment for not exceeding six (6) months, either or both, at the discretion of the Municipal Court.
- (b) Additionally, any member of the Reserve charged with violating subsections two (2) and three (3) of Section 11 of this Ordinance shall be suspended from the Reserve pending a determination of guilty. Suspended Reserve members must surrender their identification card, badge, uniform, cap and other assigned City owned equipment to the Chief of Police. Reserve members who are convicted of violating subsections two (2) and three (3) of Section 11 of this Ordinance shall immediately be removed from the Reserve force. A person convicted of violating subsections two (2) and three (3) of Section 11 of this Ordinance is not eligible for reappointment to the Reserves.

SECTION XIII: EFFECTIVE DATE

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

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BAYOU LA BATRE ON THIS THE 12 DAY OF June, 2001.

CITY OF BAYOU LA BATRE



MAYOR STAN WRIGHT

ATTEST:



IMELDA McCLELLAN, CITY CLERK