

ORDINANCE NO. 2024-11-18-01

20250224000054480 1/3 \$28.00
Shelby Cnty Judge of Probate, AL
02/24/2025 01:47:53 PM FILED/CERT

AN ORDINANCE AUTHORIZING A POLICE RESERVE FORCE IN THE TOWN OF HARPERSVILLE, ALABAMA.

BE IT ORDAINED by the Mayor and Council of the Town of Harpersville, 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 Town of Harpersville, 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 Town of Harpersville, Alabama, certifying that he or she 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 fingerprint and background search.

SECTION 3. APPOINTMENT. Reserve Applicants will submit an application to Chief of Police who will vet the applicant. Chief will present applicant to hiring committee for interviews and recommendations to council, as is the process for regular officers. Appointments to Reserve shall be for terms of 2 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 4. SUPERVISION. The Reserve shall function under the direction of the Chief of Police who shall establish a command structure for the Reserve Force. It will include an Officer in Charge, whose responsibility is to ensure proper training, including policies and procedures. Reserves will attend at minimum monthly meetings, trainings and on duty service for 16 hours per month. They will assist with special events like Harpersville Day, Court, Funerals, School Functions and other events. The Command Officer/Officer in Charge will schedule Reserves and notify the Town Clerk the days and times the reserve is on duty.

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. Whenever a member of the Reserve shall be called to active duty, he or she shall be issued the necessary equipment for duty. Upon completion of each tour of active duty, members of the Reserve shall turn in their equipment at Police Headquarters.

SECTION 6. DUTIES. The duties of Reserve Officers are confined to the following:

- (1) Patrol operations 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.
- (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.



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For the 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 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 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 with written consent of the mayor.

SECTION 9. WEAPONS. No member of the Reserve shall carry a weapon while on active duty unless the member has obtained a properly-issued permit for the firearm, has been trained in the use of the weapon, and thoroughly familiar with the Use of Force and Firearms policies.

SECTION 10. COMPENSATION. No member of the Reserve shall receive compensation for time performing Reserve duty. The Town will provide liability insurance and worker's comp for each reserve.

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 any equipment, 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 any equipment.
- (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 case.

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 any other equipment 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.

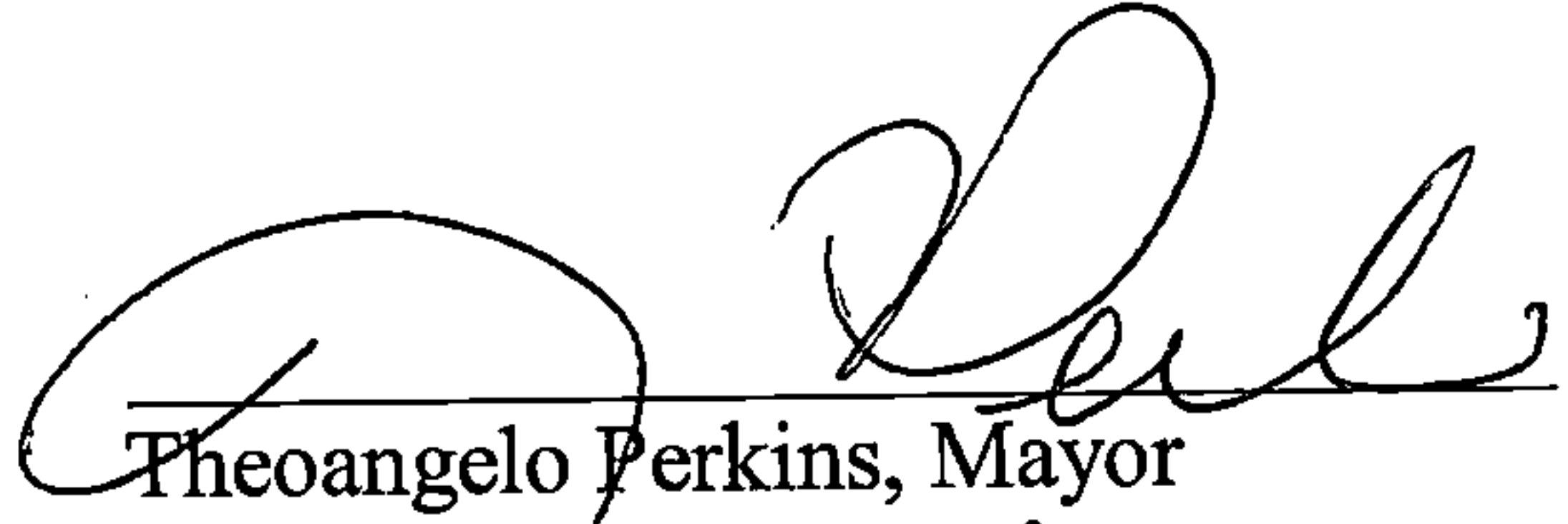
SECTION 13. EFFECTIVE DATE. This ordinance shall become effective immediately upon its adoption and publication as required by law.

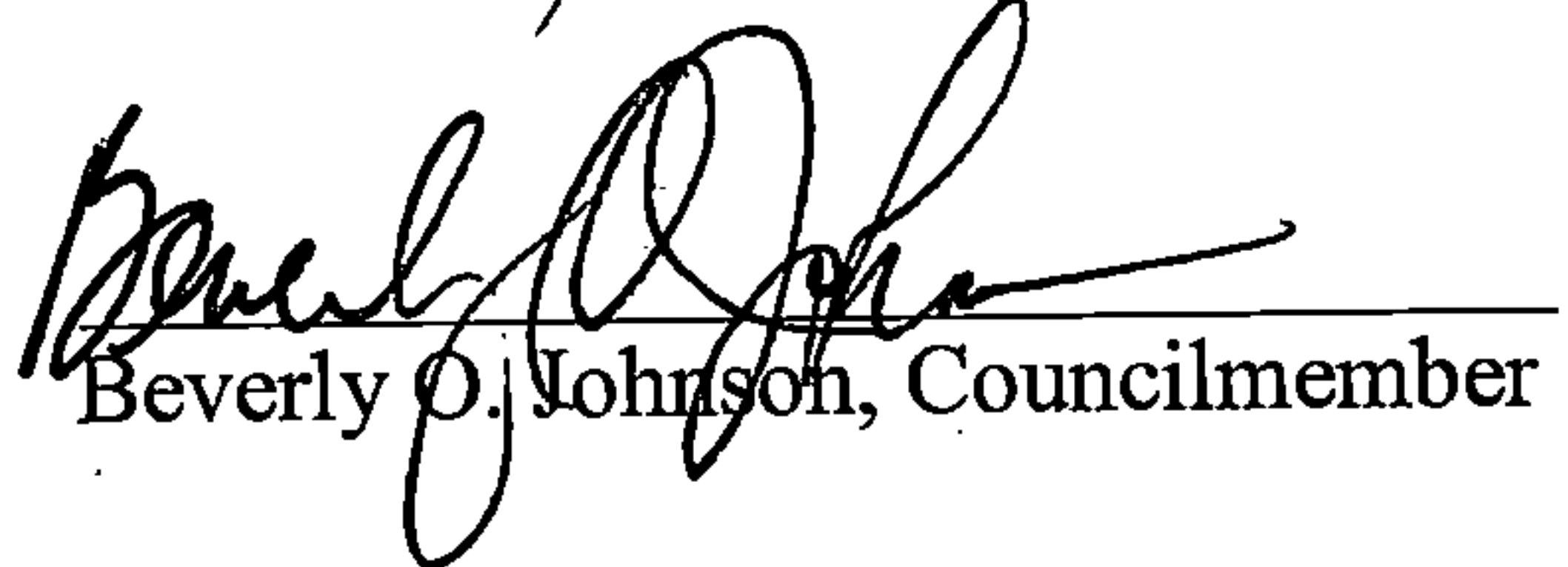
THEREUPON

Ordinance 2024-11-18-01 passed by a unanimous vote of those members of the council present and the mayor declared the same passed.

ADOPTED this 18th day of November 2024.

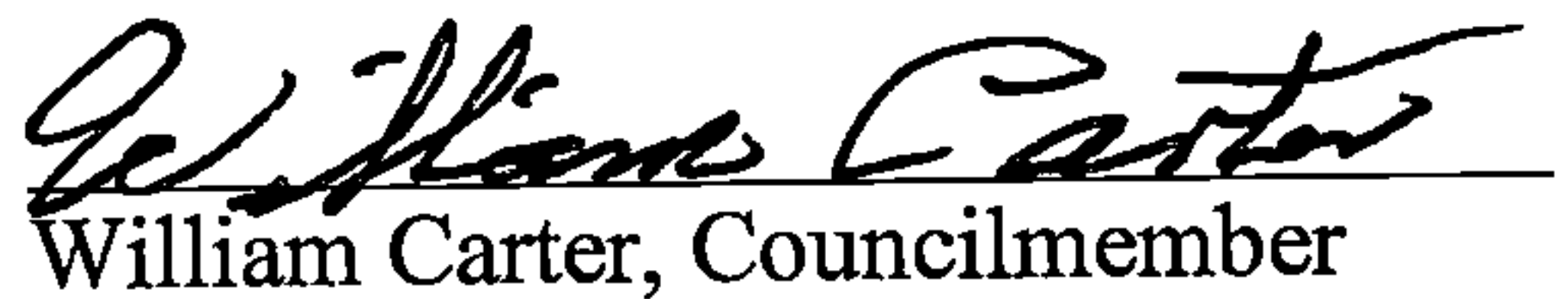
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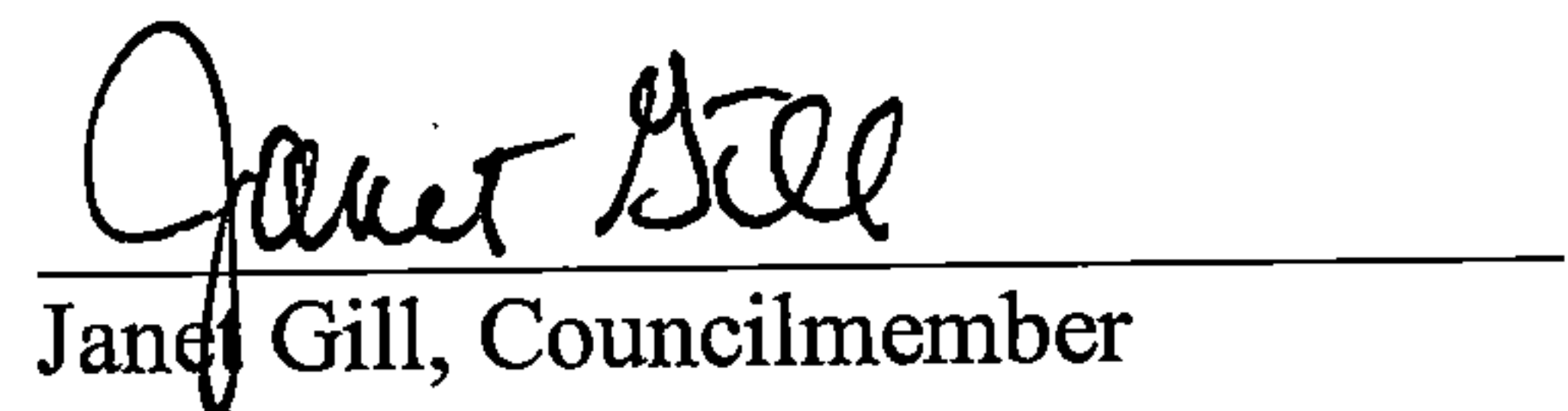

Theoangelo Perkins, Mayor


Beverly O. Johnson, Councilmember


Martin Dates, Councilmember


Sheila K. Rich, Councilmember


William Carter, Councilmember

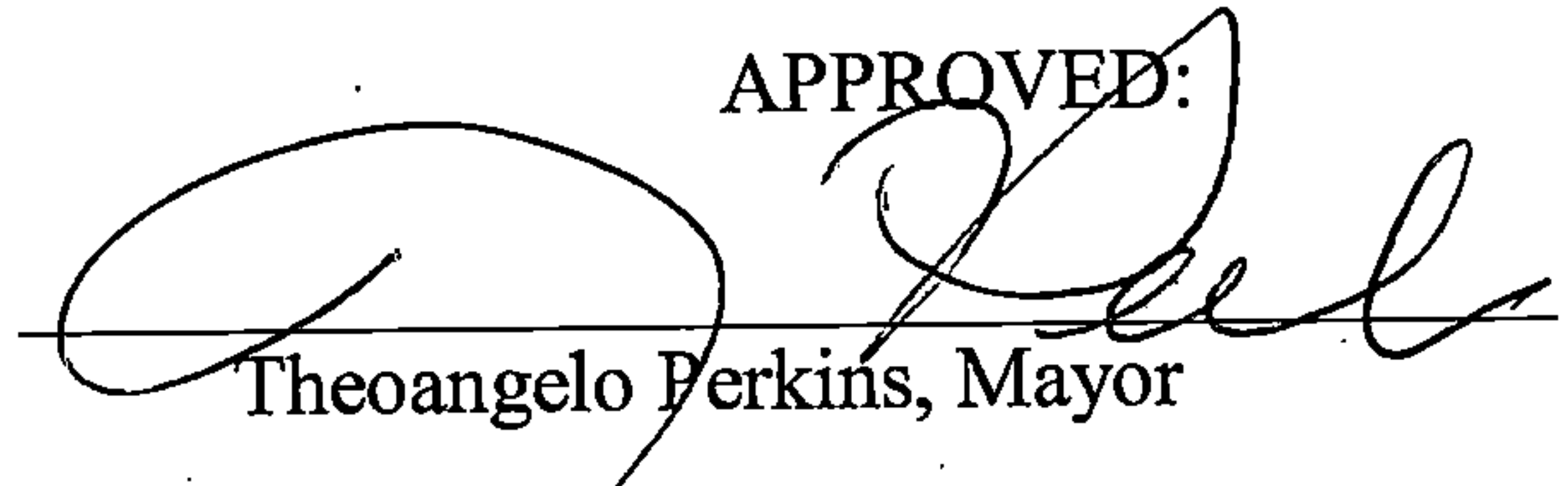

Janet Gill, Councilmember



ATTEST:

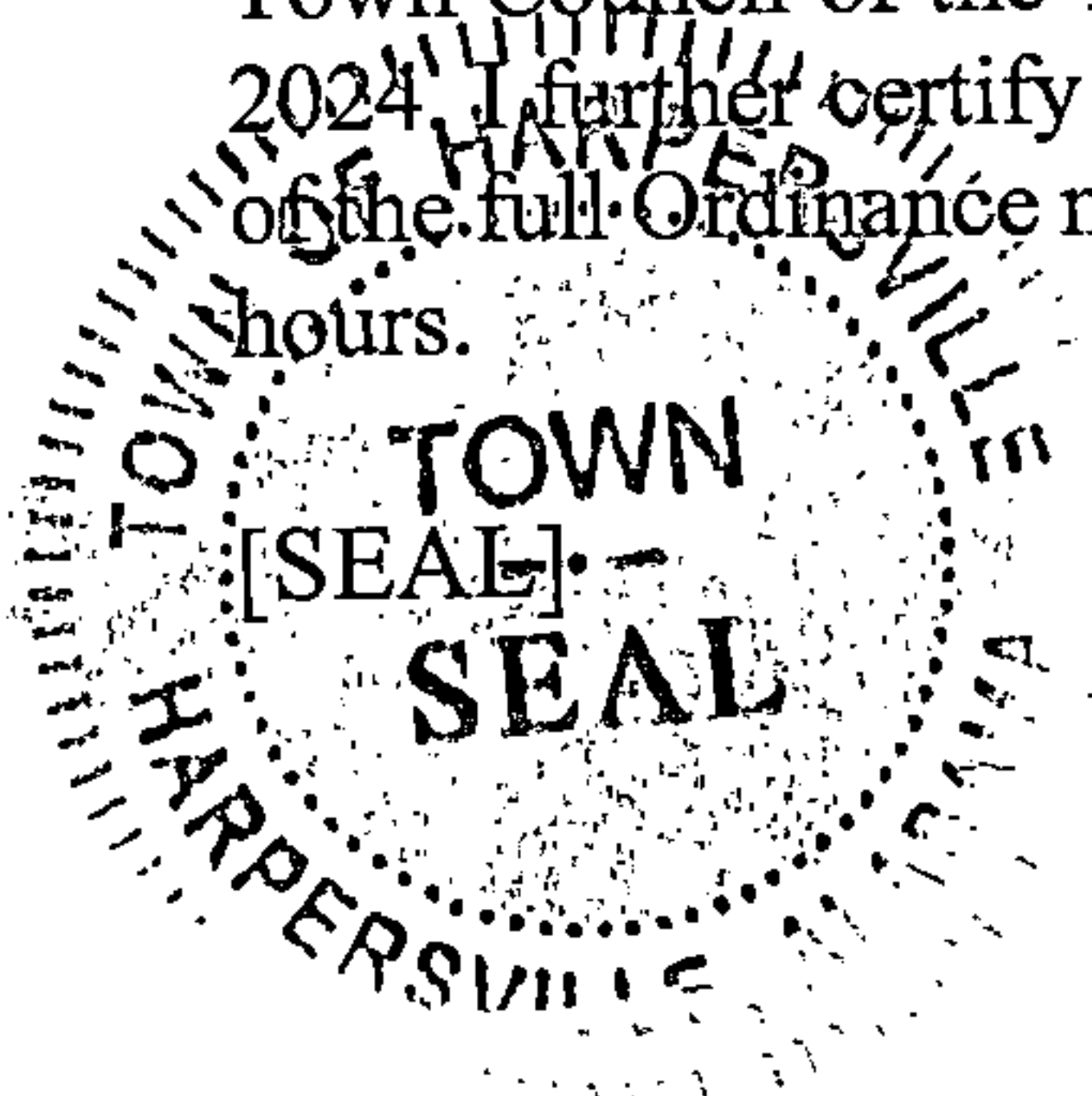

Amber Gardner, Town Clerk/Treasurer

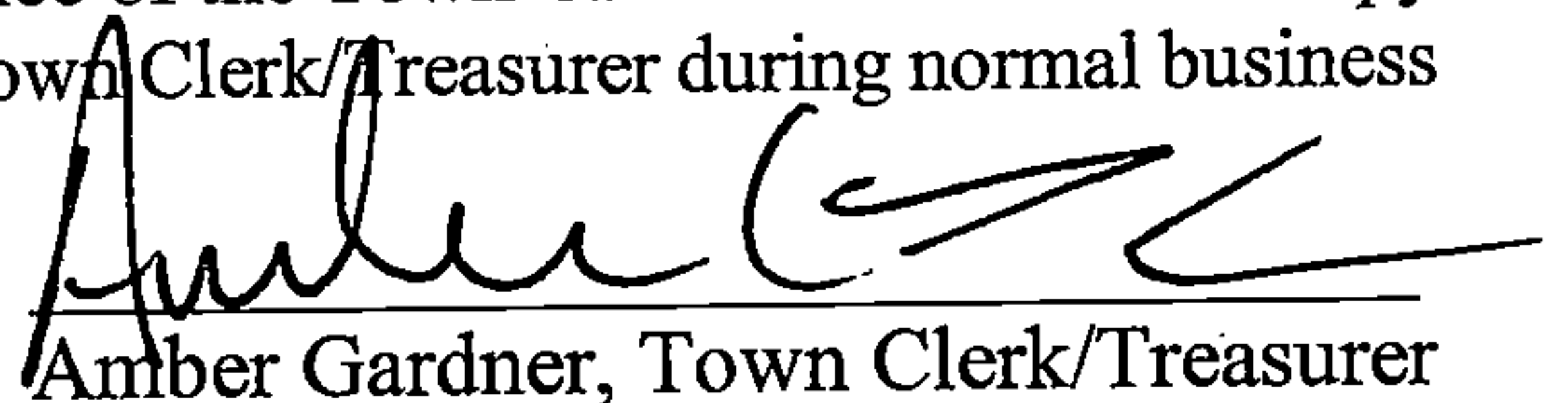
APPROVED:


Theoangelo Perkins, Mayor

POSTING AFFIDAVIT

I, the undersigned, Clerk of the Town Council of the Town of Harpersville, Alabama, do hereby certify that the above and foregoing ORDINANCE 2024-11-18-01 was duly ordained, adopted, and passed by the Town Council of the Town of Harpersville, Alabama at its regular meeting on the 18th day of November 2024. I further certify that said Ordinance is on file in the Office of the Town Clerk/Treasurer and a copy of the full Ordinance may be obtained from the Office of the Town Clerk/Treasurer during normal business hours.




Amber Gardner, Town Clerk/Treasurer