

ORDINANCE NO. 2-80

AN ORDINANCE ESTABLISHING A POLICE DEPARTMENT FOR THE CITY OF CANEY CITY, TEXAS; PROVIDING FOR THE APPOINTMENT, TERM OF OFFICE, AND QUALIFICATIONS OF POLICE OFFICERS; PROVIDING FOR THE COMPENSATION TO BE PAID SUCH POLICE OFFICERS; PROVIDING FOR THE POWERS, RIGHTS, AUTHORITY AND JURISDICTION OF SUCH POLICE OFFICERS; AND DECLARING AN EMERGENCY.

WHEREAS, the office of City Marshall of the City of Caney City, Texas, has been heretofore abolished by the City Council of the City of Caney City, Texas; and,

WHEREAS, the City Council of the City of Caney City, Texas, has determined that a police department should be established for the City of Caney City, Texas; and,

WHEREAS, a state of emergency exists in the City of Caney City, Texas, in that no police department or police protection currently exists in the City of Caney City, Texas;

NOW, THEREFORE, be it ORDAINED by the City Council of the City of Caney City, Texas:

(1) That effective ~~December~~ ^{Jan} 8, ~~1978~~ ¹⁹⁸⁰, there is hereby created a police department for the City which shall consist of the Chief of Police and such other members as may be provided for by the Council.

(2) The Chief of Police shall be appointed by the Council. All other appointments to or promotions within the department shall be made by the Council with the concurrence of the Chief of Police.

(3) The Chief of Police shall be the head of the department and shall have supervision over all officers and members thereof.

(4) The Chief of Police shall be the keeper of the City Jail, if any, and shall have custody of all persons incarcerated therein. He shall keep such records and make such reports concerning the activities of his department as may be required by statute or by the City Council. The Chief shall be responsible for the performance by the Police Department of its functions, and all persons who are members of the Police Department shall serve subject to the orders of the

Chief of Police.

(5) It shall be the duty of the members of the Police Department to see to the enforcement of all of the ordinances of the City and all statutes applicable therein, and to preserve order and prevent infractions of the law and arrest violators thereof.

(6) No member of the Police Department, except the Chief, shall serve any process except on command of the Chief of the Police Department.

(7) It shall be the duty of every member of the Police Department to conduct himself, or herself, in a proper and law-abiding manner, at all times, and to avoid the use of unnecessary force. Each member of the department shall obey the orders and directions of his superior.

(8) Every member of the Police Department shall appear as witness whenever this is necessary in a prosecution for a violation of an ordinance or of any State or Federal Law. No such member shall retain any witness fee for service as witness in any action or suit to which the City is a party; any fees paid for such service shall be turned over to the Chief, who shall deposit the same with the City Treasurer.

(9) The Chief of the Police Department shall make or prescribe such rules and regulations as he shall deem advisable, such rules, when approved by the Council, shall be binding on all members. Such rules and regulations may cover, besides the conduct of the members, uniforms and equipment to be worn or carried, hours of service, vacations and all other similar matters necessary or desirable for the better efficiency of the department.

(10) Any person of good character having duties which require it may be appointed a special policeman by the Mayor, provided that, except upon authorization by the Council, no such special policeman shall be entitled to any compensation from the City, nor shall such special policeman be considered an employee of the City by reason of such appointment. Special policemen shall obey all rules of the Police Department applicable to them, and may be deprived of their appointment by the Chief at any time.

(11) The Chief of Police shall have the custody of all lost, abandoned, or stolen property recovered in the City.

(12) The Mayor,, with the consent of the Council, may appoint a police matron, who shall perform such duties

as may be assigned to her by the Chief of Police or by the Mayor.

(13) The Chief of Police shall have custody and control of all books, records, machines, tools, apparatus, or equipment of every kind necessary to the use of the department.

(14) The Chief of Police shall serve at the pleasure of the council and may be removed at any time.

(15) Each policeman, including the Chief of Police, shall receive such compensation as may be agreed upon between such policemen and the Council.

PASSED AND APPROVED on first and final reading this
8th day of ~~December~~, ~~1978~~.
JAN. 1980

W. H. Rodgers
~~Robert M. ...~~, Mayor

ATTEST:

City Secretary
City Secretary