

**TOWN OF COPPER CANYON, TEXAS**

**ORDINANCE NO. 23-004**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF COPPER CANYON, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 9 ‘PERSONNEL’, BY ADDING NEW ARTICLE 9.02 ‘PUBLIC SAFETY’, DIVISION 1 ‘POLICE DEPARTMENT’, AND PROVIDING SECTION 9.02.001, 9.02.002 ‘CHIEF OF POLICE’, SECTION 9.02.003 ‘COMPOSITION; APPOINTMENT OF PERSONNEL’, SECTION 9.02.004 ‘RULES AND REGULATIONS’, SECTION 9.02.005 ‘DUTIES’ AND SECTION 9.02.006 ‘RESERVE POLICE FORCE’; AND BY RESERVING SECTIONS 9.02.006 THROUGH 9.02.050 FOR FUTURE USE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING FOR SAID ORDINANCE TO TAKE EFFECT FROM AND AFTER ITS PASSAGE.**

**WHEREAS**, the Town Council of the Town of Copper Canyon, Texas (“Town Council”), desires to add a Police Department to the town.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF COPPER CANYON, TEXAS, THAT:**

**SECTION 1:** That the Code of Ordinances of the Town of Copper Canyon, Texas, be and in the same is hereby amending Chapter 9, “Personnel” by adding Article 9.02 “Public Safety” Division 1 “Police Department” which shall read as follows:

**“CHAPTER 9. PERSONNEL**

**ARTICLE 9.01 . . . . .**

**ARTICLE 9.02 PUBLIC SAFETY**

**DIVISION 1. POLICE DEPARTMENT**

**Sec. 9.02.001** There shall be a police department for the town, the head of which shall be the chief of police.

**Sec. 9.02.002** Chief of police.

The chief of police of the town shall be a certified sworn peace officer under the laws of the state of Texas and shall be appointed by the town administrator.

**Sec. 9.02.003      Composition; appointment of personnel.**

- 1) The police department, after approval by the town council, shall be composed of the chief of police and such other positions including, but not limited to, officers, patrolmen and/or other employees as may be from time to time authorized and funded by the town council. The chief of police shall have the authority to appoint or offer employment with the advice and consent of the town council. In the event a position in the department becomes vacant within the fiscal year, the position may be filled, upon approval by the town administrator, provided for the salary and benefits for such replacement or additional personnel shall not exceed the current fiscal year budget appropriation unless otherwise authorized by the town council.
- 2) No position in a general fund department which becomes vacant shall be replaced.

**Sec. 9.02.004      Rules and regulations.**

The chief of police shall be authorized to establish reasonable rules and regulations governing the policies and personnel of the police department and the operation of the same.

**Sec. 9.02.005      Duties.**

It shall be the duty of the police department to enforce the ordinances of the town and the laws of the state and such other laws as are properly enforced by a local police department under state law.

**Sec. 9.02.006      Reserve police force.**

**1) Established.**

A police reserve force for the town is hereby established by the town council.

**2) Appointment**

Members of the police reserve force shall be appointed by the police chief, and such appointment shall be approved by the town council. Members of the police reserve force shall serve as peace officers during the actual discharge of official duties. Members of the police reserve force serve at the police chief's authority and discretion.

**3) Qualifications, standards of training, and size of police reserve force.**

The qualifications and standards of training for members of the police reserve force shall be the same as for the town's regular police officers. The size of the police reserve force shall not exceed two times the number of the town's regular police officers.

**4) Authority to carry weapons.**

No person appointed to the police reserve force of the town may carry a weapon or otherwise act as a peace officer unless and until that person has been approved to do so by the town council. After a person is appointed to the police reserve force has been approved by the town council to carry weapons, that person may carry a weapon only when authorized to do so by the police chief, and only when discharging official duties as a peace officer.

**5) On-call service.**

Members of the police reserve force may be called into service at any time the police chief considers it necessary to have additional officers to preserve the peace and enforce the law.

**6) Compensation**

Members of the police reserve force will serve without compensation.

**7) Medical coverage in the line of duty.**

Hospital and medical assistance will be provided to a member of the police reserve force who sustains injury in the course of performing official duties in the same manner as provided by the governing body for a regular police officer employee; provided, however, that nothing herein shall be construed to authorize or permit a member of the police reserve force to become eligible for participation in any pension fund created by state statute to which regular town police officers may become a member by payroll deductions or otherwise.

**8) Reserve officers supplementary only.**

Reserve police officers shall act only in a supplementary capacity to the town's regular police officers and shall in no case assume the full-time duties of the town's regular police officers without first complying with all the requirements for regular police officers."

**Sec. 9.02.006 – 9.02.050 RESERVED"**

**SECTION 2.** That all provisions of the Code of Ordinances of the Town of Copper Canyon, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3.** That should any word, phrase, paragraph, section or phrase of this ordinance or of the Code of Ordinances, as amended hereby, be held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof

other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 4.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

**DULY PASSED** by the Town Council of the Town of Copper Canyon, Texas, this the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**TOWN OF COPPER CANYON, TEXAS**

\_\_\_\_\_  
Ron Robertson, Mayor

**ATTEST:**

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Sheila B. Morales, TRMC  
Town Secretary

**APPROVED AS TO FORM:**

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Robert Hager, Town Attorney