

ORDINANCE NO. 3671

AN ORDINANCE OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, REPEALING ORDINANCE NO. 898 AND ESTABLISHING A POLICE RESERVE UNIT OF THE NORTH RICHLAND HILLS POLICE DEPARTMENT, WHICH SHALL BE A VOLUNTARY FORCE OF RESERVE POLICE OFFICERS, HEREAFTER REFERRED TO AS THE NORTH RICHLAND HILLS POLICE RESERVES; PROVIDING FOR APPOINTMENT; ESTABLISHING MINIMUM STANDARDS FOR POLICE RESERVES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES AND REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of North Richland Hills, Texas (“the City”) is a home rule city acting under its power adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, There exists a need to assist and augment the Police Department personnel in various capacities with trained, qualified volunteers, as well as to supplement the police department in times of national or civil emergencies; and

WHEREAS, The North Richland Hills Police Department (the “Department”) desires to provide an opportunity for qualified individuals to serve the community in various forms in a law enforcement capacity; and

WHEREAS, The citizens of North Richland Hills would be greatly assisted by a cost effective addition of capable volunteer officers to provide aid in the vast amount of duties that are currently required of law enforcement personnel which would have otherwise gone unutilized;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS:

SECTION 1: The City Council hereby finds the recitals above to be true and correct, and such recitals are hereby incorporated into this Ordinance as if written herein.

SECTION 2: There is hereby established the North Richland Hills Police Reserves (the “Police Reserves”) which shall serve as a voluntary force of reserve peace officers under the direction of the Chief of Police, pursuant to Texas Local Government Code Section 341.012.

- SECTION 3:** The Chief of Police is hereby authorized to appoint members to the Police Reserves, which such members shall be approved by the City Council. All members shall serve at the discretion of the Chief of Police, whose decisions regarding any member of the Police Reserves shall be final. The Police Reserves shall be subject to and shall observe all rules, regulations, general orders, special orders, policies and procedures of the Department as promulgated by the Chief of Police. Members of the Police Reserves shall have no right to appeal any decision of the Chief of Police to the City Manager or City Council, and shall have no civil service protections nor any right to appeal a decision of the Chief of Police to the Civil Service Commission. Furthermore, the Police Reserves shall be governed by Texas Local Government Code Section 341.012.
- SECTION 4:** The Chief of Police shall establish the size, composition, and organization of the Police Reserves. The size of the Police Reserves force shall be as determined by the Chief of Police as required to maintain adequate protection of the City.
- SECTION 5:** Members of the Police Reserves shall, after being appointed by the Chief of Police and approved by the City Council, serve as peace officers during the actual discharge of duties, subject at all times to the direction, control and supervisory authority of the Chief of Police, or his or her designee. The selection criteria for police reserve officers shall be the same as that set forth for all other full-time police officers.
- SECTION 6:** The Police Reserves shall be an auxiliary police force composed of volunteers who shall serve without compensation.
- SECTION 7:** Members of the Police Reserves shall act only in a supplementary capacity to the regular police force, and shall not assume the positions of full-time regular police officers.
- SECTION 8:** Members of the Police Reserves may be called into service at the discretion of the Chief of Police, or his or her designee, at any time it is deemed necessary to have additional officers to preserve the peace and enforce the law.
- SECTION 9:** A police reserve officer who sustains injury in the course of performing official duties may receive hospital and medical assistance in the same manner as provided for full-time police officers, to include that members shall be eligible for benefits as required by state law, however that nothing in this ordinance shall be construed to authorize or permit a member of the Police Reserves to become eligible for participation in any pension fund created pursuant to state statute, to which regular officers may become a member by payroll deductions or otherwise.

- SECTION 10:** No person appointed to the Police Reserves may carry a weapon while serving as a reserve police officer, except pursuant to operating procedures established by the Chief of Police and in accordance with standards set forth by the Texas Commission on Law Enforcement (the "Commission").
- SECTION 11:** No person may serve as a police reserve officer prior to receiving training in accordance with the requirements of the Commission. Reserve officers are held to the same standards as set forth by the Commission. This shall be in addition to any training requirements set forth by the Department for full time sworn officers.
- SECTION 12:** The Chief of Police may provide uniforms and equipment for the Police Reserves from existing supplies and may cause to be purchased special items as necessary to sustain the program.
- SECTION 13:** This ordinance does not limit the power of the City Council to provide for a police department.
- SECTION 14:** This Ordinance shall be cumulative of all provisions of the Code of Ordinances of the City of North Richland Hills, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.
- SECTION 15:** All rights and remedies of the City of North Richland Hills are expressly saved as to any and all violations of the provisions of any ordinances in the Code of Ordinances of the City of North Richland Hills that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.
- SECTION 16:** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 17: This Ordinance hereby repeals Ordinance No. 898 approved by the City Council on May 18, 1981.

SECTION 18: This Ordinance shall be in full force and effect from and after its passage.

AND IT IS SO ORDAINED.

PASSED AND APPROVED on this 9th day of November, 2020.

CITY OF NORTH RICHLAND HILLS

By: _____
Oscar Trevino, Mayor

ATTEST:

Alicia Richardson
City Secretary/Chief Governance Officer

APPROVED AS TO FORM AND LEGALITY:

Maleshia B. McGinnis, City Attorney

APPROVED AS TO CONTENT:

Jimmy Perdue, Director of Public Safety