

ORDINANCE NO. 97-156

ORDINANCE ESTABLISHING A RESERVE OFFICER PROGRAM  
FOR THE TOWN OF BROOKWOOD, ALABAMA

BE IT ORDAINED BY THE Mayor and the Town Council of the Town of Brookwood, 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 Brookwood, Alabama.

SECTION 2. QUALIFICATIONS. The Reserve shall consist of no more than eight (8) members. Any person desiring appointment to the Reserve must submit a written application to the chief of police of the Town of Brookwood, Alabama, must be 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 a fingerprint and background search.

SECTION 3. APPOINTMENT. Appointments to the Reserve shall be made by the chief of police with the approval of the mayor and council. Such appointments shall be for a term of 1 year. 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, and/or the mayor and council.

SECTION 4. 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 5. EQUIPMENT. Each member of the Reserve shall be issued an identification card signed by the chief of police and the mayor. Members of the Reserve shall carry this identification card with them at all times. Upon completion of each tour of active duty, members of the Reserve shall turn in their badges, caps, and any other insignia issued to them.

SECTION 6. 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 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.

For 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 out 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 out 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 the written consent of the mayor.

SECTION 9. WEAPONS. No member of the Reserve shall carry a weapon while on active duty unless they fully comply with the following qualifications:

**I. QUALIFICATION**

No weapon will be carried or used while on duty unless the officer carrying the weapon has been qualified to use it through a certified Law Enforcement Academy.

**II. USE**

- A. Any weapon whether Department owned or personally owned, will be used only in those instances as governed by State law as it pertains to the use of deadly force.
- B. Any weapon whether Department owned or personally owned, will be kept in like factory condition at all times.
- C. All Reserve officers are required to have a pistol permit.

- D. Reserve officers will not carry any firearm open as a Police officer while off duty. Any Reserve officer who wishes to carry a weapon off duty is considered a citizen.

### III. USING PERSONALLY OWNED GUNS

- A. Using guns, other than side arm, that are personally owned will be at the discretion of the Town of Brookwood Police Chief. However, any personally owned gun will consist only of that variety allowed by the Department. The Department allows for the use of a personally owned shotgun only.

SECTION 10. COMPENSATION. No member of the Reserve shall receive compensation for time required by Reserve rules and regulations while not on active duty. Members of the Reserve may be compensated for any reasonable expenses incurred in the performance of official duties while on active duty on approval of an expense voucher by the chief of police. All vouchers for compensation for expenses shall be sworn to by the member of the Reserve seeking reimbursement before it shall be considered for payment.

### 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 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 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 cap 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 adpctcn and publication as required by law.

PASSED, ADOPTED AND APPROVED this 3 day of November, 1997.

BROOKWOOD TOWN COUNCIL

BY: Anton C. Hylke  
Mayor

ATTEST:

Linda Barger  
Town Clerk

I hereby certify that the above and foregoing Ordinance was posted on the 3 day of November, 1997, at the following locations:

1. Town Hall
2. Henry's
3. Hudson
4. Jimmy's

Linda Barger  
Town Clerk