

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY PFLUGERVILLE, TEXAS, AMENDING CHAPTER 31 ARTICLE II OF THE CITY OF PFLUGERVILLE CODE OF ORDINANCES, AS AMENDED, BY ADDING § 31.21 TITLED RESERVE POLICE FORCE, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Pflugerville, Texas (“City”) observes the need to establish a Reserve Police Officer Force to assist in meeting the City’s security and manpower needs in regard to policing; and

WHEREAS, the City has determined that City Council must approve the addition of a Reserve Police Force and reserve police officers, as well as codify the organization and operational procedures of the Reserve Police Force in accordance with Texas Local Government Code Chapter 341.012; and

WHEREAS, the City having determined that a City Ordinance addressing the establishment of a Reserve Police Force and the requirements for appointment of reserve police officers is necessary to comply with State law;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS:

SECTION 1. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. The City Council finds:

A Reserve Police Force and its organization and operation procedures must be established by City Ordinance and the appointment as a reserve police officer must be approved by the City Council in accordance with State law.

SECTION 3: The City Council adds § 31.21 to Chapter 31 of the City Code of Ordinances, which shall henceforth appear as follows with red underlined material being added:

§31.21. - RESERVE POLICE FORCE

(1) Establishment; composition.

The city has established a reserve police force to function in addition to the regularly constituted police department of the city, the reserve to consist of not more than 20 members, serving without pay.

(2) Purposes.

The purpose and necessity for the reserve police force is to assist in the creation of an active and efficient civil defense program in the city, and as an aid to the regularly constituted police department in the performance of assigned duties as set forth in this Code or as directed by the city council.

(3) Qualifications of members.

(a) All reserve officers must meet minimum TCOLE standards and complete the same hiring process as required for full-time police officers.

(b) Members of the reserve police force must at all times conform to rules and regulations of the police department, as approved by the city council.

(c) An appointment to the reserve force must be approved by the City Council before the appointed person may carry a weapon or otherwise act as a peace officer.

(4) Organization.

The reserve force and its members shall be under active control of the appointed full-time police chief, who shall exercise supervision over appointment, training, and utilization of the reserve police force membership. Reserve officers serve at the pleasure of the police chief and may be dismissed from service with or without cause. The decision of the police chief regarding dismissals is final, and there is no appeal process for reserve officers.

(5) Badge, uniform, equipment and training.

Members of the reserve force, when on duty, shall wear the uniform and equipment prescribed by the police chief. Budgeted public funds in approved amounts will be utilized for necessary training, supplies, equipment maintenance and replacement thereof to the reserve police force.

SECTION 4. Cumulative and Repealer Clause. This ordinance shall be cumulative of all other ordinances of the City and shall not operate to repeal or affect any other ordinances of the City except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed to the extent of such conflict.

SECTION 5. Severability Clause. The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or invalid, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or 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 or invalid phrase, clause, sentence, paragraph or section.

SECTION 6. Effective Date. That this Ordinance will become effective on its adoption and passage by the City Council.

PASSED AND APPROVED this _____ day of _____, 2023.

CITY OF PFLUGERVILLE,
TEXAS

by:

VICTOR GONZALES, Mayor

ATTEST:

TRISTA EVANS, City Secretary

APPROVED AS TO FORM:

CHARLES E. ZECH, City Attorney
DENTON NAVARRO ROCHA BERNAL & ZECH, PC