

**ORDINANCE 2010 - 1**

**AN ORDINANCE ESTABLISHING A POLICE RESERVE FORCE;  
PRESCRIBING THE NUMBER AND QUALIFICATIONS OF THE  
MEMBERS THEREFORE; ORDER OF COMMAND; RULES GOVERNING  
THE OPERATION THEREOF.**

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CUMBY,  
TEXAS, THAT:**

**SECTION 1:           AUXILIARY POLICE FORCE TO BE KNOWN AS “POLICE  
RESERVE, CUMBY POLICE DEPARTMENT” ESTABLISHED.**

An auxiliary police force to be known as “Police Reserve, Cumby Police Department”, is hereby established. It shall be composed of personnel who have volunteered to join the organization and whose application for membership has been accepted and who have complied with the rules, regulations and orders provided for the conduct and control of the members thereof. The Police Reserve, Cumby Police Department, shall be separate and distinct from the regular force of the police department of this city, but shall be under the direct control and supervision of the Chief of Police of the City of Cumby, Texas.

**SECTION 2:           CHIEF OF POLICE TO HAVE CONTROL.**

The members of the police reserve shall be under the authority, control and command of the Chief of Police of the City of Cumby subject to all of the provisions of the ordinances of the City and of this article. Members shall be appointed from a list of eligibles compiled as hereinafter provided.

**SECTION 3:           APPLICATION AND ELIGIBILITY FOR MEMBERSHIP**

- A) A list of eligibles shall be established in compliance with rules and regulations set forth as follows:
- 1) Meet the minimum standards for licensing for reserve peace officers as set out by the Texas Commission of Law Enforcement Officers Standards and Education (TCLEOSE) or regular Peace Officer License.
  - 2) Be of good moral character as determined by a thorough background investigation.
  - 3) Be interviewed personally by the Chief of Police prior to being accepted as a reserve peace officer for the City of Cumby.
- B) Every reserve peace officer for the City of Cumby shall:
- 1) Satisfy all of the conditions listed in subsection (A) above.
  - 2) Must have proof of licensing prior to being allowed to carry a weapon.
  - 3) Provide the department with his/her social security number as mandatory under Article 4413 (29aa), Section B(a) of Vernon’s Annotated Revised Civil Statutes, and as a form of identification of TCLEOSE records.

**SECTION 4: DUTIES**

The duties of the police reserve force, subject at all times to the direction, supervision and control of the Chief of Police, shall be to assist the regular members of the police department of this city in the enforcement of the law and in the maintenance of peace and order. To this end, members of the police reserve force shall serve at the discretion of the Chief of Police and may be called into service at any time the Chief of Police considers it necessary or desirable to have additional officers to preserve the peace and enforce the law; provided however, that said reserve police officer shall act only in a supplementary capacity to the regular police force and shall in no case assume the full-time duties of regular police officers without first complying with all requirements for such regular police officers.

**SECTION 5: IDENTIFICATION**

An identification card and other insignia or evidence of identity as the Chief may prescribe shall be issued to each member, who must carry the card and other identification at all times while on duty, and he must surrender them upon the termination of his membership.

**SECTION 6: REMOVAL FROM MEMBERSHIP – RESIGNATION**

Membership of any person may be terminated by the Chief of Police at any time for any cause deemed sufficient by the Chief of Police. Any member may resign from the police reserve force at any time, but it shall be the duty of the member to notify the Chief of his resignation.

**SECTION 7: AUTHORITY TO DIMINISH OR EXPAND FORCE**

The Chief of Police may by order diminish or expand the membership of the police reserve force as exigency may require, within the limit hereinbefore established.

**SECTION 8: POWER AND AUTHORITY AS POLICE**


- A) Carrying of Firearms. No member of the police reserve force shall, while on duty or otherwise, bear any firearm except on the express order of the Chief of Police.
- B) Breaking and Entering. No member of the police reserve force shall break into or otherwise forcefully enter upon any private property or enter the dwelling or habitation of another person without the consent of the owner or occupant except when immediately accompanied by a regular member of the police department of this city who then and there requests his aid in the enforcement of the law.
- C) Power of Arrest. A member of the police reserve force shall have the following powers of arrest and none others:
  - (1) When the offence is committed in his presence or within his view, if the offence is classified as a felony, or as an “offense against the public peace.”
  - (2) Upon the presentation of a credible person that a felony has been committed and the offender is about to escape, and there is not sufficient time to procure a warrant for such offender.
  - (3) When authorized by a warrant of arrest and such warrant is in the actual possession of the officer making the arrest.
  - (4) To lend physical aid to any regular member of the police department in making any lawful arrest, when authorized by the Chief of Police or requested by any regular member of the police department of this city.

**SECTION 9: SUMMARY DISMISSAL AND PUBLICATION**


In addition to the penalties provided by laws any violation of law under color of the performance of his duties as a member of the police reserve force, and may breach of the rules and regulations established by the Chief of Police shall subject any member to summary expulsion and the fact thereof maybe published at the order of the Chief.

IT IS SO ORDAINED BY THE CITY COMMISSION OF THE CITY OF CUMBY, TEXAS.

PASSED AND APPROVED on the 2<sup>nd</sup> day of February, 2010.

  
MAYOR

ATTEST:

  
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