

**AMENDMENT TO ORDINANCE NO. 44**

**AN AMENDMENT TO CITY OF LOG CABIN ORDINANCE NO 44  
PROVIDING FOR THE ESTABLISHMENT OF POLICE DEPARTMENT. THIS  
AMENDMENT IS TO ESTABLISH POLICE FORCE SIZE TO BE MAINTAINED.**

It is hereby ordained that the Chief of Police is instructed by the City Council of the City of Log Cabin that the police force size is defined as follows;

There will be five (5) regular full time officers and five (5) reserve officers.

This ordinance cancels any and all previous ordinances or resolutions regarding the police force size.

PASSED AND APPROVED THIS 21st DAY OF February, 2002

*Doris Sussell*  
MAYOR

ATTEST:

*Krista M'Conally*  
CITY SECRETARY

**ORDINANCE 44**

**POLICE DEPARTMENT**

**ESTABLISHMENT OF POLICE DEPARTMENT**

THERE IS HEREBY CREATED A POLICE DEPARTMENT FOR THE CITY OF LOG CABIN, TEXAS.

**CHIEF OF POLICE**

**A. OFFICE CREATED**

THERE IS HEREBY CREATED THE OFFICE OF CHIEF OF POLICE OF THE CITY OF LOG CABIN, TEXAS, WHICH SHALL BE FILLED BY SOME SUITABLE PERSON WHO POSSESSES ALL OF THE QUALIFICATIONS PRESCRIBED BY THE CITY COUNCIL. SAID OFFICER SHALL BE APPOINTED BY THE CITY COUNCIL, AND SHALL SERVE FOR AN INDEFINITE TERM AT THE PLEASURE OF THE CITY COUNCIL.

**B. MEMBER OF POLICE DEPARTMENT**

THE PERSON OCCUPYING THE OFFICE OF CHIEF OF POLICE, SHALL, BY VIRTUE OF SUCH APPOINTMENT AND THE EXERCISE OF THE DUTIES THEREOF, BE AND BECOME A MEMBER OF THE POLICE DEPARTMENT, AND SHALL BE SUBJECT TO ALL OF THE ORDINANCES AND LAWS APPLICABLE TO POLICEMEN, INCLUDING ALL LAWS PRESENTLY IN FORCE AND WHICH MAY BE HEREAFTER ENACTED.

**C. POLICE CHIEF TO TAKE OATH**

THE CHIEF OF POLICE SHALL, BEFORE ENTERING UPON DUTIES OF HIS/HER OFFICE, TAKE THE OATH OF OFFICE PRESCRIBED BY THE STATE CONSTITUTION.

**D. DUTIES**

THE POLICE CHIEF SHALL BE ACTIVE IN QUELLING RIOTS, DISORDERS AND DISTURBANCES OF THE PEACE AND VIOLATIONS OF EVERY KIND WITHIN THE CITY LIMITS, AND SHALL TAKE INTO CUSTODY ALL PERSONS THUS OFFENDING, AND MAY TAKE GOOD AND SUFFICIENT BAIL FOR THE APPEARANCE BEFORE THE MUNICIPAL COURT OF ANY PERSON CHARGED WITH AN OFFENSE WHICH THE MUNICIPAL COURT HAS JURISDICTION TO TRY. IT SHALL BE HIS/HER DUTY TO ARREST WITHOUT WARRANT ALL

VIOLATORS OF THE LAWS AND ORDINANCES AND ALL WHO OBSTRUCT OR INTERFERE WITH HIM/HER IN THE DISCHARGE OF HIS/HER DUTIES. IN THE PREVENTION AND SUPPRESSION OF CRIME AND THE ARREST OF OFFENDERS, HE/SHE SHALL HAVE ALL THE POWERS AS PRESCRIBED FOR BY MUNICIPAL PEACE OFFICERS UNDER THE LAWS OF THE STATE. HE/SHE SHALL PERFORM SUCH OTHER DUTIES AND HAVE SUCH OTHER POWERS AS THE GOVERNING BODY MAY BY RESOLUTION OR ORDINANCE REQUIRE OR CONFER, OR AS MAY BE PRESCRIBED BY STATE LAW.

#### **POLICE DEPARTMENT**

THE POLICE DEPARTMENT OF THE CITY OF LOG CABIN, TEXAS, SHALL CONSIST OF THE CHIEF OF POLICE AND SUCH NUMBER OF POLICEMEN AS THE GOVERNING BODY MAY FROM TIME TO TIME AUTHORIZE.

#### **POLICE OFFICERS TO OBEY ORDERS**

IT SHALL BE THE DUTY OF ALL POLICEMEN TO BE OBEDIENT TO THE ORDERS OF THE CHIEF OF POLICE, MAYOR, AND CITY COUNCIL COMMUNICATED TO THEM IN PERSON OR DELIVERED TO THEM IN WRITING, AND TO KEEP FAITHFUL WATCH ON THE DISTRICT WHICH MAY BE ASSIGNED TO THEM, AND THEY SHALL BE FURTHER AUTHORIZED TO GO INTO ANY DWELLING HOUSE, STORE OR OTHER PLACE IN WHICH ANY PERSON MAY HAVE TAKEN REFUGE OR BE, WHO HAS, IN THEIR PRESENCE OR HEARING, COMMITTED A FELONY, OR WHERE ANY FELONY IS ABOUT TO BE COMMITTED, OR AN ALARM OR OUTCRY IS BEING MADE.

#### **CHIEF OF POLICE TO ASSIGN DUTIES**

THE CHIEF OF POLICE SHALL ASSIGN TO EACH OFFICER HIS/HER DUTIES, AND MAY ORDER ANY OF THEM TO RENDER SUCH SERVICE IN ANY PART OF THE CITY WHENEVER AND WHEREVER, IN HIS/HER OPINION, THE OCCASION SHALL REQUIRE IT. HE/SHE SHALL REPORT IN WRITING TO THE MAYOR THE TIME ACTUALLY SERVED BY EACH PEACE OFFICER, THE TIME ABSENT AND SUCH OTHER INFORMATION AS HE/SHE SHALL MAY DEEM PROPER OR MAY, FROM TIME TO TIME BE REQUIRED. HE/SHE SHALL ALSO SEE THAT THE PEACE OFFICERS ARE EQUIPPED WITH PROPER ARMS AND EQUIPMENT WHICH THE EMERGENCY SHALL REQUIRE. HE/SHE SHALL SEE THAT THEY PERFORM THEIR DUTIES, AND HE/SHE SHALL REPORT EACH FAILURE PROMPTLY TO THE MAYOR, AND HE/SHE SHALL, AS FAR AS PRACTICABLE, CAUSE ALL ORDERS OF THE MAYOR AND THE CITY COUNCIL TO BE FAITHFULLY EXECUTED.

### **DUTY OF POLICEMEN**

IT SHALL BE THE DUTY OF ALL PEACE OFFICERS TO ARREST ALL PERSONS FOUND IN SUSPICIOUS PLACES AND UNDER CIRCUMSTANCES WHICH REASONABLY SHOW THEY HAVE BEEN GUILTY OF SOME FELONY OR BREACH OF THE PEACE, OR WHO THREATEN TO OR ARE ABOUT TO COMMIT

SOME OFFENSE AGAINST THE LAWS AND ORDINANCES.

### **PERSONS ARRESTED TO BE ARRAIGNED**

IN ALL CASES OF THE ARREST OF ANY PERSON WITHOUT A WARRANT, THE PEACE OFFICER MAKING THE ARREST SHALL BRING THAT PERSON FORTHWITH BEFORE THE MUNICIPAL COURT, IF IN SESSION, AND IF SAID COURT BE NOT IN SESSION, THE SAID OFFICER SHALL COMMIT SUCH PERSON TO THE HENDERSON COUNTY JAIL, THERE TO BE SAFELY KEPT IN CUSTODY UNTIL SAID COURT SHALL BE IN SESSION, WHEN SUCH PERSON SHALL BE TAKEN FORTHWITH BEFORE THE COURT, THERE TO BE TRIED ACCORDING TO LAW; PROVIDED, THAT THE CHIEF OF POLICE, OR ANY PEACE OFFICER DULY AUTHORIZED MAY TAKE GOOD AND SUFFICIENT BAIL FROM SUCH OFFENDER FOR HIS/HER APPEARANCE BEFORE THE MUNICIPAL COURT.

### **MORAL CHARACTER REQUIRED**

NO PERSON SHALL BE APPOINTED AS A MEMBER OF THE POLICE DEPARTMENT WHO HAS NOT A GOOD MORAL CHARACTER, AND WHEN REQUIRED BY THE CHIEF OF POLICE OR THE CITY COUNCIL SHALL FURNISH TESTIMONIALS AND MAY BE REQUIRED TO GIVE BOND IN A SUM FIXED BY THE CITY COUNCIL, IF THE SAME BE DEEMED NECESSARY.

### **ARRESTS**

IT SHALL BE THE DUTY OF EVERY POLICE OFFICER TO MAKE ARRESTS WITHOUT A WARRANT, WHEN A STATE LAW OR CITY ORDINANCE HAS BEEN VIOLATED IN HIS/HER PRESENCE; BUT IN MAKING SUCH ARRESTS, AND IN CONVEYING THE OFFENDER TO THE MUNICIPAL OR COUNTY JAIL, HE/SHE SHALL USE ONLY SUCH FORCE AS IS NECESSARY TO EFFECT HIS/HER PURPOSE.

**POLICEMEN TO BE COURTEOUS AND RESPECTFUL**

IT SHALL BE THE DUTY OF ALL POLICEMEN TO TREAT ALL CITY OFFICERS, AS WELL AS OTHER PERSONS WITH WHOM THEY COME IN CONTACT IN THE DISCHARGE OF THEIR DUTIES, IN A COURTEOUS AND RESPECTFUL MANNER.

**GROUND FOR DISMISSAL**

ANY MEMBER OF THE POLICE DEPARTMENT SHALL BE SUBJECT TO DISMISSAL FOR NEGLECT OF DUTY OR MISCONDUCT IN OFFICE OR FOR THE VIOLATION OF THE LAWFUL ORDERS OF THE POLICE CHIEF, MAYOR, OR CITY COUNCIL, OR SUCH OTHER OFFICER HAVING AUTHORITY TO COMMAND, OR FOR THE CONVENIENCE OF THE CITY.

**POLICEMEN TO WEAR BADGES AND UNIFORMS**

WHILE PERFORMING THEIR DUTIES, POLICEMEN SHALL WEAR BADGES AND UNIFORMS AS PRESCRIBED BY THE CHIEF OF POLICE.

**UNAUTHORIZED PASSENGERS IN POLICE VEHICLES PROHIBITED**

**A. UNAUTHORIZED PASSENGERS DEFINED**

NO MEMBER OF THE LOG CABIN POLICE DEPARTMENT SHALL PERMIT ANY UNAUTHORIZED PASSENGER TO RIDE WITH HIM/HER IN ANY POLICE VEHICLE. AN UNAUTHORIZED PASSENGER IS ANY PERSON ACCOMPANYING THE POLICE OFFICER AS AN OBSERVER OR VOLUNTEER ASSISTANT WHO IS NOT THEN AND THERE ON SPECIFIC OFFICIAL BUSINESS FOR THE CITY WHICH REQUIRES HIS/HER PRESENCE IN SAID VEHICLE.

**B. WAIVER OF LIABILITY**

UPON EXECUTION OF A WAIVER OF LIABILITY RELEASING THE CITY FROM ALL LIABILITY, THE FOLLOWING SHALL BE EXEMPT FROM THE RULES SET FORTH IN THIS SECTION:

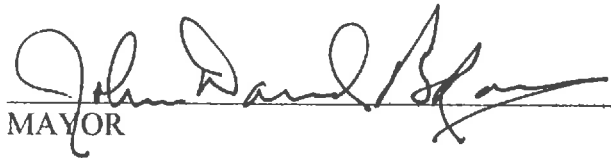
- (1) MAYOR AND ANY MEMBER OF THE CITY COUNCIL.
- (2) DESIGNATED POLICE CHAPLAINS.
- (3) AUTHORIZED MEDICAL PERSONNEL.
- (4) CITIZENS ON PATROL ACCOMPANYING THE CHIEF OF POLICE OR ANY OTHER POLICE OFFICER..

**C. POLICE OFFICER SUBJECT TO IMMEDIATE DISCHARGE**

ANY POLICE OFFICER WHO, IN VIOLATION OF THIS SECTION, SHALL PERMIT ANY UNAUTHORIZED PASSENGER TO RIDE WITH HIM/HER IN ANY POLICE VEHICLE SHALL BE SUBJECT TO IMMEDIATE DISCHARGE.

THIS ORDINANCE CANCELS ANY AND ALL PREVIOUS ORDINANCES OR RESOLUTIONS.

PASSED AND APPROVED THIS 21<sup>st</sup> DAY OF October, 1995.

  
MAYOR

ATTEST:

  
CITY CLERK