

**COUNCIL OF THE CITY OF SEAT PLEASANT, MARYLAND**

**Ordinance No.**                    **O-07-04**  
**Introduced By**                **City Council President**  
**Date Introduced**               **April 9, 2007**  
**First Reading**                **April 9, 2007**  
**Second Reading**              **May 7, 2007**  
**Date Adopted**                 **May 14, 2007**  
**Date Effective**                **June 12, 2007**

**AN ORDINANCE concerning**

**SEAT PLEASANT POLICE DEPARTMENT – RESERVE OFFICER PROGRAM**

**FOR** the purpose of authorizing the Chief of Police to establish a Reserve Officer Program within Seat Pleasant; providing certain criteria for any such program; creating an exception to requirements that all members of the Seat Pleasant Police Department be full-time police officers within the Department, serve a 24 month probationary period, and not engage in any other business while a City police officer; and matters generally relating to the establishment of a Reserve Officer Program within the Seat Pleasant Police Department.

**BY**    repealing and reenacting, with amendments

Chapter 35 – Police Department  
Sections 35-2.B. and D.  
Code of the City of Seat Pleasant  
1994 Edition, as amended

**BY**    adding

Chapter 35 – Police Department  
Article V – Reserve Officer Program  
Section 35-44  
Code of the City of Seat Pleasant  
1994 Edition, as amended

**SECTION 1. BE IT ORDAINED BY THE SEAT PLEASANT CITY COUNCIL** that Sections 35-2.B. and D. and 35-24 of the Code of the City of Seat Pleasant (1994, as amended), be and they hereby are repealed and reenacted, with amendments, to read as follows:

## Chapter 35 – Police Department

### §35-2. General Provisions.

- B. ((The)) EXCEPT FOR PARTICIPANTS IN THE RESERVE OFFICER PROGRAM, THE position shall be a full-time employee of the City of Seat Pleasant.
- D. ((The)) EXCEPT FOR PARTICIPANTS IN THE RESERVE OFFICER PROGRAM, THE applicant candidate must satisfactorily serve a twenty-four month probationary period, to include the period necessary for training and certification.

### §35-24. Sole occupation.

Members of the Police Department, EXCEPT FOR PARTICIPANTS IN THE RESERVE OFFICER PROGRAM, shall not actually engage in any line of business other than the performance of their duties as city police, nor shall ((they)) ANY MEMBER OF THE DEPARTMENT in any way participate in any business which might interfere with proper and efficient performance of police duty.

**SECTION 2. BE IT FURTHER ORDAINED BY THE SEAT PLEASANT CITY COUNCIL** that, new Section 35-44 be and it is hereby added to the Code of the City of Seat Pleasant (1994, as amended), Chapter 35, Police, to be under the new Article V, Reserve Officer Program, and to follow immediately after Section 35-43 of Article IV and to read as follows:

## Chapter 35 – Police Department

### ARTICLE V RESERVE OFFICER PROGRAM

### §35-44. Authorization to Establish.

- A. THE CHIEF OF POLICE, WITH THE APPROVAL OF THE MAYOR AND CITY ADMINISTRATOR, MAY ESTABLISH A RESERVE OFFICER PROGRAM WITHIN THE SEAT PLEASANT POLICE DEPARTMENT IN ACCORDANCE WITH THE CRITERIA OF THIS SECTION.
- B. THE PURPOSE OF THE RESERVE OFFICER PROGRAM IS TO PROVIDE SWORN LAW ENFORCEMENT OFFICERS TO SUPPLEMENT THE CITY'S FORCE OF PAID FULL-TIME POLICE OFFICERS.
- C. PARTICIPANTS IN THE RESERVE OFFICER PROGRAM SHALL BE SWORN AS LAW ENFORCEMENT OFFICERS WITH FULL POLICE POWERS WITHIN THE CITY OF SEAT PLEASANT.
- D. PARTICIPANTS IN THE RESERVE OFFICER PROGRAM SHALL SERVE

WITHOUT COMPENSATION, REMUNERATION OR MONETARY BENEFITS OF ANY KIND FOR THEIR SERVICES AS OFFICERS PARTICIPATING IN THE RESERVE OFFICER PROGRAM.

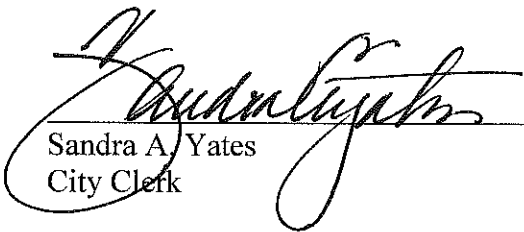
- E. PARTICIPANTS IN THE RESERVE OFFICER PROGRAM SHALL HAVE AT LEAST SUCH TRAINING AS MAY BE REQUIRED BY THE MARYLAND POLICE TRAINING COMMISSION TO PERFORM THE DUTIES OF A SWORN LAW ENFORCEMENT OFFICER.
- F. PARTICIPANTS IN THE RESERVE OFFICER PROGRAM SHALL SERVE AT WILL AND AT THE PLEASURE OF THE CHIEF OF POLICE.
- G. SUBJECT TO THE PROVISIONS OF SUBSECTION F, PARTICIPANTS IN THE RESERVE OFFICER PROGRAM SHALL BE SUBJECT TO A TWELVE MONTH PROBATIONARY PERIOD UPON INITIAL ENTRY INTO THE PROGRAM. HOWEVER, PARTICIPANTS IN THE PROGRAM SHALL ACQUIRE NO RIGHT TO CONTINUED PARTICIPATION IN THE PROGRAM UPON COMPLETION OF THE PROBATIONARY PERIOD.
- H. PARTICIPANTS IN THE RESERVE OFFICER PROGRAM SHALL BE SUBJECT TO ALL LAWS, RULES, REGULATIONS AND ORDERS REGARDING THE OPERATION OF THE POLICE DEPARTMENT AND CONDUCT OF ITS POLICE OFFICERS.
- I. PARTICIPANTS IN THE RESERVE OFFICER PROGRAM SHALL BE SUBJECT TO DISCIPLINE TO THE SAME EXTENT AND IN THE SAME MANNER AS A FULL-TIME POLICE OFFICER, EXCEPT THAT DURING THE PARTICIPANT'S PROBATIONARY PERIOD THE PARTICIPANT SHALL BE SUBJECT TO DISCIPLINE IN THE SAME MANNER AND TO THE SAME EXTENT AS A FULL-TIME POLICE OFFICER SERVING A PROBATIONARY PERIOD.
- J. THE CHIEF MAY DETERMINE THE HOURS OF WORK AND ASSIGN A PARTICIPANT IN THE RESERVE OFFICER PROGRAM TO SUCH RANK, DUTIES AND RESPONSIBILITIES IN THE DEPARTMENT AS THE CHIEF REASONABLY DETERMINES CONSISTENT WITH THE QUALIFICATIONS AND EXPERIENCE OF THE PARTICIPANT.
- K. THE CHIEF AND CITY ADMINISTRATOR SHALL ENSURE THAT PARTICIPANTS IN THE RESERVE OFFICER PROGRAM ARE COVERED BY THE SAME LIABILITY INSURANCE COVERAGE AND PROTECTIONS AS IS PROVIDED FROM TIME TO TIME FOR THE CITY'S FULL-TIME PAID POLICE OFFICERS. TO THE EXTENT REQUIRED BY LAW, THE CHIEF AND CITY ADMINISTRATOR SHALL ENSURE THAT PARTICIPANTS IN THE RESERVE OFFICER PROGRAM ARE COVERED BY THE SAME WORKERS COMPENSATION INSURANCE COVERAGE AS IS PROVIDED FROM TIME TO TIME FOR THE CITY'S FULL-TIME PAID POLICE OFFICERS.

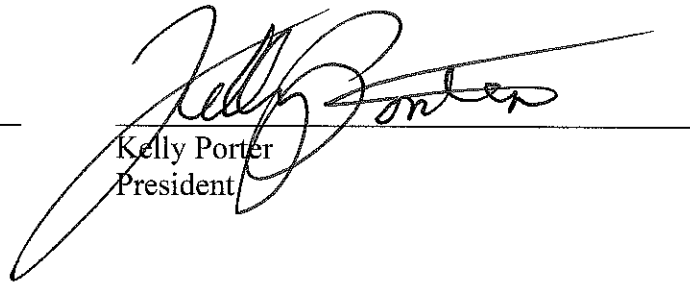
L. ANY EXPENSES RELATED TO THE RESERVE OFFICER PROGRAM MAY BE INCURRED ONLY TO THE EXTENT THAT FUNDS ARE AVAILABLE FOR SUCH PURPOSES IN THE POLICE DEPARTMENT'S ANNUAL BUDGET.

**SECTION 3. AND BE IT FURTHER ORDAINED BY THE SEAT PLEASANT CITY COUNCIL** that the City Clerk shall certify to the adoption of this ordinance, and cause the same to be published as required by law, and that this Ordinance shall become effective twenty (20) days following approval by the Mayor or passage by the council after veto by the Mayor.

**ATTEST:**

**COUNCIL OF THE CITY OF  
SEAT PLEASANT**

  
\_\_\_\_\_  
Sandra A. Yates  
City Clerk

  
\_\_\_\_\_  
Kelly Porter  
President

**EXPLANATION:**

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

((Double Parenthesis)) indicate matter deleted from existing law.

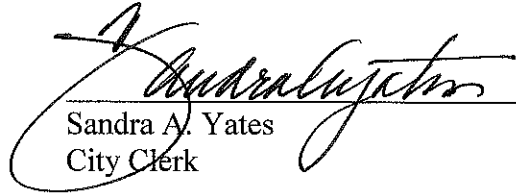
Underlining indicates amendments to bill.

~~Strike Out~~ indicates matter stricken from the bill by amendment or deleted from the law.

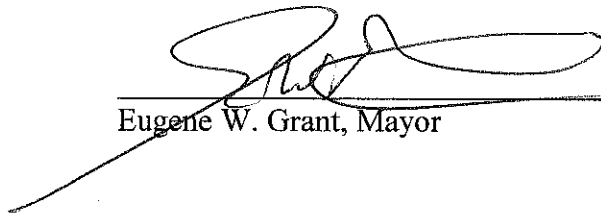
\*\*\*\*\*

**APPROVED:**

This Ordinance was presented to the Mayor for his approval of disapproval pursuant to Section C-313 of the Charter of the City of Seat Pleasant this 23<sup>rd</sup> day of May, 2007.

  
\_\_\_\_\_  
Sandra A. Yates  
City Clerk

In accordance with Section C-313 of the Charter of the City of Seat Pleasant, I hereby **APPROVE/DISAPPROVE** this Ordinance this 23<sup>rd</sup> day of MAY, 2007.

  
\_\_\_\_\_  
Eugene W. Grant, Mayor