EMERGENCY ORDINANCE NO. 2010- 05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AVENAL AMENDING SECTION 2 OF CHAPTER 10 TO TITLE 4, PUBLIC SAFETY, AVENAL MUNICPAL CODE, ACCEPTING THE REQUIREMENTS OF THE PENAL CODE RELATING TO THE TRAINING OF LAW ENFORCEMENT OFFICERS.

THE CITY COUNCIL OF THE CITY OF AVENAL DOES ORDAIN AS FOLLOWS:

Section 10-1-2 of the Municipal Code of the City of Avenal is hereby amended to read as follows:

10-1-2: LAW ENFORCEMENT OFFICER'S TRAINING:

A. The City Council of the City of Avenal declares that it desires to qualify to receive aid from the state of California under the provisions of Section 13522, Chapter 1 of Title 4, Part 4 of the California Penal Code.

B. Pursuant to Sections 13510.1 and 13512 of said Chapter 1 the Avenal Police Department will adhere to the standards for recruitment and training established by the Commission on Peace Officer Standards and Training.

C. The Commission and its representatives may make such inquiries as deemed necessary to ascertain that the peace officer personnel of the Avenal Police Department adhere to the standards for recruitment and training established by the California Commission on Peace Officer Standards and Training.

EFFECTIVE DATE. This Ordinance shall be in full force and effect as an **Emergency Ordinance upon its adoption.**

PASSED AND ADOPTED by the City Council of the City of Avenal at a regular meeting held on the 28th day of October, 2010 by the following **ROLL CALL VOTE:**

AYES: CRAIGHEAD, JEPSEN, OVALLE, CASIDA, CURTY
NOES: NONE.
ABSTAIN: NONE.
ABSENT: NONE.

APPROVED: _____
Harlin G. Casida, MAYOR

ATTEST: _____
Pamela J. Bonilla, CITY CLERK

ORDINANCE 2010 -02

AN ORDNIANCE OF THE CITY COUNCIL OF THE CITY OF AVENAL ADDING CHAPTER 10 TO TITLE 4. PUBLIC SAFETY, AVENAL MUNICIPAL CODE, CREATING THE AVENAL POLICE DEPARTMENT.

THE CITY COUNCIL OF THE CITY OF AVENAL DOES ORDAIN AS FOLLOWS:

CHAPTER 10

POLICE DEPARTMENT

SECTION

10-1.1: **Chief of Police**
10-1.2: **Law Enforcement Officer's Training**

10-1-1: CHIEF OF POLICE:

A. Office Created: There is hereby created a Police Department in the City which shall consist of a Chief of Police and as many employees as the City Council may designate from time to time based on recommendation by the Chief of Police for the safety and security of the Community and its Citizens.

B. Appointment and Removal: Unless otherwise directed by the City Council, the Chief of Police shall be appointed by the City Manager from a list of eligible candidates obtained through the City's normal recruitment procedures. The Chief of Police shall serve at the pleasure of the City Manager and may be removed by the City Manager at any time thereafter, in accordance with the Personnel Manual of the City and, if applicable, any written contract entered into between the City Council and the Chief of Police.

C. Supervision and Control: The City Manager shall be the immediate supervisor of the Chief of Police and all policies, directives and orders from the City government to the Chief of Police shall be made by or transmitted through the City Manager as executive head of the City government. The Chief of Police shall report directly to the City Manager and not to the City Council or individual members thereof or to any other committee or commission.

D. Powers And Duties: The Chief of Police shall direct the administration and operations of the Police Department and, in addition to policies transmitted to him/her by the City Manager, shall establish other policies, directives, rules and regulations for the administration and operations of the Department as he/she sees fit. The Chief of Police shall serve as the employing authority for the appointment of any position within the Department, other than his/her own and shall have the power to suspend or dismiss any employee consistent with the provisions of the City Personnel Manual. Not withstanding anything to the contrary, all positions with the Department shall be filled and/or vacated only after the consent and approval by the City Manager is obtained.

Responsibilities: The Chief of Police shall lead by professional example and by participating as a member of the City management team and shall organize the Police Department to accomplish this mission and shall coordinate and control the operations of major divisions within the Department as well as its relations with other law enforcement agencies. Other responsibilities shall include, but shall not necessarily be limited to, such activities as the review and evaluation of the Department toward meeting goals and objectives, planning for departmental needs and programs, including the preparation and submission of such budget material that may be required, providing advice and counsel to the City Manager on matters pertaining to law enforcement, providing information and maintaining external relations with the public.

10-1-2: LAW ENFORCEMENT OFFICER'S TRAINING:

A. Standards For Recruitment and Training: Pursuant to all applicable sections of the California Penal Code, the City while receiving aid from the State, will adhere to the standards for recruitment and training established by the California Commission on Peace Officer's Standards and Training.

B. Proposed Minimum Recruitment Standards: The required standards shall be in compliance with the Commission on Peace Officer Standards and Training (P.O.S.T.) Administrative Manual as in force/amended from time to time.

C. Personal History Investigation: A personal history investigation shall be conducted pursuant to the provisions contained in the Commission on Peace Officer Standards and Training (P.O.S.T.) Administrative Manual as in force/amended from time to time.

THE FOREGOING ORDINANCE was passed and adopted by the City Council of the City of Avenal, State of California, on May 27, 2010 at a regular meeting of said Council duly and regularly convened on said day by the following vote:

AYES: Craighead, Ovalle, Jepsen, Casida, Curty.
NOES: None.
ABSTAIN: None.
ABSENT: None.

BY: _____
HARLIN G. CASIDA
Mayor, City of Avenal

ATTEST: _____
PAMELA BONILLA
City Clerk, City of Avenal