

ORDINANCES
MILES CITY, MONTANA

ORDINANCE NO. 1159

AN ORDINANCE ESTABLISHING A POLICE RESERVE FORCE

BE IT ORDAINED by the City Council of the City of Miles City, Montana as follows:

Section 1. Definitions: As used herein the following definitions apply:

- a. "General law enforcement duties" means patrol operations performed for detection, prevention, and suppression of crime and the enforcement of criminal and traffic codes of the State of Montana and the City of Miles City.
- b. "Law enforcement officer" means a sworn, full-time, employed member of the Miles City Police Department who is a peace officer as defined by Montana law and has arrest authority under Montana law.
- c. "Reserve officer" means a sworn, part-time, volunteer member of the Miles City Police Department who is a peace officer as defined by Montana law and has arrest authority under Montana law only when authorized to perform these functions as a representative of the Miles City Police Department.

Section 2. Police Reserve Authorized. A Police Reserve Force, and police reserve officers, for the Miles City Police Department are hereby authorized.

Section 3. Qualifications for Appointment as Police Reserve Officer. To be appointed a reserve officer, a person must:

- (a) have resided in the State of Montana continuously for at least 1 year prior to the date of appointment and in Custer County, Montana for a continuous period of at least 6 months immediately prior to the date of appointment;
- (b) be a citizen of the United States;
- (c) be at least 18 years of age;
- (d) be fingerprinted, and a search must be made of local, state, and national fingerprint files to disclose any criminal record;
- (e) not have been convicted of a crime for which the applicant could have been imprisoned in a federal penitentiary or state prison;
- (f) be of good moral character as determined by a thorough background investigation;
- (g) be a graduate of an accredited high school or equivalent;
- (h) be examined by a licensed physician within 30 days immediately preceding the date of appointment and pronounced in good physical condition; and
- (i) possess a valid Montana driver's license.

Section 4. Appointment of Reserve Officers and Termination of Appointment. The Mayor shall appoint all reserve officers. Following appointment, the reserve officer shall serve at the pleasure of the Mayor and may be terminated at any time by the Mayor by written notification without any cause.

ORDINANCES

MILES CITY, MONTANA

Section 5. Appointment of Reserve Officer to Full-Time Position. A reserve officer may be appointed as a law enforcement officer through the procedure for appointment of full-time members of the Miles City Police Department.

Section 6. Change in Residency. A reserve officer may change their permanent residency to another county in the State of Montana and remain a member of the Miles City Police Reserve Force provided that the officer has completed the basic training requirements set forth herein, has completed the probationary period established for full-time members of the Miles City Police Department, and their continued membership is approved in writing by the Mayor.

Section 7. Required Basic Training. No reserve officer may be authorized to function as a representative of the Miles City Police Department performing general law enforcement duties after 2 years from original appointment unless the reserve officer has satisfactorily completed a minimum 88-hour basic training program which must include, but need not be limited to, the following course content:

- (a) introduction and orientation--1 hour;
- (b) police ethics and professionalism--1 hour;
- (c) criminal law--4 hours;
- (d) laws of arrest--4 hours;
- (e) criminal evidence--4 hours;
- (f) administration of criminal law--2 hours;
- (g) communications, reports, and records--2 hours;
- (h) crime investigations--3 hours;
- (i) interviews and interrogations--2 hours;
- (j) patrol procedures--6 hours;
- (k) crisis intervention--4 hours;
- (l) police human and community relations--3 hours;
- (m) juvenile procedures--2 hours;
- (n) defensive tactics--4 hours;
- (o) crowd control tactics--4 hours;
- (p) firearms training--30 hours;
- (q) first aid--10 hours; and
- (r) examination--2 hours.

The Miles City Police Department is responsible for training its reserve officers in accordance with minimum training standards established by the Montana board of crime control.

Section 8. Reserve Manual. The Miles City Police Department shall adopt and publish a manual setting forth the minimum qualifications, minimum training standards, and standard operating procedures for reserve officers. A copy of the manual shall be maintained at the Miles City Police Department and a copy shall be on file with the City Clerk.

Section 9. Reserve Force Coordinator. The Mayor shall appoint, from time to time, a full-time member of the Miles City Police Department to serve as the Reserve Force Coordinator. The Reserve Force Coordinator shall coordinate the activities of the Police Reserve Force with those of the Miles City Police Department. The Reserve Force Coordinator shall maintain a continuing, written record of the qualifications and training of each reserve officer and shall, annually, conduct firearms qualifications for any reserve officer who has been authorized by the Mayor to carry a weapon while on assigned duty.

ORDINANCES

MILES CITY, MONTANA

Section 10. Restrictions on Carrying Weapons. No reserve officer may carry a weapon while on assigned duty until the reserve officer has qualified on the firing range with a weapon in compliance with the firearms qualifying course conducted by the Montana law enforcement academy and until authorized by the Mayor to carry a weapon.

Section 11. Activation of Reserve Officers and Limitation of Activities. A reserve officer may serve as a peace officer only on the orders and at the direction of the Mayor. A reserve officer may act only in a supplementary capacity to the Miles City Police Department. A reserve officer is subordinate to full-time law enforcement officers and may not serve unless supervised by a full-time Miles City Police Department officer whose span of control would be considered within reasonable limits.

Section 12. Activation of Police Reserve Force. Upon activation by the Mayor, the reserve officer, while on duty, is vested with the same powers, rights, privileges, obligations, and duties of a peace officer in the State of Montana.

Section 13. Prohibition on Participation in Pension and Retirement System. A reserve officer may not participate in any pension or retirement system established for full-time law enforcement officers.

Section 14. Prohibition on Reduction of Full-Time Officers. The City of Miles City may not reduce the authorized number of full-time law enforcement officers of the Miles City Police Department through the appointment or utilization of reserve officers.

Section 15. Workers' Compensation Coverage. The City of Miles City shall provide workers' compensation coverage for its police reserve officers while they are providing actual service for a law enforcement agency.

Section 16. Resolution 3011 Superseded. City of Miles City Resolution 3011, providing for a reserve police force, is superseded in its entirety by this Ordinance and shall have no further force and effect upon the effective date of this Ordinance.

Section 17. Effective Date. This ordinance shall become effective thirty (30) days following its final passage.

Said ordinance read and put on its passage this 28th day of February, 2006.

C.A. Grenz, Mayor

ATTEST:

Patricia D. Huss, City Clerk

ORDINANCES
MILES CITY, MONTANA

FINALLY PASSED AND ADOPTED this ¹¹~~14~~ day of ^{April}~~March~~, 2006.

C.A. Grenz, Mayor

ATTEST:

Patricia D. Huss, City Clerk