

ORDINANCE NO. 138

AN ORDINANCE TO REAFFIRM THE ESTABLISHMENT OF A POLICE DEPARTMENT FOR THE CITY OF CLINTON, ARKANSAS AND TO PRESCRIBE THE DUTIES FOR SAID MEMBERS OF THE POLICE DEPARTMENT.

WHEREAS, by Ordinance No. 96 of the Ordinances of the City of Clinton a Police Department was established on September 7, 1972, and WHEREAS, a question exists as to the validity of such Ordinance and, WHEREAS, by Act 668 of 1981 the Arkansas legislature clearly granted cities of the second class the power to establish a police department:

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLINTON, ARKANSAS:

SECTION 1. That the law enforcement and protection of the City of Clinton, Arkansas, shall be vested in and delegated to the hereinafter established police department. The police department is hereby established as the law enforcement and protection agency for the purpose of preserving peace, maintaining order, and enforcing the law and ordinances of the City of Clinton, Arkansas.

SECTION 2. That the police department shall consist of one person, known and designated as the Chief of police, and such other policemen as the City Council may provide, who shall be sober and intelligent; and meet requirements as may be prescribed by the City Council from time to time. Such Chief of Police and policemen shall be appointed by the Mayor of the City of Clinton, AFTER the City Council has approved and designated such persons for the positions, for such term as the City Council shall prescribe in the appointment. The policemen and Chief shall be under the superintendency of the Mayor. Such Chief of Police and policemen shall be subject to removal by the Mayor upon approval

of a majority of the City Council.

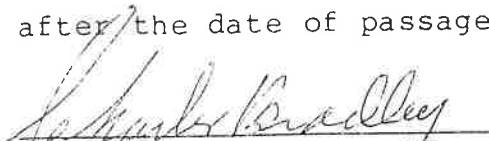
SECTION 3. That the membership of the police department shall be determined by the City Council, from time to time, increasing or decreasing the membership as occasion demands and their salaries shall be fixed and determined by the City Council subject to increase or decrease as the occasion demands.

SECTION 4. The police department and its membership shall be the law enforcement and protection agency charged with the responsibility for law enforcement, protection, preservation of peace and order within the City of Clinton.

SECTION 5. That the term of the Chief of Police and all other policemen shall be set at any period of time from one week to two years. Said fixing of time to be done by the City Council.

SECTION 6. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 7. There is an immediate need for the enactment of this ordinance to insure proper and adequate law enforcement and protection in the community, therefore an emergency exists and is declared, and this ordinance being necessary for the preservation of property, health, and life of the inhabitants, shall take effect and be in force on and after the date of passage.


CHARLES BRADLEY, Mayor

ATTEST: FAYE RODGERS, City Clerk

DATE: Faye Rodgers
9-12-85

(SEAL)