

AN ORDINANCE TO CREATE A POLICE DEPARTMENT IN  
THE CITY OF DIAMONDHEAD

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF  
DIAMONDHEAD, UPON MOTION BY COUNCILMEMBER Aselcomb,  
WITH SECOND BY COUNCILMEMBER Problock, AS FOLLOWS:

THEREFORE, BE IT ORDAINED AS FOLLOWS

**Section 1. Continuance**

The City of Diamondhead ("City") hereby establishes the Diamondhead Police Department ("Department"). The Department's head shall be known as the Chief of Police ("Chief"). The City Manager shall hire the Chief. The City Manager shall hire all full time and hire or appoint all reserve or part time officers, upon the recommendation of the Chief.

**Section 2. Chief of Police**

The Police Chief shall be the commanding officer of the police department. The Police Chief shall provide such rules and regulations for the government and efficiency of the Police Department. Such rules and regulations shall be subject to final approval of the City Manager before becoming effective.

The Chief shall:

1. Supervise, control and discipline the members of Department;
2. Be responsible for the enforcement of law and order;
3. Be responsible for the maintenance and care of all property used by the Police Department;
4. Propose the department's rules, regulations and any amendments to such rules and regulations, these proposals shall be subject to final approval by the City Manager before becoming effective.
5. Ensure that all full-time Police Officers, part-time Officers and Reserve Officers meet all requirements mandated by the Mississippi Codes as Annotated, establishing the Mississippi Peace Officer Standards and Training program;
6. Keep adequate records;
7. Regularly report to the Manager and the Mayor and City Council on the Department's work and needs;
8. Use individual members at his/her discretion. In cases of emergency, mutual aid and community event, the Chief of Police or designees of the Chief of Police shall have the authority to call additional Police personnel to duty, within budget restraints; or call additional Police personnel to duty under a declared state of emergency declared by the Mayor and City Council.

The Chief shall supervise and control every Member of the Department, full time, reserve and part time, and may designate one of the police officers as acting Chief, who shall have all the powers and duties of the Chief during the Chief's absence or disability.

**Section 3. Police Officer Full-Time/duties.**

- (a) Full-Time Law Enforcement Officer shall mean any person appointed or employed full-time by the City of Diamondhead who received gross compensation for his/her duties as a law enforcement officer, who is duly sworn and vested with authority to bear arms and make arrests, and whose primary responsibility is the prevention and detection of crime, the apprehension of criminals and the enforcement of criminal and traffic laws of the State of Mississippi and of the ordinances of the City of Diamondhead and assist in the prosecution of such arrestees; Law enforcement officers must be 21 years of age; be a high school graduate or obtain a general educational development (GED) diploma, be a United States Citizen; be of good physical and mental condition, capable of performing the duties, under conditions inherent to the profession, as verified by a licensed physician.
- (b) Members shall serve process on the City's behalf and any notices the City Council or other authority may require.

**Section 4. Uniform and Badge.**

While on duty, each Member shall wear a suitable badge and uniform furnished by the City, but the Chief may authorize the Members to perform specific duties while not in uniform. When a Member terminates membership from the Department, the Member shall immediately deliver his or her badge, uniform, and other City property in his or her possession to the City.

**Section 5. State Law.**

Members shall comply with all applicable State laws or rules regarding the hiring and training of police officers, including the Board of Law Enforcement Officer Standards and Training Program § 45-6-1 *et seq.*

**Section 6. Part-Time Police/Police Reserve.**

- (a) The City Manager may establish within the Police Department any number of part-time police and police reserve positions. The Chief, in his discretion, may establish a rank supervisory structure in the police reserves, these reserves supervisory positions will have no supervisory authority over a regular full-time police officer. Part-time police and reserve police can fall under the direction of full-time police officers of the regular police force. No part-time police officer or police reserve officer shall be on duty without the prior consent of the Chief of Police or designees of the Chief of Police.

- (b) A part-time police officer or police reserve shall be responsible to and be under the supervision of the Chief of Police or designees of the Chief of Police whenever on duty. The Chief of Police may use individual members at his/her discretion. In cases of recall, see Chief of Police – Section 2 – Sub-section 8.
- (c) A part-time police officer or police reserve shall mean any person appointed or employed in a part-time, reserve, or auxiliary capacity by the Diamondhead Police Department who is duly sworn and vested with authority to bear arms and make arrests, and whose primary responsibility is the prevention and detection of crime, the apprehension of criminals and the enforcement of criminal and traffic laws of the State of Mississippi and the ordinances of the City of Diamondhead. Law enforcement officers must be 21 years of age; be a high school graduate or obtain a general education development (GED) diploma; be a Citizen of the United States; be of good physical and mental condition, capable of performing the duties, under conditions inherent to the profession, as verified by a licensed physician.
- (d) Members shall serve process on the City’s behalf and notices the City Council or other authority may require.
- (e) Part time police officers and police reserve officers shall not be qualified to receive any fringe benefits, such as retirement and medical or health insurance benefits.

**Section 7. Criminal History Employment Investigations.**

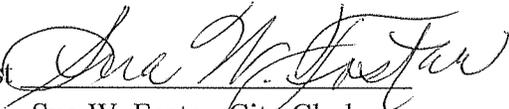
The Police Department shall have the authority to conduct criminal history background investigations on all applicants for City employment.

The above and forgoing Ordinance having been introduced to City Council in writing and considered by the City Council section by section, and as a whole, was adopted by the following vote:

	Aye	Nay	Absent
Mayor Charles H. Ingraham, Jr.	✓ _____	_____	_____
Councilmember Ackerman	_____	_____	✓ _____
Councilmember Holman	✓ _____	_____	_____
Councilmember Knobloch	✓ _____	_____	_____
Councilmember Rech	✓ _____	_____	_____
Councilmember Roberson	✓ _____	_____	_____

SO ORDAINED, THIS THE 15<sup>th</sup> DAY OF April, 2013.

  
\_\_\_\_\_  
Charles H. Ingraham, Jr., Mayor  
City Of Diamondhead, MS

Attest   
\_\_\_\_\_  
Sue W. Foster, City Clerk

Adopted at regular meeting April 15, 2013.  
Recorded at Minute Book \_\_\_\_\_, at Page \_\_\_\_\_.

SEAL

THIS IS TO CERTIFY THAT THE FOREGOING ORDINANCE WAS ADOPTED BY THE CITY OF DIAMONDHEAD,  
MISSISSIPPI, ON THE 15<sup>th</sup> DAY OF April, 2013

  
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CITY CLERK