

**STATE OF GEORGIA
CITY OF MORROW**

ORDINANCE 2016-08

AN ORDINANCE AMENDING TITLE 4, PUBLIC SAFETY, CHAPTER 1, LAW ENFORCEMENT, SECTION 4-1-2, OF THE CODE OF ORDINANCES OF THE CITY OF MORROW, TO UPDATE THE CITY'S PROCEDURE AS TO POLICE DEPARTMENT RULES AND REGULATIONS; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the governing authority of the City of Morrow ("City") is the Mayor and Council thereof;

WHEREAS, the current Section 4-1-2 provides for certain procedures for amending the Morrow City Police Department's rules and regulations which are in need up updating; and

WHEREAS, the City desires for a more effective and efficient method for the amending of the Morrow Police policies and procedures; and

WHEREAS, the City desires for any new or subsequent chief of police be granted the authority to affix his or her signature to existing policies and procedures without mandating Mayor and council approval; and

WHEREAS, in the interest of good, fair, and efficient government, the City desires to amend its Code of Ordinances and change Section 4-1-2 in order to provide for more efficient and effective procedures for amending the Morrow Police Department's rules and regulations; and

WHEREAS, the health, safety, and welfare of the citizens of the City of Morrow, Georgia, will be positively impacted by the adoption of this Ordinance.

**BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF
THE CITY OF MORROW, GEORGIA,** and by the authority thereof:

Section 1: The City's Code of Ordinances is hereby amended by deleting in its entirety Section 4-1-2, Police department rules and regulations, Chapter 1, Law Enforcement, Title 4, Public Safety, and inserting the following text in lieu thereof, to read and to be codified as follows:

Title 4 – PUBLIC SAFETY

CHAPTER 1. – LAW ENFORCEMENT

Sec. 4-1-2. - Police department rules and regulations.

(a) Under the direction of the City Manager, the police chief shall maintain written departmental rules and regulations for the operation of the police department as are necessary. Police rules and regulations, and any changes or amendments thereto, shall be proposed in writing by the police chief and submitted to the City Manager for the City Manager's approval. If approved by the City Manager, such shall be thereafter submitted to the Mayor and Council for their review.

(b) Upon submission, any member of the Mayor and Council may object to the implementation of proposed rules, regulations or amendments, by notice to the City Manager, within 10 days from receipt of the proposal. If no member of the Mayor and Council timely objects, then the proposed rules and regulations, or any changes or amendments thereto, will become effective immediately after the expiration of the period for objection. If an objection is timely received, such

objection shall be placed on the agenda of the next regular city council meeting for consideration by the Mayor and Council.

(c) Should the Mayor and Council wish at any time to consider and discuss any changes to the written police rules and regulations, then such discussion may be added as an agenda item for any meeting of the Mayor and Council according to the rules and procedures contained within this code.

(d) Once a policy or an amendment thereto is approved, it shall remain in place, regardless of the occupant of the office of chief of police, until subsequently modified by this procedure. The reissuing, restating, or updating of the police rules and regulations with the signature of a new or subsequent chief of police, shall not constitute a new rule or regulation, or any change or amendment to an existing rule or regulation, for purposes of this statute.

Section 2. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 3. This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City.

Section 4. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the

greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 5. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

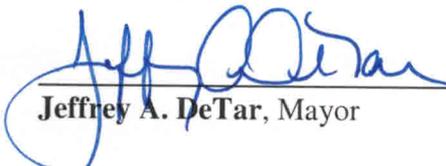
Section 6. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

ORDAINED this 22nd day of November, 2016.

CITY OF MORROW, GEORGIA



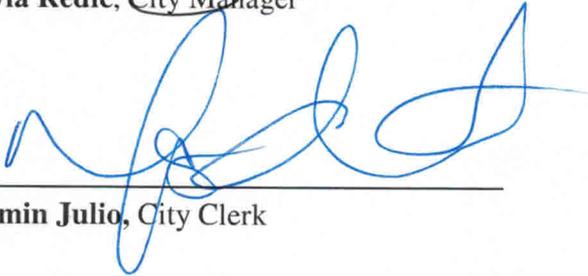
ATTEST:



Jeffrey A. DeTar, Mayor

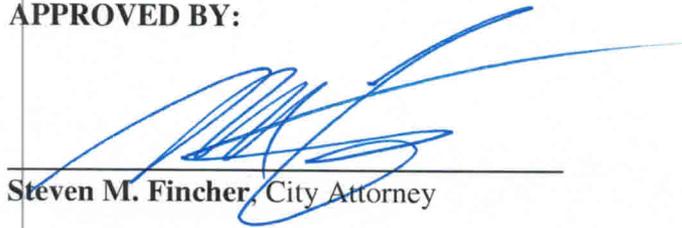


Sylvia Redic, City Manager



Yasmin Julio, City Clerk

APPROVED BY:



Steven M. Fincher, City Attorney