

ORDINANCE NO. 2010-008

TOWN OF FOUNTAIN LAKE
LAW ENFORCEMENT ORDINANCE
AN ORDINANCE CREATING AND ESTABLISHING THE OFFICE OF TOWN MARSHAL

WHEREAS, the Town Council finds that it is in the public interest to create by this ordinance the office of Town Marshal in order to promote the public safety, and welfare of the Town of Fountain Lake by creating a visible law enforcement presence after daylight hours inside the corporate town limits;

WHEREAS, Arkansas Code Annotated 14-45-109 and 14-42-110 establish the authority of an incorporated town to establish the office of Town Marshal and the authority of the mayor to appoint said Town Marshal.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FOUNTAIN LAKE AS FOLLOWS:

1. **CREATION.**
 - (a) There is hereby established the office of the Fountain Lake Town Marshal.
 - (b) The Town Marshall shall be appointed by the Mayor with the advice of the Town Council. The Town Marshall, in addition to his duties as Marshal, may be appointed or employed by the Town to act in any other capacity, provided that such appointment or employment is compatible with his duties as Marshal.
 - (c) The Town Marshals office shall be a limited service law enforcement agency with primary duties performed after sunset and prior to sunrise. Focusing on crime prevention and community patrol inside the corporate town limits. However nothing in this section shall preclude a Town marshal or his Deputies from performing patrols or any other law enforcement duties at any time inside the corporate town limits, or any other location at the request of a County Sheriff official.
2. **REMOVAL.** The Town Marshal shall serve at the discretion of the Mayor and may be removed from office at the will of the Mayor, unless the town council shall, by a two-thirds (2/3) majority of the total membership of the council, vote to override the mayor's action.
3. **POWERS.** The Town Marshal's power and authority shall be derived from Arkansas code 14-45-111.
4. **RESIDENCY.** The Town Marshal shall reside in Garland County, no more than five (5) miles outside the incorporated town boundaries
5. **SPECIAL PROVISIONS.**
 - (a) The Town Marshal and any Deputy Town Marshal shall meet all requirements as specified by the Arkansas Commission on Minimum Standards, and within one year of appointment shall have satisfactorily completed not less than 110 hours of Commission approved training which will include a Firearms Qualification equivalent to the Firearms Qualification Course for Full-Time Law Enforcement Officers.
 - (b) The Town Marshal shall be required to attend Town Council meetings where he or she will provide security for the council meeting and present a verbal or written report indicating police activities and pertinent law enforcement related information to the town council.
 - (c) By force of this ordinance the Town Marshal is limited to two (2) Deputies with Law enforcement powers and one (1) **Non Commissioned** assistant for administrative, clerical or other special assigned duties.
 - (d) At any time when the Town Marshal or a Deputy Town Marshal is requested by a County Sheriff's office official to leave the corporate limits of the Town of Fountain Lake that officer shall be under the command of said Sheriff or his ranking officer in the field. (Providing that the Marshal or Deputy Marshal has obtained a County Commission from the Sheriff.)

EFFECTIVE DATE. This ordinance shall become effective immediately upon passage by the Fountain Lake Town Council.

Passed and adopted this 9th day of August, 2010

John Pfenger
Mayor

Joan Taylor
Recorder/Treasurer

