

ORDINANCE NO. 2024-09

AN ORDINANCE AUTHORIZING THE AWARDING OF AN INDIVIDUAL LAVACA POLICE OFFICER'S SERVICE WEAPON UPON RETIREMENT OR DEATH; AND FOR OTHER PURPOSES.

WHEREAS, Arkansas Code Annotated (A.C.A.) 14-52-112(A) authorizes the awarding of the service weapon whenever a law enforcement officer so employed by the City retires or dies while still employed by the City. This award may be given to:

1. The law enforcement officer; or
2. The law enforcement officer's spouse if the spouse is eligible under the applicable state and federal laws to possess a firearm.

NOW THEREFORE, BE IT ORDAINED by the City Council for the City of Lavaca, Arkansas:

Section 1 - Upon Retirement:

- a. The officer must be a current employee of good standing;
- b. The officer must be authorized for retirement and has submitted for retirement under the Local Police and Fire Retirement System Act;
- c. The officer must have served at least ten (10) consecutive years as a sworn police officer with the City of Lavaca;
- d. The officer cannot be a suspect of any investigation (criminal or administrative) by this City any other agency;
- e. The officer cannot be seeking early retirement as a result of mental-related condition. Any stress-related retirement would require a clearance letter from a doctor or authorized attending professional;
- f. The officer shall sign a letter accepting ownership of the weapon and releasing the City of any of the City's representatives of any liability; and
- g. The officer must surrender all other City or police department equipment upon retirement.

Section 2 - Upon Death: The Mayor may authorize the awarding of the weapon to the surviving spouse if such spouse is legally entitled to own a weapon.

Section 3 -Refusal to Award Weapon:

- a. The City shall have the legal ability to refuse the awarding of any service weapon when circumstances warrant such action; and
- b. This refusal may be justified by a joint decision of the Mayor, the Police Chief, and the City Attorney.

Section 4 -Serviceability: If any provision of this Ordinance is found to be invalid by the decision of any court of competent jurisdiction, such invalidity shall not affect the remaining sections, phrases, and provisions of this Ordinance which remains valid and enforceable.

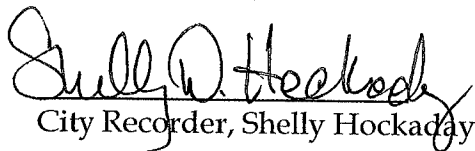
PASSED AND APPROVED THIS 9 DAY OF December, 2024.

APPROVED:



Mayor, Hugh Hardgrave

ATTEST:



City Recorder, Shelly Hockaday

JPV:srk

