

STATE OF GEORGIA
COUNTY OF HENRY
CITY OF STOCKBRIDGE

ORDINANCE NO. - OR 13-329

AN ORDINANCE PRESCRIBING THE FUNCTIONS AND DUTIES OF THE STOCKBRIDGE POLICE DEPARTMENT; AUTHORIZING THE MAYOR TO EXECUTE ALL NECESSARY DOCUMENTS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Stockbridge recently expressed its intention to create a Police Department, and established the existence of the Police Department by ordinance; and

WHEREAS, Section 4.10 (a) of the City Charter states that the City Council by ordinance shall prescribe the functions or duties of all City departments as necessary for the proper administration of the affairs and government of the City; and

WHEREAS, Section 1.12 (b) (24) of the City Charter provides that the City may exercise the power of arrest through duly appointed police officers, and establish, operate, or contract for a police agency; and

WHEREAS, the City desires to grant its newly-formed Police Department all of the powers, functions, and duties as are allowable for municipal police departments under the City Charter and Georgia law.

NOW THEREFORE, THE COUNCIL OF THE CITY OF STOCKBRIDGE

HEREBY ORDAINS:

SECTION 1. Functions and Duties of Police Department. The City Council of the City of Stockbridge hereby prescribes that the Stockbridge Police Department shall have all of the law enforcement functions and duties of a municipal law enforcement department as are permitted by the City Charter, applicable Georgia law, and applicable federal law.

SECTION 2. Approval of Execution. The Mayor is hereby authorized to sign all documents necessary to effectuate this Ordinance.

SECTION 3. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

SECTION 4. Severability.

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

(b) It is hereby declared to be the intention of the City 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 City 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 section, paragraph, sentence, clause or phrase 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 City 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 sections, paragraphs, sentences, clauses, or phrases of the ordinance and that to the greatest extent allowed by law all remaining sections, paragraphs, sentences, clauses, or phrases of the ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION 5. Repeal of Conflicting Provisions. Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 6. Effective Date. This ordinance shall become effective immediately upon its adoption by the City Council and final approval as provided in Section 3.23 of the City's Charter.

SO ORDAINED, this the 12th day of August, 2013.

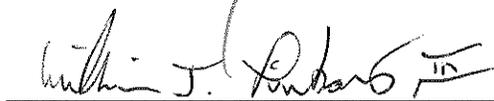
CITY OF STOCKBRIDGE, GEORGIA


MARK A. ALARCON, MAYOR

ATTEST:


RHONDA A. BLACKMON, CITY CLERK

APPROVED AS TO FORM:


WILLIAM J. LINKOUS, III, CITY ATTORNEY

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