

ORDINANCE NO. 2018- 020 - AS

**AN ORDINANCE AUTHORIZING POLICE OFFICERS EMPLOYED WITH THE CITY OF TRUSSVILLE TO USE CITY ISSUED EQUIPMENT WHILE ENGAGED IN OFF-DUTY EMPLOYMENT SUBJECT TO THE POLICIES AND PROCEDURES ISSUED BY THE CHIEF OF POLICE**

**WHEREAS**, the City of Trussville, Alabama, employing sworn police officers may desire to seek off-duty part-time employment; and

**WHEREAS**, Section 36-25-5(c), Code of Alabama 1975 prohibits the use of city issued equipment for private gain unless authorized by the municipal governing body to permit off-duty part-time employment and permitting the use of city issued equipment where necessary in performance of the off-duty part-time employment agreement; and

**WHEREASE**, the City Council of the City of Trussville, through passage of this ordinance, will authorize its sworn police officers to obtain off-duty part-time employment and use city equipment where required subject to this ordinance and the policies and procedures created by the Chief of Police and subject to the approval or disapproval by the Chief of Police.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Trussville, Alabama, that the following ordinance, to be appropriately codified, is hereby enacted:

Section 1. Police Officers of the City of Trussville, Alabama, may accept off-duty part-time employment subject to the policies and procedures set forth by the Chief of the Police of the City of Trussville, Alabama. Any off-duty part-time employment of a police officer shall not conflict in any way whatsoever with the officer's employment with the City of Trussville. The Chief of Police maintains absolute and complete discretion in approving or disapproving a police officer's request to engage in off-duty part-time employment.

Section 2. Police Officers engaged in off-duty part-time employment may use city issued equipment while engaged in the off-duty part-time employment subject to the approval of the Chief of Police. Off-duty use of city equipment may be revoked at any time by the Chief of Police. All city issued equipment shall be used in accordance with the officer's training, experience, and consistent with any federal law, state law, and policies and procedures governing the use of this equipment.

Section 3. Prior to engaging in any off-duty part-time employment, in addition to whatever the Chief of Police requires to consider the officer's request to engage in off-duty part-time employment, the officer's prospective employer shall be required to complete a release, hold-harmless, and indemnification agreement with the City prior to the officer engaging in any off-duty part-time employment.

Section 4. The Chief of Police is hereby authorized to create any policies and procedures that he or she deems necessary to implement this ordinance and achieve its intent.

Section 5. Should any part of this ordinance be declared invalid or unconstitutional by a court of competent jurisdiction, the remainder of the ordinance shall remain in full force and effect.

Section 6. This ordinance shall become effective following its passage, adoption, and publication as prescribed by law.

ADOPTED this the 28th day of August, 2018.

**ADOPTED:**



ALAN TAYLOR  
PRESIDENT  
CITY COUNCIL

**APPROVED:**



BUDDY CHOAT  
MAYOR

**ATTEST:**



LYNN PORTER  
CLERK