

ORDINANCE NO. 857

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CRESCENT CITY
AMENDING THE CRESCENT CITY MUNICIPAL CODE BY ADDING SECTION
2.40.050, RESERVE POLICE OFFICER PROGRAM, TO CHAPTER 2.40, POLICE
DEPARTMENT, OF TITLE 2, ADMINISTRATION**

WHEREAS, the City of Crescent City is a general law city with the constitutional authority ("police power") to make laws and regulations to protect the public health, safety and welfare; and

WHEREAS, the City of Crescent City has utilized various proactive policing methods to reduce crime, which have been impactful on the crime rates and safety of those present within the City of Crescent City; and

WHEREAS, it is recognized that the City of Crescent City's ability to maintain a consistent use of proactive policing methods is conditional on the police department's ability to maintain full staffing, which can be adversely impacted by sworn officers' use of sick leave, family medical leave, vacation, training, injuries, as well as during vacancies; and

WHEREAS, the City of Crescent City would greatly benefit from a reserve police officer program to assist in supplementing police presence in the community to address crime and quality of life issues; and

WHEREAS, the California Penal Code sets forth three classifications of reserve police officers varying from reserve police officer I, which carries full police authority, to reserve police officer III, which allows for the performance of limited duties not requiring general law enforcement powers in their routine work; and

WHEREAS, the California Penal Code provides that individuals designated by local ordinance, either individually or by class, as reserve police officers and are assigned to the prevention and detection of crime and the general enforcement of the laws of this state and meet qualifications set forth in Penal Code Section 832.6(a)(1) (level I reserve police officer), have the full powers and duties of a peace officer as provided in Penal Code Section 830.1.

NOW, THEREFORE, the City Council of the City of Crescent City ordains as follows:

SECTION 1. RECITALS. The City Council finds the above recitals to be true and correct and are incorporated herein as if set forth in full.

SECTION 2. CODE AMENDMENT. Chapter 2.40, Police Department, of Title 2, Administration, of the Crescent City Municipal Code is hereby amended by adding Section 2.40.050, Reserve Police Officer Program, to read as follows:

2.40.050 Reserve Police Officer Program

A. Authority and Title.

Under the authority granted in Article XI, Section 7 of the California Constitution and the California Penal Code, Section 832.6, the City of Crescent City, by and through its City Council, does enact this section of its municipal code, which shall be known as the Reserve Police Officer Program.

B. Findings and Purpose.

1. The City of Crescent City utilizes various proactive policing methods to reduce crime, which have been impactful on the crime rates and safety of those present within the City of Crescent City.
2. It is recognized that the City of Crescent City's ability to maintain a consistent use of proactive policing methods is conditional on the police department's ability to maintain full staffing, which can be adversely impacted by sworn officers' use of sick leave, family medical leave, vacation, training, and injuries.
3. The City of Crescent City would greatly benefit from a police reserve officer program to assist in supplementing police presence in the community to address crime and quality of life issues, as well as during times of staff vacancies.
4. California Penal Code Section 832.6(a) sets forth three classifications of reserve officers varying from level I reserve police officer, which carries full police authority, to level III reserve police officer, which allows for the performance of limited duties not requiring general law enforcement powers in their routine work.
5. California Penal Code Section 830.6(a)(2) provides that a city reserve police officer designated by local ordinance, either individually or by class, that is assigned to the prevention and detection of crime and the general enforcement of the laws of this State and meeting the level I reserve police officer designation (Pen. Code § 832.6(a)(1)), is a peace officer.

C. Definitions

For the purpose of this section, the following definitions apply:

1. "Chief of Police" means the Chief of Police of the City of Crescent City.
2. "Commission" means the California Commission on Peace Officer Standards and Training.
3. "Comparable experience" means the equivalent experience of two years of field experience as a reserve peace officer with the Crescent City Police Department ("CCPD") comprising a minimum of 400 hours.
4. "Designation" means a letter signed and dated by the Chief of Police designating a level I reserve police officer pursuant to Penal Code Section 830.6(a)(2).

5. "Level I reserve police officer" refers to a trained reserve officer as described in Penal Code Section 832.6(a)(1), and who is assigned specific police functions whether or not working alone or to the prevention and detection of crime and the general enforcement of the laws of this state whether or not working alone.
6. "Level II reserve police officer" refers to a trained reserve officer as described in Penal Code Section 832.6(a)(2), who works under the immediate supervision of a peace officer who has completed the basic training course for deputy sheriffs and police officers prescribed by the Commission and is assigned to the prevention and detection of crime and the general enforcement of the laws of this state.
7. "Level III reserve police officer" refers to a trained reserve officer as described in Penal Code Section 832.6(a)(3), who is supervised in the accessible vicinity by a level I reserve police officer or a full-time regular peace officer employed by a law enforcement agency authorized to have reserves and deployed in limited support duties not requiring general law enforcement powers in their routine performance. Those limited support duties shall include traffic control, security at parades and sporting events, report taking, evidence transportation, parking enforcement, and other duties that are not likely to result in physical arrests. Level III reserve officers may transport prisoners without immediate supervision.

D. Establishment of Reserve Police Force.

There is established for the City of Crescent City a reserve police force to be an auxiliary of the regularly constituted full-time paid police department of the City of Crescent City. The reserve police force shall be separate and distinct from the regular full-time police force. Reserve police officers shall be volunteer workers only and shall not be deemed to be employees of the City of Crescent City for any purpose other than that which is described in this section.

E. Appointments.

1. A reserve police officer shall be appointed by the Chief of Police, subject to approval by the City Manager.
2. Prior to entering upon their duties, each reserve police officer must take the constitutional oath of office.
3. Reserve police officers shall not be subject to any civil service requirements, nor shall they be subject to the coverage provided by the law enforcement retirement system.
4. An applicant, to be eligible, must be physically fit to perform the duties of a police officer, and be able to pass a police background investigation that is consistent with Commission standards for that of a regular full-time police officer.
5. Reserve officers appointed pursuant to this subsection shall satisfy the continuing professional training requirements prescribed by the Commission.

F. Authority of the Chief of Police.

1. The reserve police force shall be under the direction and control of the Chief of Police.
2. The Chief of Police is authorized to promulgate and enact rules and regulations governing the reserve police force.
3. Nothing in this chapter shall be construed as preventing the Chief of Police from revoking or suspending any level reserve status of any appointed reserve police officer, nor shall the Chief of Police be under any mandate to recommend any such appointment of any individual reserve police officer. Members of the reserve police force shall serve at the pleasure of the chief and are subject to removal or termination at any time, with or without cause.

G. Arrest Authority and Authorized Powers of Reserve Police Officer I, II and III.

By statute, level I and level II reserve police officers have full peace officer powers with arrest authority as described in this section.

1. Level I Reserve Police Officer.

- a. The Chief of Police is authorized and empowered to appoint specific designated level I reserve police officers. The authority of a "designated" level I reserve police officer, assigned to the prevention and detection of crime and the general enforcement of the laws of this state, shall include the full powers and duties of a peace officer as provided by Penal Code Section 830.1.
- b. Upon being "designated" by the Chief of Police, a reserve police officer who has qualified as a level I reserve police officer and possesses any one of the following, hereby possesses full powers and duties of a peace officer as provided in Section 830.1 of the California Penal Code:
 - i. A sworn officer of the Crescent City Police Department bearing a retired status;
 - ii. A minimum of two years of field experience as a reserve police officer with the Crescent City Police Department comprising a minimum of 400 hours and has satisfied competency levels and performance satisfactory to the Chief of Police;
 - iii. Have "comparable experience" of a minimum of five years with another jurisdiction in the state of California as a full-time peace officer;
 - iv. Have comparable experience of a minimum of five years with another jurisdiction in the state of California as a level I reserve peace officer and two years as a reserve police officer with the Crescent City Police Department comprising a minimum of 200 hours.

- c. All appointments to the designated level I reserve police officer status shall be at the discretion of the Chief of Police.
- d. A "non-designated" level I reserve police officer possesses full powers and duties of a peace officer only during the duration of assignment to specific police functions as described in Penal Code Section 830.6(a)(1).

2. Level II Reserve Police Officer.

A level II reserve police officer is a peace officer with peace officer powers and arrest authority while under the immediate supervision of a peace officer who has completed the basic training course for deputy sheriffs and police officers (regular basic course) prescribed by the Commission. Level II reserve police officers may also be assigned, with immediate supervision, to those limited duties that are authorized for level III reserve police officers as described in Penal Code Section 832.6(a)(2).

3. Level III Reserve Police Officer.

A level III reserve police officer is a peace officer with limited peace officer authority who does not possess the level of training that provides powers of arrest. A level III reserve police officer may be assigned duties for the duration of a specified period of active duty, while being supervised in the accessible vicinity by a level I reserve police officer or full-time police officer. Not all duties as listed in this section may necessarily be performed by each individual holding this classification. Level III reserve police officers are authorized to carry firearms in the course of their duties as their entry-level training requirement includes firearms training. However, their ability to carry a firearm may be restricted at the discretion of the Chief of Police.

[END TEXT AMENDMENT]

SECTION 3. SEVERABILITY. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations.

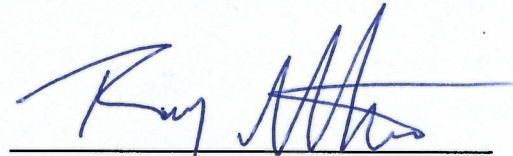
SECTION 4. CEQA FINDINGS. This Ordinance has been reviewed for compliance with the California Environmental Quality Act (CEQA), and the CEQA Guidelines, and has been found to be exempt from CEQA under Section 15061(b)(3) as this ordinance does not have the potential for causing a significant effect on the environment.

SECTION 5. EFFECTIVE DATE & PUBLICATION. This Ordinance will become effective 30 days after the date of its adoption. The City Clerk shall cause this ordinance to be published in a newspaper of general circulation in Del Norte County once within 15 days of its adoption in accordance with the requirements of Government Code Section 36933.

INTRODUCED at a meeting of the City Council of the City of Crescent City held on June 16, 2025.

PASSED AND ADOPTED by the City Council of the City of Crescent City at a regular meeting of the City Council held this 7th day of July, 2025 by the following polled vote:

AYES:	Council Members Dooley, Greenough, Tinkler, Wright, and Mayor Altman
NOES:	None
ABSENT:	None
ABSTAIN:	None


Ray Altman, Mayor

ATTEST:


Robin Altman, City Clerk

APPROVED AS TO FORM:


Martha D. Rice, City Attorney