

ORDINANCE NO. 2020-006

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PEMBROKE PARK, FLORIDA, RELATING TO CHAPTER 2, ADMINISTRATION; PROVIDING FOR ESTABLISHMENT OF POLICE DEPARTMENT, POLICE CHIEF, POWERS AND DUTIES OF POLICE OFFICERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; SUPERSEDING CONFLICTING ORDINANCES AND RESOLUTIONS AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Commission has directed that the Town establish an independent police department; and

WHEREAS, Article VIII, Section 2, Florida Constitution, grants municipalities the power to conduct municipal government, perform municipal functions and render municipal services; and

WHEREAS, Section 166.021, Florida Statutes, referred to as the Municipal Home Rule Powers Act, grants all municipalities the expansive home rule power contemplated by the Florida Constitution; and

WHEREAS, Section 8, Pembroke Park Charter, grants the Town the authority to furnish police protection; and

WHEREAS, the Town Commission desires to have the Town police department and matters related thereto be incorporated in the Pembroke Park Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF PEMBROKE PARK, FLORIDA:

Section 1: That the Code of Ordinances of the Town of Pembroke Park, Florida, is hereby amended by adding a section to be numbered Section 2-300, which section reads as follows:
“Sec. 2-300 – Creation of Police Department.

There is hereby established a “police department” of the Town of Pembroke Park.”

Section 2: That the Code of Ordinances of the Town of Pembroke Park, Florida, is hereby amended by adding a section to be numbered Section 2-301, which section reads as follows:

“Sec. 2-301 – Police Department.

The Police Department shall be responsible for promoting the public safety of all residents of the Town through police protection. The department shall:

- (a) Comply with applicable national, state and local police safety standards and procedures.
- (b) Maintain all required licenses and certifications.
- (c) Enforce all applicable federal, state and local laws in providing for the protection of all residents.”

Section 3: That the Code of Ordinances of the Town of Pembroke Park, Florida, is hereby amended by adding a section to be numbered Section 2-302, which section reads as follows:

“Sec. 2-302 – Chief of Police.

The Chief of Police shall be the principal law enforcement officer of the Town and administrative head of the Police Department. The Chief of Police shall be appointment by the Town Commission and the salary of the Chief of Police shall be fixed by resolution of the Town Commission. Subject to the supervision of the Town Manager, the Chief of Police shall administer the affairs of the Police Department that shall include the immediate direction and control of the police force and shall be responsible for the good order of the same.”

Section 4: That the Code of Ordinances of the Town of Pembroke Park, Florida, is

hereby amended by adding a section to be numbered Section 2-303, which section reads as follows:

“Sec. 2-303 – Powers and Duties of Police Officers.

Members of the Police Department shall have such duties and privileges properly belonging to such department. Police officers shall enforce the penal ordinances of the Town and Broward County and the state statutes, exercise arrest powers as authorized by state statutes, and exercise such other powers as provided by law. They shall be governed by applicable statutes, ordinances and departmental and civil services rules and regulations.”

Section 5: That the provisions of this Ordinance are to be severable and if any section, sentence, clause or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 6: That it is the intention of the Commission of the Town of Pembroke Park that the provisions of this Ordinance shall be included in the Pembroke Park Code of Ordinances, and the sections may be renumbered, or relettered, ordinance may be changed to “section”, “article” or such other appropriate word or phrase in order to accomplish such intentions.

Section 7: That all Ordinances, parts of Ordinances, Resolutions or parts of Resolutions, in conflict herewith be and the same are hereby superseded to the extent of such conflict.

Section 8: That this Ordinance shall be in force and take effect immediately upon its passage and adoption.

PASSED AND ADOPTED on First Reading this 9th day of September, 2020.

PASSED AND ADOPTED on Second Reading this 14th day of October, 2020.

ATTEST:


~~GEOFFREY JACOBS~~ *Marlene D. Martell*
Town Clerk-Commissioner


~~ASHIRA A. MOHAMMED~~
Mayor-Commissioner
Geoffrey Jacobs 1-8-2021

I HEREBY CERTIFY that I have approved
the form and correctness of this Ordinance



MELISSA P. ANDERSON
Town Attorney



VOTE

ASHIRA MOHAMMED	YES
HOWARD P. CLARK, JR.	YES
GEOFFREY JACOBS	YES
GEORGINA COHEN	YES
REYNOLD DIEUVEILLE	YES