

City of Rio Communities, New Mexico

ORDINANCE 2023 – 85

AN ORDINANCE CREATING CERTAIN APPOINTIVE OFFICES; PRESCRIBING THE POWERS, DUTIES AND SALARIES OF APPOINTED OFFICIALS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIO COMMUNITIES, NEW MEXICO:

Section 1. Authority: This ordinance is enacted under the authority of NMSA 1978, §§3-11-6, and 3-13-2.

Section 2. Police Department Created: There is created a department of the city government known as the City of Rio Communities Police Department which shall consist of one Chief of Police and as many police officers as may from time to time be deemed necessary for the safety and good order of the city.

Section 3. Appointment of Chief of Police: The Police Chief shall be appointed by the Mayor upon approval of the City Council. The Police Chief shall be appointed solely on the basis of executive and administrative qualifications. The Police Chief need not be a resident of the City or the State at the time of appointment. After appointment, the Police Chief may reside outside of the City while in office but must be within a 15-minute response time to the corporate boundary line of the City of Rio Communities.

Section 4. Compensation of Chief of Police: The Chief of Police will be compensated based on the Council-approved budget for each Fiscal Year.

Section 5. Chain of Command:

- (A) The Chief of Police reports directly to and is under the direct supervision of the City Manager.
- (B) The Chief of Police serves at the pleasure of the governing body and may, subject to the terms of any written employment contract, be dismissed from employment by the governing body at any time with or without cause.

Section 6. Powers and Authority of Police Chief

- (A) The Chief of Police shall insure that members of the police department:
 - (1) Execute and return all writs and processes as directed by the Municipal Judge; and

- (2) Serve criminal summons and process in any part of the county wherein the City is situated; and
 - (3) Within the City:
 - (a) Suppress all riots, disturbances, and breaches of the peace;
 - (b) Apprehend all disorderly persons;
 - (c) Pursue and arrest any person fleeing from justice; and
 - (d) Apprehend any person in the act of violating the laws of the state or the ordinances of the city and bring him or her before competent authority for examination and trial.
 - (4) Render mutual aid and assistance as needed and as authorized by either the Chief of Police or the City Manager.
- (B) Manages the overall administration and operations of the Police Department. Advises and develops staff to ensure continual professional growth in related disciplines
 - (C) Subject to review and approval of the City Manager, establishes goals, direction, and activities of the department. Develops and implements departmental policies, administrative rules and regulations governing personnel, standards of performance, operational procedures, and other activities.
 - (D) Directs the development, administration, and review of the departmental annual budget. Forecasts needs, allocates funds to divisions based on departmental goals and priorities, monitors and approves expenditures within the parameters of the approved departmental budget, and recommends adjustments as needed.
 - (F) Engages and interacts with other criminal justice agencies with common jurisdiction to ensure criminal justice goals are consistent. Serves as a liaison to developers of industrial, business, and commercial areas regarding law enforcement needs.
 - (G) Oversees the preparation of the Police Department annual report, state crime reports, and other reports as needed.
 - (H) Represents the City and makes public presentations to community and neighborhood groups, social service agencies, etc. upon request.
 - (I) Proposes and advises the City Manager of the practicality and impact of proposed ordinances and resolutions.

- (J) Assesses community crime prevention and traffic safety needs. Investigates new methods, technologies, laws, and programs to strengthen and improve current levels of service.
- (K) Advises and assists in complex criminal or other investigations as required. May assume direct command of forces in emergency situations or major law enforcement operations as needed.
- (L) In the discharge of his or her proper duties, the Chief of Police and city police officers shall have the same powers and be subject to the same responsibilities as sheriffs or constables in similar cases.

PASSED, APPROVED AND ADOPTED THIS 10 DAY OF APRIL 2023 BY THE GOVERNING BODY OF THE CITY OF RIO COMMUNITIES, NEW MEXICO.

City of Rio Communities Governing Body

Joshua Ramsell,
Mayor

Margaret R. Gutjahr,
Councilor Mayor Pro tem

Arthur Apodaca,
Councilor

Lawrence R. Gordon,
Councilor

Jimmie Winters
Councilor

ATTEST:

Elizabeth F. Adair,
Municipal Clerk