

**CITY OF WARD
ORDINANCE O-2023-18**

**AN ORDINANCE AUTHORIZING THE AWARDING OF AN INDIVIDUAL WARD POLICE
OFFICER'S SERVICE WEAPON UPON RETIREMENT OR DEATH; AND FOR OTHER
PURPOSES**

WHEREAS, ARKANSAS CODE ANNOTATED (A.C.A.) 14-52-112(A) authorizes the awarding of the service weapon¹ whenever a law enforcement officer so employed by the city retires or dies while still employed by the city. This award may be given to the

- a. Law enforcement officer; or,
- b. The law enforcement officer's spouse if the spouse is eligible under applicable state and federal laws to possess a firearm.

THEREFORE, BE IT ORDAINED BY THE CITY OF WARD, ARKANSAS, AS FOLLOWS:

SECTION 1 – UPON RETIREMENT:

- a. The officer must be a current employee of good standing.
- b. The officer must be authorized for retirement under the Local Police and Fire Retirement System Act.
- c. The officer must have served at least ten (10) consecutive years as a sworn police officer, the last five (5) at least with the City of Ward.
- d. The officer cannot be a suspect of any investigation (criminal or administrative) by this or any other agency.
- e. The officer cannot be seeking early retirement as a result of a mental-related condition. Any stress-related retirement would require a clearance letter from a doctor or authorized attending professional.
- f. The officer shall sign a letter accepting ownership of the weapon and releasing the city of any of the city's representatives of any liability.
- g. The officer must surrender all other city or police department equipment upon retirement.

SECTION 2 – UPON DEATH: The Mayor may authorize the awarding of the weapon to the surviving spouse if such spouse is legally entitled to own a weapon

¹ Sidearm issued at the time of death or retirement

SECTION 3 – REFUSAL TO AWARD WEAPON:

- a. The city shall have the legal ability to refuse the awarding of any service weapon when circumstances warrant such action.
- b. This refusal may be justified by a joint decision of the Mayor, the Police Chief, and the City Attorney.

SECTION 4 – SERVICEABILITY: If any provision of this Ordinance is found to be invalid by the decision of any court of competent jurisdiction, such invalidity shall not affect the remaining sections, phrases, and provisions of this Ordinance which remain valid and enforceable.

SAID ORDINANCE WAS ADOPTED ON 7/17/23.

YEAS: 6 NAYS: 0

APPROVED:

ATTEST:



Charles Gastineau, Mayor



Krystal Rummel, City Clerk