

ORDINANCE NO. 2026-4

AN ORDINANCE SPECIFICALLY ESTABLISHING THE STARBASE POLICE DEPARTMENT, REQUIRING ALL POLICE OFFICERS TO BE LICENSED, CREATING THE POSITION OF CHIEF OF POLICE, OUTLINING THE DUTIES AND RESPONSIBILITIES OF THE CHIEF OF POLICE, AND ESTABLISHING THE AUTHORITY, DUTIES, AND RESPONSIBILITIES OF POLICE OFFICERS; PROVIDING A SAVINGS CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Starbase, Texas ("City"), is a Type C general-law municipality created under Chapter 8 of the Texas Local Government Code; and

WHEREAS, the Texas Local Government Code Chapter 341 authorizes the governing body of a Type A general-law municipality to establish a Police Department, and regulate a municipal police force; and

WHEREAS, pursuant to Texas Local Government Code Section 51.052, the City had previously approved by Ordinance No. 2025-11-19-F02-OR, adopting the powers and authority of a Type A municipality, without limitation, based on an assessed tax valuation of \$500,000 or more on its most recently approved tax roll, and pursuant to Section 51.051 the city previously approved Resolution 2025-05-29-Q02-RE, declaring the city has 501 or more inhabitants and has the same authority and is subject to the same duties as a Type "A" general law municipality; and

WHEREAS, the City thus has not only the authority but also sufficient funding to manage, regulate and provide police protection and emergency response services to persons and property within its municipal boundaries; and

WHEREAS, the City Commission has determined that a clear and definitive statement of intent is preferable regarding the creation of the City of Starbase Police Department,

WHEREAS, the City Commission of Starbase, Texas, intends to establish a municipal police department in compliance with the Texas Commission on Law Enforcement (TCOLE) requirements for a new agency application; and

WHEREAS, the standards for TCOLE agency recognition require explicit language creating a police department and the authority and responsibility of both Officers and the Chief of Police; and

WHEREAS, the City Commission has determined that a clear and definitive statement of intent is preferable rather than reliance upon the General Powers provisions in City ordinances to specifically provide for establishing and to recognize the creation and to provide for the establishment of the Starbase Police Department;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STARBASE, TEXAS:

**SECTION 1
PURPOSE AND INTENT**

The purpose and intent of this ordinance is to secure the general health, safety, and welfare of the residents of the City by:

1. Explicitly creating the Starbase Police Department and outlining both its authority and jurisdiction;
2. Explicitly creating the position of Chief of Police to oversee and manage the Police Department;
3. Outlining the duties and responsibilities of both the Chief of Police and Officers.

**SECTION 2
CREATION OF THE STARBASE POLICE DEPARTMENT**

Jurisdiction

There is hereby created a Police Department of the City of Starbase, the head of which shall be the Chief of Police. The Police Department shall be composed of the Chief of Police and other officers and employees as the City Commission may provide. The jurisdiction of the Department shall be the corporate limits of the City and any property lying outside the city limits which the City owns.

Certification; Compliance with State Requirements

No person shall be certified as a Police Officer who has not complied with the basic requirements established by the Texas Commission on Law Enforcement (TCOLE) and by the City, acting through the Chief of Police.

Chief of Police

- A. The Police Department of the City shall consist of the Chief of Police and such members as the City Commission may from time to time provide.
- B. The Chief of Police shall be appointed by majority vote of the City Commission.
- C. The Chief of Police shall carry out the functions of the Police Department relating to public safety and enforcement of ordinances, state and federal laws; organize the Police Department of the City in conformity with the laws of the State and ordinances of the City; and shall promulgate

policies, procedures, rules, directives, and orders for the administration of the department, including but not limited to discipline within the department and compliance with TCOLE standards, municipal policies, state and federal laws.

Authority and Duties of Police Officers

A. Individual officers constituting the City Police Department are invested with all the power and authority given to them as peace officers under the laws of the State of Texas. Inherent with this power and authority is the obligation to preserve the peace, to enforce the ordinances and regulations of the City, the laws of the State and of the United States, to take legal custody of offenders, and to secure the citizens from violence.

B. All personnel of the Police Department shall be bound by the most current directives, orders, rules, regulations, and procedures for the operation of the Police Department as may be promulgated or as hereinafter amended by the Chief of Police, and failure to abide thereby shall subject the violating personnel to such disciplinary action as may be determined by the Chief of Police within the limits of state law and city ordinance.

SECTION 3 SEVERABILITY

It is hereby declared to be the intention of the City Commission that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Commission without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 4 ALL RIGHTS AND REMEDIES SAVED

All rights and remedies of the City are expressly reserved as to any and all violations of the provisions of any and all ordinances which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 5 REPEALER CLAUSE

Any provision of any prior ordinance of the City, whether or not codified, which is in conflict with any provision of this Ordinance, is hereby repealed to the extent of the conflict,

but all other provisions of the ordinances of the City, whether codified or uncodified, which are not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 6 FINDINGS INCORPORATED

All of the above premises are found to be true and correct factual and legislative determinations of the City of Starbase and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 5

The Mayor shall be authorized to sign any necessary applications, certifications or documents in furtherance of or as required by the TCOLE application and certification process. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

PASSED AND APPROVED on this 3rd day of February, 2026.




Bobby Peden, MAYOR

ATTEST:


Gretchen Norton, CITY CLERK