

ORDINANCE No. 2023-1180

**ORDINANCE PROVIDING THAT RETIRING POLICE OFFICER RECEIVE
SERVICE BADGE AND WEAPON.**

BE IT ORDAINED by the Mayor and City Council of the City of Boaz as follows:

SECTION 1. Any law enforcement officer who at the time of his or her retirement is employed by the City of Boaz, Alabama Police Department shall receive, as part of his or her retirement benefit without cost, his or her badge and duty weapon. To be eligible for this benefit the employee must meet the following requirements:

- (1) Be in good standing and employed with the City of Boaz.
- (2) Meet the requirements for retirement as determined under the city's retirement plan.
- (3) Have a minimum of twenty (20) years of continuous service with the City of Boaz.
- (4) The city council shall approve the request of the officer if the above requirements are met and he or she shall be awarded their weapon and badge.
- (5) The personnel director of the city is directed to keep a record of all transactions related to the transfer of the weapon and badge to the employee under this section.
- (6) The City shall determine and resolve and determine that it is appropriate to declare said duty badge and weapon as surplus property and gift it to the retiring police officer as set forth herein.

SECTION 2: Each and every provision of this Ordinance is hereby declared to be an independent provision, and, if any section, sentence, paragraph, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative, invalid or void, such holding or declaration shall not affect the remaining portions of this Ordinance, and it shall be construed to have been the intent of the City Council of the City of Boaz, Alabama, to pass this Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance shall be deemed and held to be valid as if such part had not been included herein.

SECTION 3: This Ordinance shall be deemed cumulative with and supplemental to any and all statutes of the State of Alabama regarding the subject matter hereof and to be subordinate to same and in no manner intended to supersede any such statutes of the State of Alabama. Any provision hereof, in conflict with any provision of any state statute shall be construed so as to be in harmony with the same where possible and otherwise to be subordinate to and superseded by the provisions of such state statute

SECTION 4: This Ordinance shall become effective immediately after posting and publication as required by law.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BOAZ,
ALABAMA ON THE _____ DAY OF _____, 2023.**

DAVID DYAR
MAYOR

ATTEST:

BETH STEPHENS
CITY CLERK/TREASURER

CERTIFICATION

**STATE OF ALABAMA
COUNTY OF MARSHALL**

I, Beth Stephens, City Clerk/Treasurer of the City of Boaz, Alabama, a municipal corporation, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 2023-1180 passed and adopted by the City Council of the City of Boaz, Alabama, on this date, _____, 2023.

This date, _____, 2023.

(Seal)

BETH STEPHENS
CITY CLERK/TREASURER

CERTIFICATION

**STATE OF ALABAMA
COUNTY OF MARSHALL**

I, Beth Stephens, City Clerk/Treasurer of the City of Boaz, Alabama, a municipal corporation, do hereby certify that the foregoing Ordinance No. 2023-1180 was posted in the following three places:

Boaz City Hall
Boaz Gas Board Building
Boaz Water and Sewer Board Building

This date, _____, 2023.

(Seal)

BETH STEPHENS
CITY CLERK/TREASURER