

ORDINANCE NO.

**AN ORDINANCE AMENDING THE CITY CODE TO ADD SECTION 9-4-54
RELATING TO AUSTIN POLICE DEPARTMENT UNIFORMS; AND
CREATING AN OFFENSE.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The council finds that:

- (A) The City Council and the Austin Police Department are committed to maintaining the highest possible level of public safety within the City of Austin.
- (B) Austin Police Department police officers have the full legal authority to immediately act upon police matters and provide police services to the public within the City of Austin.
- (C) The Austin Police Department seeks to enhance the public safety by adopting a unique and immediately recognizable uniform for its sworn police officers.
- (D) The City Council recognizes that the Austin Police Department's adoption of an immediately recognizable uniform will enhance the public safety by ensuring that members of the public can quickly identify an Austin Police Department police officer as a law enforcement professional who possesses the full legal authority to immediately act upon police matters and provide police services within the City of Austin.

PART 2. The City Code is amended to add Section 9-4-54 to read:

**§ 9-4-54 AUSTIN POLICE DEPARTMENT UNIFORM; IMITATION
PROHIBITED.**

- (A) A person, other than a sworn police officer of the Austin Police Department, may not wear a uniform, or wear or display a badge that is deceptively similar to the uniform or badge at the time in use by the Austin Police Department.
- (B) In this section, a uniform or badge is deceptively similar to the uniform or badge at the time in use by the Austin Police Department if a reasonable person would assume that it was issued or prescribed by the Austin Police Department.

1 (C) A person who violates this section commits a Class C misdemeanor punishable
2 as provided in Section 1-1-99 (*Offenses; General Penalty*).

3 **PART 3.** This ordinance takes effect on _____, 2008.

4 **PASSED AND APPROVED**

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8 _____, 2008

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Will Wynn
Mayor

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13 **APPROVED:** _____

David Allan Smith
City Attorney

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18 **ATTEST:** _____

Shirley A. Gentry
City Clerk