

## TITLE 6

LAW ENFORCEMENT<sup>1</sup>

## CHAPTER

1. POLICE DEPARTMENT.
2. ARREST PROCEDURES.
3. CITATIONS, WARRANTS, AND SUMMONSES.
4. VOLUNTEER RESERVE UNIT.

## CHAPTER 1

POLICE DEPARTMENT

## SECTION

- 6-101. Policemen subject to chief's orders.  
6-102. Policemen to preserve law and order, etc.  
6-103. Police department records.  
6-104. Policemen to wear uniforms and be armed.

**6-101. Policemen subject to chief's orders.** All policemen shall obey and comply with such orders and administrative rules and regulations as the police chief may officially issue. (1991 Code, §6-101)

**6-102. Policemen to preserve law and order, etc.** Policemen shall preserve law and order within the city. They shall patrol the city and shall assist the city court during the trial of cases. Policemen shall also promptly serve any legal process issued by the city court. (1991 Code, § 6-102)

**6-103. Police department records.** The police department shall keep a comprehensive and detailed daily record, in permanent form, showing at a minimum:

- (1) All known or reported offenses and/or crimes committed within the corporate limits.
- (2) All arrests made by policemen.
- (3) All police investigations made, funerals, convoys, fire calls answered, and other miscellaneous activities of the police department.
- (4) Any other records required to be kept by the city council or by law.

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<sup>1</sup>Municipal code reference

Issuance of citations in lieu of arrest in traffic cases: title 15, chapter 7.

The police chief shall be responsible for insuring that the police department complies with this section. (1991 Code, §6-103)

**6-104. Policemen to wear uniforms and be armed.** All policemen shall wear such uniform and badge as the city manager shall authorize, and shall carry a service pistol at all times while on duty unless otherwise expressly directed by the chief. (1991 Code, § 6-104, modified)

## CHAPTER 2

ARREST PROCEDURES

## SECTION

6-201. When policemen to make arrests.

6-202. Disposition of persons arrested.

**6-201. When policemen to make arrests.**<sup>1</sup> Unless otherwise authorized or directed in this code or other applicable law, an arrest of the person shall be made by a policeman in the following cases:

(1) Whenever he is in possession of a warrant for the arrest of the person.

(2) Whenever an offense is committed or a breach of the peace is threatened in the officer's presence by the person.

(3) Whenever a felony has in fact been committed and the officer has reasonable cause to believe the person has committed it. (1991 Code, § 6-201)

**6-202. Disposition of persons arrested.** (1) For code or ordinance violations. Unless otherwise provided by law, a person arrested for a violation of this code or other city ordinance, shall be brought before the city court. However, if the city court is not in session, the arrested person shall be allowed to post bond with the city court clerk, or, if the city court clerk is not available, with the ranking police officer on duty. If the arrested person fails or refuses to post bond, he shall be confined pending his release by the city judge. In addition, if the arrested person is under the influence of alcohol or drugs when arrested, even if he is arrested for an offense unrelated to the consumption of alcohol or drugs, the person shall be confined until he does not pose a danger to himself or to any other person.

(2) Felonies or misdemeanors. A person arrested for a felony or a misdemeanor shall be disposed of in accordance with applicable federal and state law and the rules of the court which has jurisdiction over the offender. (1991 Code, § 6-202)

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<sup>1</sup>Municipal code reference

Issuance of citation in lieu of arrest in traffic cases: title 15, chapter 7.

## CHAPTER 3

CITATIONS, WARRANTS, AND SUMMONSES

## SECTION

6-301. Citations in lieu of arrest in non-traffic cases.

6-302. Summonses in lieu of arrest.

**6-301. Citations in lieu of arrest in non-traffic cases.**<sup>1</sup> Pursuant to Tennessee Code Annotated, § 7-63-101 et seq., the city council appoints the city manager and fire chief special police officers having the authority to issue citations in lieu of arrest. The city manager and the fire chief in the fire department shall have the authority to issue citations in lieu of arrest for violations of the fire code adopted in title 7, chapter 2 of this municipal code of ordinances. The city manager and building official in the building department shall have the authority to issue citations in lieu of arrest for violations of the building, utility and housing codes adopted in title 12 of this municipal code of ordinances.

The citation in lieu of arrest shall contain the name and address of the person being cited and such other information necessary to identify and give the person cited notice of the charges against him, and state a specific date and place for the offender to appear and answer the charges against him. The citation shall also contain an agreement to appear, which shall be signed by the offender. If the offender refuses to sign the agreement to appear, the special officer in whose presence the offense was committed shall immediately arrest the offender and dispose of him in accordance with Tennessee Code Annotated, § 7-63-104.

It shall be unlawful for any person to violate his agreement to appear in court, regardless of the disposition of the charge for which the citation in lieu of arrest was issued. (1991 Code, § 6-301)

**6-302. Summonses in lieu of arrest.** Pursuant to Tennessee Code Annotated, § 7-63-201 et seq., which authorizes the city council to designate certain city enforcement officers the authority to issue ordinance summonses in the areas of sanitation, litter control and animal control, the council designates the city manager and animal control officer to issue ordinance summonses in those areas. These enforcement officers may not arrest violators or issue citations in lieu of arrest, but upon witnessing a violation of any ordinance, law

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<sup>1</sup>Municipal code reference

Issuance of citations in lieu of arrest in traffic cases: title 15, chapter 7.

or regulation in the areas of sanitation, litter control or animal control, may issue an ordinance summons and give the summons to the offender.

The ordinance summons shall contain the name and address of the person being summoned and such other information necessary to identify and give the person summoned notice of the charge against him, and state a specific date and place for the offender to appear and answer the charges against him.

The ordinance summons shall also contain an agreement to appear, which shall be signed by the offender. If the offender refuses to sign the agreement to appear, the enforcement officer in whose presence the offense occurred may (1) have a summons issued by the clerk of the city court, or (2) may seek the assistance of a police officer to witness the violation. The police officer who witnesses the violation may issue a citation in lieu of arrest for the violation, or arrest the offender for failure to sign the citation in lieu of arrest. If the police officer makes an arrest, he shall dispose of the person arrested as provided in § 6-301 above.

It shall be unlawful for any person to violate his agreement to appear in court, regardless of the disposition of the charge for which the ordinance summons was issued. (1991 Code, § 6-302)

## CHAPTER 4

VOLUNTEER RESERVE UNIT

## SECTION

- 6-401. Creation and membership.
- 6-402. Objectives.
- 6-403. Rules and regulations.
- 6-404. Training.
- 6-405. Equipment.
- 6-406. Bonds.
- 6-407. Duties and responsibilities.
- 6-408. Restrictions and limitations.
- 6-409. Supervision and control.
- 6-410. Tenure and compensation of members.

**6-401. Creation and membership.** (1) There is hereby established a volunteer unit of reserve police officers for the city police department. The volunteer reserve unit shall consist of a number of officers equal to the number of full-time police department personnel, excluding dispatching and administrative staff, or such number of members as the city council may from time to time establish.

(2) The volunteer reserve unit shall consist of up to seventeen (17) officers. (1991 Code, § 6-401, as amended by Ord. #7-9-11-4, Oct. 2007)

**6-402. Objectives.** The volunteer reserve unit shall have the following as its objectives:

- (1) To promote the advancement the city police department's mission;
- (2) to provide auxiliary law enforcement support to the city police department; and
- (3) to enhance the overall performance and effectiveness of the city police department operations. (1991 Code, § 6-402)

**6-403. Rules and regulations.** All reserve officers shall follow the guidelines, rules and regulations prescribed by the police department's rules and procedures manual in the performance of their duties. (1991 Code, § 6-403)

**6-404. Training.** The city police department will provide such training to reserve officers as necessary for the effective performance of their respective duties. All reserve officers shall be trained in conjunction with full-time officers, the scope of which shall be the same as full-time officers and shall include but not be limited to the following as determined by the chief of police:

- (1) Completion of an orientation training course in the police department's Rules and Procedures Manual prior to beginning active duty,

(2) Completion of an orientation training course in firearms, and achieving a passing score on an approved service revolver prior to beginning active duty,

(3) Maintain a minimum of forty (40) hours of in-service training per year, and

(4) Meet all the P.O.S.T. requirements as prescribed by Tennessee Code Annotated, 38-8-106 and the city police department's Rules and Procedures Manual. (1991 Code, § 6-404)

**6-405. Equipment.** The city police department shall furnish each reserve officer with uniforms, badges and items of equipment that are made available through the annual appropriation ordinance approved by city council. Any funds raised by the reserve unit as a whole, or by an individual or group of reserve officers in the name of the city police department or reserve unit, and any gifts to the reserve unit shall be turned over to and become the property of the city, and the city shall use these funds and gifts in equipping the reserve unit. Items of equipment not provided by the city but necessary to the performance of the reserve officer's duty as determined by the chief of police shall be provided by the respective reserve office. All uniforms, badges and equipment carried or used by each reserve officer must be approved by the chief of police. (1991 Code, § 6-405)

**6-406. Bonds.** The city will provide the appropriate bond for all qualified reserve officers. (1991 Code, §6-406)

**6-407. Duties and responsibilities.** The duties and responsibilities of all reserve officers shall include but not be limited to the following as determined by the chief of police, and subject to the restrictions and limitations prescribed by the subsequent section:

(1) Assisting full-time officers with patrol duties;

(2) Assisting full-time officers with ballgames, parades, and similar type public functions involving the assembly of crowds; and

(3) Such other law enforcement and public safety related duties as may be assigned by the chief of police. (1991 Code, § 6-407)

**6-408. Restrictions and limitations.** All reserve officers are subject to the following restrictions and limitations:

(1) No reserve officer shall be activated for duty until they successfully complete the orientation training requirements.

(2) Reserve officers shall be activated for duty only by the chief of police, and shall not work more than twenty (20) hours per week, nor less than forty eight (48) hours per quarter, including training activities.

(3) While on patrol and similar type duties, reserve officers must work in the presence and under the supervision of a full-time certified officer.

(4) Reserve officers shall not carry a firearm while off duty unless specifically authorized to do so by the chief of police.

(5) Reserve officers are prohibited from driving patrol cars unless specifically authorized to do so by the chief of police.

(6) Reserve officers shall not engage in law enforcement activities while off duty, except in cases where a serious threat to life is probable.

(7) Reserve officers shall not work as security guards unless approved by the chief of police. (1991 Code, § 6-408, modified)

**6-409. Supervision and control.** Each reserve officer shall be under the direct supervision of their assigned on-duty full-time officer, and subject to the departmental chain of command. (1991 Code, § 6-409)

**6-410. Tenure and compensation of members.** The chief of police shall have the authority to recruit, select, suspend, or discharge any reserve officer when he deems it necessary for the good and/or the best interest of the police department, subject to approval by the city manager. Any reserve officer leaving the organized reserve unit, either voluntarily or involuntarily, shall immediately surrender to the chief of police his/her identification cards, badge, uniforms, and any and all equipment issued to the reserve officer by the city.

All reserve officers of the organized reserve unit shall receive such compensation as the city council may from time to time prescribe. (1991 Code, § 6-410)