

TITLE 6**PUBLIC SAFETY****CHAPTER**

1. PUBLIC SAFETY DEPARTMENT ESTABLISHED.
2. LAW ENFORCEMENT.
3. RESERVE PUBLIC SAFETY OFFICERS.
4. FIRE PREVENTION AND SUPPRESSION.
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CHAPTER 1**PUBLIC SAFETY DEPARTMENT ESTABLISHED****SECTION**

- 6-101. Public safety department established.
- 6-102. Positions established.
- 6-103. Functions and duties.
- 6-104. Duties of director of public safety.
- 6-105. Department command structure.

6-101. Public safety department established. Public safety department hereby is created and established as a new department, which shall be known as the public safety department. Staffing shall consist of the current fire department and police department. (Ord. #299, June 2005, as replaced by Ord. #15-426, June 2015)

6-102. Positions established. (1) The department of public safety shall consist of the fire chief, police chief, and members of each department designated as public safety officers, police officers, and firemen. The job descriptions for the above are on file in the department of public safety.

(2) The police chief shall be the director of the public safety department and department head for the police department whose appointment is made by the mayor with the consent of the board of mayor and aldermen. In the event a leave of absence or vacancy occurs, the assistant police chief shall assume the duties of the director. The mayor has the authority to appoint a designee to fill the vacancy until the position of director has been filled by the board of mayor and aldermen. (Ord. #299, June 2005, as replaced by Ord. #15-426, June 2015)

6-103. Functions and duties. Within the public safety department, the members of the fire department shall be responsible for fire prevention, fire suppression, and investigations related to fires. The members of the police

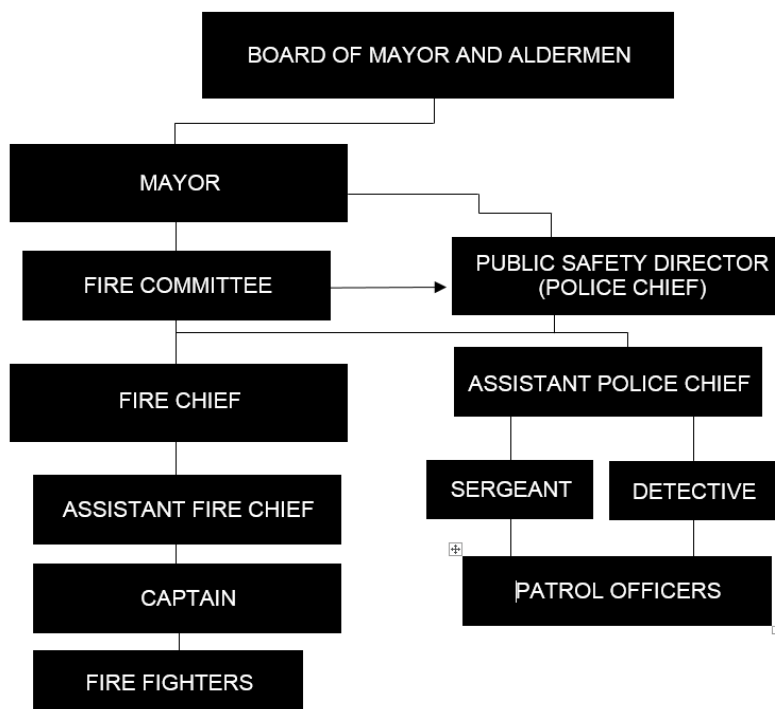
department shall be responsible for crime prevention, crime suppression, traffic control, and criminal investigations. Public safety officers perform dual services relating to fire and police activities. Other related functions and duties may be assigned by the public safety director with the consent of the mayor. (Ord. #299, June 2005, as replaced by Ord. #15-426, June 2015)

6-104. Duties of director of public safety. (1) The director of public safety shall be granted all powers, with all of the duties imposed, by the laws of the state relating to police chiefs, and in addition shall have the power and duty to enforce laws and ordinances of the city and state now and in the future as required.

(2) The director of public safety shall be the chief executive officer of the department, with authority in departmental matters of discipline, operations, and policy. The director will report to the mayor the operations of the department and provide reports as requested or required by the mayor. (Ord. #299, June 2005, as replaced by Ord. #15-426, June 2015)

6-105. Department command structure.

Department command structure shall be as follows:



(Ord. #299, June 2005, as replaced by Ord. #15-426, June 2015)

CHAPTER 2

LAW ENFORCEMENT

SECTION

6-201. Public safety officer subject to director's orders.

6-202. Public safety officer to preserve law and order, etc.

6-203. When public safety officer to make arrests.

6-204. Disposition of persons arrested.

6-205. Police department policies and procedures manual 2005.

6-206. Evidence and property unit-standard operating and procedure manual.

6-207. Standing orders.

6-201. Public safety officer subject to director's orders. All public safety officers/police officers shall obey and comply with such orders and administrative rules and regulations as the director of public safety may officially issue. (Ord. #299, June 2005)

6-202. Public safety officer to preserve law and order, etc. Public safety officers/police officers shall preserve law and order within the town. They shall patrol the town and shall assist the city court during the trial of cases. Public safety officers/police officers shall also promptly serve any legal process issued by the city court. (Ord. #299, June 2005)

6-203. When public safety officer to make arrests.¹ Unless otherwise authorized or directed in this code or other applicable law, an arrest of the person shall be made by a public safety officer/police offer 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. (Ord. #299, June 2005)

6-204. Disposition of persons arrested. Unless otherwise provided by law, a person arrested for a violation of this code or other city ordinances 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 county court clerk. If the arrested person fails or refuses to post bond, he shall be confined pending

¹Municipal code reference

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

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.

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. (Ord. #299, June 2005)

6-205. Police department policies and procedures manual 2005.

The Town of Mount Carmel, Tennessee "Police Department Policies and Procedures Manual 2005" is hereby adopted by reference as the official policy of the Town of Mount Carmel and all approved amendments thereto, and is to be used by all members and employees of the Mount Carmel Police Department in carrying out the duties, responsibilities, and obligations imposed upon them by law or necessarily assumed in carrying out the department's objectives. A copy of the policies and procedures manual, and all amendments thereto, shall be maintained in the police chief's office. (Ord. #299, June 2005, modified)

6-206. Evidence and property unit-standard operating and procedure manual. The Town of Mount Carmel, Tennessee "Police Department Evidence and Property Unit-Standard Operating and Procedures Manual," 1998 edition, is hereby adopted by reference as the official policy of the Town of Mount Carmel and all approved amendments thereto, and is to be used by all members and employees of the Mount Carmel Police Department in carrying out the duties, responsibilities, and obligations imposed upon them by law which are necessarily assumed in carrying out the department's objectives. A copy of the standard operating and procedures manual, and all amendments thereto, shall be maintained in the police chief's office. (Ord. #299, June 2005, modified)

6-207. Standing orders. The director of public safety is authorized to promulgate standing orders and procedures for the legal efficient operation of the department in carrying out the duties, responsibilities, and obligations imposed upon them by law or necessarily assumed in carrying out the department's objectives. (Ord. #299, June 2005)

CHAPTER 3

RESERVE PUBLIC SAFETY OFFICERS

SECTION

6-301. Reserve officer unit manual adopted.

6-301. Reserve officer unit manual adopted. The Town of Mount Carmel, Tennessee "Reserve Officer Unit Manual 1999" is hereby adopted by reference and included as a part of this code as the official policy of the town and all approved amendments thereto, and is to be used by all reserve public safety officers/police officers in calling out the duties, responsibilities, and obligations imposed upon them by law or necessarily assumed in carrying out the department's objectives. A copy of the reserve officer manual, and all amendments thereto, shall be maintained in the police chief's office. (Ord. #299, June 2005, modified)

CHAPTER 4

FIRE PREVENTION AND SUPPRESSION

SECTION

- 6-401. Organizational statement.
- 6-402. Appointment.
- 6-403. Objectives.
- 6-404. Fire prevention and suppression operations.
- 6-405. Records and reports.
- 6-406. Equipment and funding.
- 6-407. Chief responsible for training.
- 6-408. Chief to be assistant to state commissioner.
- 6-409. Equipment to be used in municipal limits.
- 6-410. Organization, rules, and regulations.

6-401. Organizational statement. The fire chief will structure these procedures and make assignments of officers and members in an effort to provide the best possible services to citizens, effectively utilize the time and talents of all members, and position the department to operate in a manner that facilitates change and places maximum emphasis on preparation for the future.

By establishing a system in which the fire chief will have knowledge of the member or members that have been assigned or who have volunteered for the time that has been scheduled, the fire department will ensure a timely response to emergencies.

An on-duty roster, prepared monthly, will be placed in such an area that all department members have access. It will be the responsibility of said members to fulfill the staffing of the roster assignments through the chain of command if conflicts occur. Reserve members who are volunteering their time are required to participate in at least three (3) shifts per month. Creation of the on-duty roster creates no obligation for reserve members except as required above. (Ord. #299, June 2005, as replaced by Ord. #15-426, June 2015)

6-402. Appointment. The mayor, with the consent of the board, may appoint current city employees to act as fire department personnel whenever the need arises for fire prevention and suppression purposes, provided said employees have been properly trained. (Ord. #299, June 2005, as replaced by Ord. #15-426, June 2015)

- 6-403. Objectives.**
- (1) To prevent uncontrolled fires from starting.
 - (2) To prevent the loss of life and property by fire.
 - (3) To confine fires to their place of origin and extinguish them.
 - (4) To prevent loss of life from asphyxiation or drowning.

(5) To perform such rescue work as equipment and training are practical. (Ord. #299, June 2005, as replaced by Ord. #15-426, June 2015)

6-404. Fire prevention and suppression operations. The fire chief shall appoint and make definite assignments to fire personnel. Rules and regulations will be designed and enforced that are necessary for fire prevention and suppression operations. (Ord. #299, June 2005, as replaced by Ord. #15-426, June 2015)

6-405. Records and reports. It shall be the responsibility of the fire chief to maintain and keep adequate records of all fires, inspections, apparatus, equipment, charitable contributions, personnel and work of the department. Submission of a final report at the end of the fiscal year, including a detailed annual report, should be accomplished by the fire chief. The fire chief will assign fire department personnel to be responsible for the tasks of maintaining any record or records. The fire department member shall keep adequate records, and, with the direction of the fire chief, establish a secure area for such records or reports to be filed. (Ord. #299, June 2005, as replaced by Ord. #15-426, June 2015)

6-406. Equipment and funding. The fire chief shall direct the general public to send any fire department donations to the city recorder, who shall place said funds in a restricted account, and such donations shall be used exclusively for the benefit of the fire department. Any equipment donated to the fire department shall be the sole property of the town. (Ord. #299, June 2005, as replaced by Ord. #15-426, June 2015)

6-407. Chief responsible for training. All training for firefighters will be the full responsibility of the fire chief. The fire chief shall appoint and have authority to designate a fire department member whose sole position is focused on the training of all fire personnel. The fire chief shall ensure that all fire department personnel are trained to the minimum training requirements, which shall include all training required by local, state, and federal rules and regulations. (Ord. #299, June 2005, as replaced by Ord. #15-426, June 2015)

6-408. Chief to be assistant to state commissioner. Pursuant to requirements of Tennessee Code Annotated, § 68-102-301, et seq., the chief of the fire department is designated as an assistant to the State Commissioner of Insurance and is subject to all the duties and obligations imposed by Tennessee Code Annotated, title 68, chapter 102, part 3, and shall be subject to the directions of the commissioner in the execution of the provisions thereof. (Ord. #299, June 2005, as replaced by Ord. #15-426, June 2015)

6-409. Equipment to be used in municipal limits.¹ Public safety officers and firemen shall respond to calls for firefighting and fire protection within the city limits. The board of mayor and aldermen may, in its discretion, and with a resolution, authorize fire prevention and suppression activities at other locations in which the conditions deem necessary and will be in the best interest of the citizens of Mount Carmel. Reciprocal inter-local assistance agreements may be executed with other municipalities or departments within the areas outside of the municipality where the fire committee deems necessary and appropriate. Agreements heretofore entered and ratified may include automatic and/or mutual aid agreements in which a signed written agreement or assistance has been requested by another department. (Ord. #299, June 2005, as replaced by Ord. #15-426, June 2015)

6-410. Organization, rules, and regulations. The fire chief will be responsible for taking assignments and reporting to the public safety director or in the absence shall report to the assistant public safety director who reports all findings to the mayor. Definite assignments of individuals shall be directed by the fire chief with approval by the public safety director. Enforcement, formulations, rules, and regulations are necessary for the efficient, safe, and orderly operations of the fire department. The public safety director along with the fire chief shall have the authority to dismiss or suspend any member of the fire department who violates departmental rules or regulations or when dismissal or suspension is deemed necessary to continue the operations of the fire department, provided said authority has been delegated by the mayor. (as added by Ord. #15-426, June 2015)

¹Municipal code reference

Contracts, mutual aid agreements and other types of agreements: title 1, chapter 4.

CHAPTER 5

RESERVE FIREMEN

SECTION

- 6-501. Establishment and membership.
- 6-502. Review committee.
- 6-503. Status.
- 6-504.--6-505. [Deleted.]

6-501. Establishment and membership. Reserve firemen, who are members of the public safety department, must each be at least eighteen (18) years of age and a licensed driver of the State of Tennessee. (Ord. #299, June 2005, as replaced by Ord. #15-426, June 2015)

6-502. Review committee. Suspended reserve firemen have the option to appeal a suspension to the mayor. The aggrieved member will be granted an opportunity to present his or her appeal either orally and/or in writing to the mayor. It will be the responsibility of the mayor to affirm the suspension, modify, or remove the suspended member. (Ord. #299, June 2005, as replaced by Ord. #15-426, June 2015)

6-503. Status. Members of the fire department who are not employed by the city in another capacity, will serve as reserve firemen, who acknowledge that their position as reserve firemen is to serve the Town of Mount Carmel and provide fire protection for the community and surrounding areas. Reserve firemen may be compensated a nominal and reasonable fee, upon discretionary recommendation of the fire chief, subject to confirmation by the board of mayor and aldermen. (Ord. #299, June 2005, as replaced by Ord. #15-426, June 2015)

6-504.--6-505. [Deleted.] (Ord. #299, June 2005, as deleted by Ord. #15-426, June 2015)