

TITLE 6**LAW ENFORCEMENT****CHAPTER**

1. POLICE AND ARREST.
2. WORKHOUSE.

CHAPTER 1**POLICE AND ARREST¹****SECTION**

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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. (1968 Code, § 1-401)

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. (1968 Code, § 1-402)

6-103. Policemen to wear uniforms and be armed. All policemen shall wear such uniform and badge as the board of mayor and council shall authorize and shall carry a service pistol and billy club at all times while on duty unless otherwise expressly directed by the chief for a special assignment. (1968 Code, § 1-403)

¹Municipal code reference

Issuance of traffic citations, etc.: title 15, chapter 7.

6-104. When policemen to make arrests. 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. (1968 Code, § 1-404)

6-105. Policemen may require assistance in making arrests. It shall be unlawful for any male person to willfully refuse to aid a policeman in making a lawful arrest when such a person's assistance is requested by the policeman and is reasonably necessary to effect the arrest. (1968 Code, § 1-405)

6-106. Disposition of persons arrested. Unless otherwise authorized by law, when a person is arrested for any offense other than one involving drunkenness he shall be brought before the city court for immediate trial or allowed to post bond. When the arrested person is drunk or when the city judge is not immediately available and the alleged offender is not able to post the required bond, he shall be confined. (1968 Code, § 1-406)

6-107. Police department records. The police department shall keep a comprehensive and detailed daily record in permanent form, showing:

(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 convoyed, fire calls answered, and other miscellaneous activities of the police department. (1968 Code, § 1-407)

6-108. Citations in lieu of arrest in non-traffic cases. Pursuant to Tennessee Code Annotated, § 7-63-101 et seq., the board of mayor and council appoints the fire chief in the fire department and the code enforcement officer in the building department special police officers having the authority to issue citations in lieu of arrest. 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 code enforcement officer 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. (1968 Code, § 1-408)

6-109. Summonses in lieu of arrest. Pursuant to Tennessee Code Annotated, § 7-63-201 et seq., which authorized the board of mayor and council to designate certain city enforcement officers the authority to issue ordinance summonses in the areas of sanitation, litter control and animal control, the board designates the code enforcement 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 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 § 6-108 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. (1968 Code, § 1-409)

6-110. Police chief to have authority. In the absence of a code enforcement officer, the police chief has the above authority. (1968 Code, § 1-410)

CHAPTER 2

WORKHOUSE

SECTION

6-201. Establishment, designation, and purpose of workhouse.

6-202. Authority to commit to workhouse; prisoner entitlements.

6-203. Prisoners to be worked.

6-204. Chief of police to be superintendent.

6-201. Establishment, designation, and purpose of workhouse.

There is hereby established a city workhouse for the City of Lake City. The city jail is designated as the workhouse. It shall be used for the housing, confinement, and incarceration of persons owing fines which have been assessed against said persons by any official of said city having authority and power to assess and fix fines for the violation of a city ordinance. (1968 Code, § 1-601)

6-202. Authority to commit to workhouse; prisoner entitlements.

Any person presiding over the city court of the City of Lake City shall have authority to commit and place in the workhouse any person owing to the City of Lake City any fine which has not been paid in full or properly secured. Each person committed to the workhouse shall be entitled to receive, as credit toward the payment of his fines, the sum of two dollars (\$2.00) for each twenty-four (24) hour period spent in the workhouse. Each person committed to the workhouse shall be furnished three (3) meals on each day he furnishes labor to the city. (1968 Code, § 1-602)

6-203. Prisoners to be worked.

Prisoners of the workhouse may be assigned to any of the various city departments in which labor is performed. The person in charge of overseeing labor in the department to which a prisoner is assigned shall have authority to direct and prescribe the labor to be performed by the prisoner. The overseer shall be given custody of the prisoner at the workhouse at the starting of the work day and shall return him to the workhouse at the end of the work day. (1968 Code, § 1-603)

6-204. Chief of police to be superintendent.

The chief of police of the City of Lake City is hereby designated as the superintendent of the workhouse and shall be in full charge and control of same and shall operate same in such a manner as to properly and effectively effectuate the purposes herein set out. (1968 Code, § 1-604)