

TITLE 6**LAW ENFORCEMENT****CHAPTER****1. POLICE AND ARREST.****CHAPTER 1****POLICE AND ARREST****SECTION**

- 6-101. Policemen subject to chief's orders.
- 6-102. Policemen to preserve law and order, etc.
- 6-103. Policemen to wear uniforms and be armed.
- 6-104. When policemen to make arrests.
- 6-105. Disposition of persons arrested.
- 6-106. Suspension of policemen.
- 6-107. Unlawful to resist or interfere with an arrest.
- 6-108. Summonses in lieu of arrest.

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. (1982 Code, § 1-603)

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.

6-103. Policemen to wear uniforms and be armed. All policemen shall wear such uniform and badge as the chief may prescribe and shall carry a service pistol at all times while on duty. (1982 Code, § 1-606, modified)

6-104. When policemen to make arrests.¹ Unless otherwise authorized or directed in this code or other applicable law, arrests of the person shall be made by city policemen in the following cases:

- (1) Whenever they are in possession of a warrant for the arrest of the person.

¹Municipal code reference

Traffic citations, etc.: title 15, chapter 7.

(2) Whenever an alleged offense has been committed in the officer's presence by the person.

(3) Whenever a felony has been in fact committed and the officer has reasonable and probable cause to believe the person has committed it. (1982 Code, § 1-607)

6-105. 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 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 city court clerk, or, if the city court clerk is not available, with the ranking police officer on duty. 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. (1982 Code, § 1-610, modified)

6-106. Suspension of policemen. The chief of police may suspend any policeman who violates or fails to comply with any of his lawful orders or who is found to be, or is reasonably suspected of being, derelict in the performance of his duties or guilty of such misconduct as will likely reflect discredit upon the city. The chief shall report any such suspension to the board at its next regular meeting for appropriate action. (1982 Code, § 1-604)

6-107. Unlawful to resist or interfere with an arrest. It shall be unlawful for any person to resist any officer making a lawful arrest or otherwise to interfere or attempt to interfere with or to incite or attempt to incite others to interfere with any arresting officer. (1982 Code, § 1-609)

6-108. Summonses in lieu of arrest. Pursuant to Tennessee Code Annotated, § 7-63-201, et seq., which authorizes the board to designate certain city enforcement officers the authority to issue ordinance summonses in the areas of sanitation, litter control, fire, code enforcement, 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 summons 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 § 6-105 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.