

TITLE 6

LAW ENFORCEMENT

CHAPTER

1. POLICE AND ARREST.

CHAPTER 1

POLICE AND ARREST¹

SECTION

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6-101. Policemen subject to orders. All policemen shall obey and comply with such orders and administrative rules and regulations as the mayor, board of mayor and aldermen or alderman supervising the police department may officially issue. (Ord. #3, Dec. 1975)

6-102. Policemen to preserve law and order, etc. Policemen shall preserve law and order within the town. They shall patrol the town and shall assist the town court during the trial of cases. Policemen shall also promptly serve any legal process issued by the town court. (Ord. #3, Dec. 1975)

¹Municipal code reference

Issuance of citations in lieu of arrest in traffic cases: title 15, chapter 7, section 15-701.

6-103. When policemen 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 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. (Ord. #3, Dec. 1975)

6-104. Disposition of persons arrested.² (1) For code or ordinance violations. Unless otherwise provided by law, a person arrested for a violation of this code or other town ordinances shall be brought before the town court. However, if the town court is not in session, the arrested person shall be allowed to post bond with the town court clerk, or, if the town 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 town 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.

6-105. 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.

¹Municipal code reference

Issuance of citation in lieu of arrest in traffic cases: title 15, chapter 7, section 15-701.

Municipal offenses and prohibition against resisting arrest: title 11, chapter 5.

²Municipal code reference

Deposition of drivers license in lieu of bail bond: title 3, chapter 6, section 3-106.

(3) All police investigations made, funerals convoyed, fire calls answered, and other miscellaneous activities of the police department. (Ord. #3, Dec. 1975)

6-106. Policemen to wear uniforms and to be armed. All policemen shall wear such uniform and badge as the board of mayor and aldermen shall authorize. All policemen shall carry a service pistol and such other weapons and equipment as authorized by the board of mayor and aldermen at all times while on duty unless otherwise expressly directed by the chief for a special assignment. (Ord. #3, Dec. 1975)

6-107. Policemen may require assistance. It shall be unlawful for any person willfully to refuse to aid a policeman in maintaining law and order or in making a lawful arrest when such person's assistance is requested by the policeman and is reasonably necessary. (Ord. #3, Dec. 1975)

6-108. Positions established. The Police Department of Walden, Tennessee, shall include such positions of personnel as are deemed necessary by the board of mayor and aldermen, and the persons who are hired to fill these positions will receive salary and expenses as established by the board of mayor and aldermen, and will fulfill such duties and hold such positions as said board of mayor and aldermen shall designate. (Ord. #8, Dec. 1976)