

TITLE 6

LAW ENFORCEMENT

CHAPTER

1. POLICE AND ARREST.
2. SPECIAL POLICE FORCE.

CHAPTER 1

POLICE AND ARREST

SECTION

- 6-101. Department of Public Safety.
- 6-102. Police officers to preserve law and order, etc.
- 6-103. Police officers to wear uniforms and be armed.
- 6-104. When police officers to make arrests.
- 6-105. Police officers may require assistance in making arrests.
- 6-106. Disposition of persons arrested.
- 6-107. Department of Public Safety records.

6-101. Department of Public Safety. (1) The Department of Public Safety for the City of Waynesboro is hereby established. It shall consist of a qualified "chief of police" as the department head, and the director of the Department of Public Safety shall be responsible for his department employees, whether full time, part time or volunteer, as necessity dictates and as budget limitations as set by the city commission are applicable.

(2) The Department of Public Safety shall fall within the supervision of departments by the city manager as provided by *Tennessee Code Annotated*, § 6-21-108.

(3) The director for the department of public safety shall be set by the city commissioners as well as the budget for the department of public safety, with the understanding that the director shall be responsible for the preparation of said budget and the implementation of the budget, with supervision for the expenditure of all funds thereto assigned.

(4) The department of public safety shall establish its own policies and procedures, subject to the approval of the city commission and the city manager, and that said procedures not be in conflict with federal, state or city ordinances. (1995 Code, § 6-101)

6-102. Police officers to preserve law and order, etc. Police officers shall preserve law and order within the municipality. They shall patrol the municipality and shall assist the city court during the trial of cases. Police

officers shall also promptly serve any legal process issued by the city court. (1995 Code, § 6-102)

6-103. Police officers to wear uniforms and be armed. All police officers shall wear such uniform and badge as the governing body 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. (1995 Code, § 6-103)

6-104. When police officers 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 police officer 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; or
- (3) Whenever a felony has in fact been committed and the officer has reasonable cause to believe the person has committed it. (1995 Code, § 6-104)

6-105. Police officers 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 police officer and is reasonably necessary to effect the arrest. (1995 Code, § 6-105)

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 court of competent jurisdiction 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. (1995 Code, § 6-106)

6-107. Department of Public Safety records. The department of public safety 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 police officers; and
- (3) All police investigations made, funerals convoyed, fire calls answered, and other miscellaneous activities of the department of public safety. (1995 Code, § 6-107)

CHAPTER 2**SPECIAL POLICE FORCE****SECTION**

6-201. Assistance to be furnished by the Wayne County Civil Defense.

6-201. Assistance to be furnished by the Wayne County Civil Defense. Upon the necessity of additional manpower and equipment, the Wayne County Civil Defense may be called for said special assistance on the following grounds:

(1) The Wayne County Civil Defense will be mobilized, or so much thereof as determined necessary by the Director of the Wayne County Civil Defense, upon the authority of the Mayor of the City of Waynesboro, or upon the request of the Waynesboro City Manager and Chief of Police. The city manager and chief of police must act jointly to institute the request of need; whereas, the mayor may act upon his authority alone;

(2) During the period of necessity and/or need, the Wayne County Civil Defense will operate under the direction and supervision of the chief of police, or in his absence, the Mayor of Waynesboro; or

(3) It is further understood that the chain of command above related will only apply to situations wherein the Wayne County Civil Defense has not been mobilized by the President of the United States of America, the Governor of the State of Tennessee, the Wayne County Judge, the Director of the Wayne County Civil Defense, or his executive officer. (1995 Code, § 6-301)