

TITLE 6

LAW ENFORCEMENT

CHAPTER

1. POLICE AND ARREST.
2. ATHENS POLICE RESERVE.

CHAPTER 1

POLICE¹ AND ARREST²

SECTION

- 6-101. Police chief.
- 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. Policemen may require assistance in making arrests.
- 6-106. Police department records.

6-101. Police chief. The chief of police shall be appointed by and serve at the will of the city manager. He shall have general supervision over the police department and shall be responsible for the efficiency thereof. (1972 Code, § 1-501)

6-102. Policemen to preserve law and order, etc. Policemen shall preserve law and order within the municipality. They shall patrol the municipality and shall assist the city court during the trial of cases. Policemen shall also promptly serve any legal process issued by the city court. (1972 Code, § 1-502)

6-103. Policemen to wear uniforms and be armed. All policemen shall wear such uniform and badge as the city council shall authorize and shall carry a service pistol and other non-lethal weapons at all times while on duty unless

¹Charter references

General provisions with respect to police department: art. XIX.
Police department established: art. XVIII, § 1.

²Municipal code reference

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

otherwise expressly directed by the chief for a special assignment. (1972 Code, § 1-503, modified)

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. (1972 Code, § 1-504)

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. (1972 Code, § 1-505)

6-106. Police department records. Based on retention schedule as mandated by law, the police department shall keep a comprehensive and detailed record 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. (1972 Code, § 1-507, modified)

CHAPTER 2

ATHENS POLICE RESERVE

SECTION

- 6-201. Designation, membership, and employee status.
- 6-202. Diminishing or increasing the force.
- 6-203. Chief of police to have control.
- 6-204. Method of appointment and qualifications of members.
- 6-205. Removal from membership or resignation.
- 6-206. Summary dismissal of members.
- 6-207. Uniforms, badges, and insignia designated by chief.
- 6-208. Identification cards, etc.
- 6-209. Duties.
- 6-210. Power and authority of members.
- 6-211. False personation.
- 6-212. Compensation.

6-201. Designation, membership, and employee status. The auxiliary police force shall be designated as the "Athens Police Reserve." It shall be composed of a voluntary membership of not to exceed twenty-five (25) members headed by the chief of police, City of Athens, hereinafter designated as the "Chief." The members shall be part-time employees of the City of Athens Police Department and shall be included in workmen's compensation and liability insurance provided for employees of the City of Athens. (1972 Code, § 1-601)

6-202. Diminishing or increasing the force. The chief may by order diminish or expand the membership of the Athens Police Reserve, as may in his judgment be required within the limits herein established. (1972 Code, § 1-602)

6-203. Chief of police to have control. The chief shall have complete authority, control, and command over the Athens Police Reserve, subject to the provisions of this chapter. He may appoint as members thereof any person he may consider qualified and may reject any application for membership. He shall provide for the training of candidates for membership and for the further training of members. (1972 Code, § 1-603)

6-204. Method of appointment and qualifications of members. No person shall be considered a member of the Athens Police Reserve until he has been duly appointed by the chief, registered on a roster kept by the chief, and until he has taken the oath provided for officers of the Athens Police Department and has been provided by the city with the bond provided for by law.

Persons eligible for new membership shall be no less than twenty-one (21) years of age and shall be citizens of the United States, residents of McMinn

County, Tennessee, and of excellent character and reputation. They shall be in excellent physical condition, mentally stable, and suffer from no ailment or disability which would limit or prevent their engaging in strenuous exercise or the use of firearms. Restrictions and regulations as to age and physical condition may be waived only in the discretion of the chief in those cases involving special qualifications, abilities, and aptitude in the best interest, of the police department. (1972 Code, § 1-604, modified)

6-205. Removal from membership or resignation. Membership of any person may be terminated at the will and pleasure of the chief. Any member may resign from the Athens Police Reserve at any time, but it shall be his duty to notify the chief of his resignation. (1972 Code, § 1-605)

6-206. Summary dismissal of members. In addition to the penalties provided by law, any violation of law under color of the performance of his duties as a member of the Athens Police Reserve and any breach of the rules and regulations established by the chief shall subject any member to summary dismissal and the fact thereof may be published by order of the chief. (1972 Code, § 1-606)

6-207. Uniforms, badges, and insignia designated by chief. The chief shall prescribe the uniforms, badges, and insignia for members of the Athens Police Reserve and the manner in which the same shall be worn. The City of Athens will furnish uniforms at no expense to the members. (1972 Code, § 1-607, modified)

6-208. Identification cards, etc. An identification card and such other insignia or evidence of identity as the chief may prescribe shall be issued to each member who must carry such identification at all times while on duty and surrender them upon the termination of his membership. (1972 Code, § 1-608)

6-209. Duties. The duties of the Athens Police Reserve, subject at all times to the direction, supervision, and control of the chief, shall be to assist the regular members of the police department in enforcement of the law and in the maintenance of peace and order at such times provided for and designated by the chief. The chief shall establish rules and regulations to govern the Athens Police Reserve, to fix the specific duties of its members, and to provide for the maintenance of discipline. He may change such orders from time to time. No member shall in any manner perform any act as a member of the Athens Police Reserve unless he is specifically designated for duty as such member at the time. The chief may prescribe duties other than those mentioned herein so long as they are not inconsistent with the provisions hereof. (1972 Code, § 1-609)

6-210. Power and authority of members. (1) Members of the Athens Police Reserve shall be authorized, while on official duty as members of said reserve, to carry firearms in accordance with the provisions of Tennessee Code Annotated, § 39-6-1702 and as prescribed by the rules and regulations as set forth by the chief.

(2) Members of the Athens Police Reserve, while on official duty as members thereof, shall have the same arrest powers as regular officers of the Athens Police Department. (1972 Code, § 1-610)

6-211. False personation. It shall be a misdemeanor for any person to wear an Athens Police Reserve uniform, badge or insignia, or to carry or display an identification card, or otherwise to deceitfully represent himself to be a member of, or connected with, the Athens Police Reserve, unless he is in fact a member thereof in good standing. (1972 Code, § 1-611)

6-212. Compensation. Where not fixed by statute, ordinance, or resolution of the Council of the City of Athens, the compensation, salary, or wages of members of the Athens Police Reserve are to be fixed at the rate of one dollar (\$1.00) per year. (1972 Code, § 1-612)