TITLE 6

LAW ENFORCEMENT

CHAPTER
1. POLICE DEPARTMENT.
2. CHIEF INVESTIGATOR.
3. ARREST PROCEDURES.
4. CITATIONS, WARRANTS, AND SUMMONSES.

CHAPTER 1

POLICE DEPARTMENT

SECTION
6-101. Policemen subject to chief’s orders.
6-102. Policemen to preserve law and order, etc.
6-103. Police department records.

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.

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. **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.
3. All police investigations made, funerals, convoyed, fire calls answered, and other miscellaneous activities of the police department.
4. Any other records required to be kept by the board of mayor and council members or by law.

The police chief shall be responsible for insuring that the police department complies with the section.
CHAPTER 2

CHIEF INVESTIGATOR

SECTION
6-201. Chief investigator position created and authorized.
6-203. Compensation.
6-204. Term of office.

6-201. **Chief investigator position created and authorized.** There is hereby created and authorized, the position of chief investigator which shall be filled as provided for under civil service plan. (Ord. #1009, April 1997)

6-202. **Duties.** The chief investigator shall have identical police powers as other police officers of the city, but shall work independently of the department of safety, and shall be directly answerable to the chief of police. (Ord. #1009, April 1997, modified)

6-203. **Compensation.** The chief investigator shall be compensated in the same name as other employees under the civil service plan. (Ord. #1009, April 1997)

6-204. **Term of office.** The chief investigator shall serve with all the rights, benefits and privileges, as granted under the civil service ordinance of the City of Rockwood, and in the event the chief investigator's office is abolished, he/she shall have seniority rights in the police department. The present chief investigator shall continue employment subject to the provisions of this chapter. (Ord. #1009, April 1997)
CHAPTER 3

ARREST PROCEDURES

SECTION
6-301. When policemen to make arrests.
6-302. Disposition of persons arrested.

6-301. **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 probable cause to believe the person has committed it.

6-302. **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 ordinance, 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.

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1Municipal code reference
Issuance of citation in lieu of arrest in traffic cases: title 15, chapter 7.
CHAPTER 4
CITATIONS, WARRANTS, AND SUMMONSES

SECTION
6-401. Citations in lieu of arrest in non-traffic cases.
6-402. Summonses in lieu of arrest.

6-401. Citations in lieu of arrest in non-traffic cases. Pursuant to Tennessee Code Annotated, § 7-63-101, et seq., the board of mayor and aldermen appoints the building code and fire inspector as special police officer having the authority to issue citations in lieu of arrest. The building code and fire inspector shall have the authority to issue citations in lieu of arrest for violations of the fire code adopted in title 7, chapter 2 and 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.

6-402. Summonses in lieu of arrest. Pursuant to Tennessee Code Annotated, § 7-63-201, et seq., which authorizes the board of mayor and aldermen 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 animal control officer in the animal control department to issue ordinance summonses in those areas. This enforcement officer 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

\[^1\text{Municipal code reference}
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Issuance of citations in lieu of arrest in traffic cases: title 15, chapter 7.
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 § 6-401 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.