

TITLE 6

LAW ENFORCEMENT¹

CHAPTER

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2. MISCELLANEOUS ENFORCEMENT.
3. RESERVE POLICE.
4. DRIVER'S LICENSE IN LIEU OF BAIL.

CHAPTER 1

POLICE AND ARREST²

SECTION

- 6-101. General operation of Police Department.
- 6-102. Police Officers to preserve law and order, etc.
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- 6-104. When Police Officers to make arrests.
- 6-105. Police Officers may require assistance in making arrests.
- 6-106. Disposition of persons arrested.
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6-101. General operation of Police Department.

(1) General supervision of the Police Department is hereby delegated to the City Administrator, for the enforcement of all City ordinances, for traffic control, and for maintenance of law and order within the City. In addition, the City Administrator shall be the authority to issue directives and/or permits to qualified law enforcement personnel to carry handguns pursuant to Tennessee Code Annotated § 39-17-1315.

(2) The City Administrator will appoint a Chief of Police.

(3) In addition to his regular duties as a Police Officer, the Chief of Police will have the following duties and authority:

(a) Report to the City Administrator upon request as to the status of law enforcement within the City and the efficiency of police personnel.

¹Municipal code reference

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

²Municipal code reference

Motor vehicles, traffic and parking: title 15.

(b) Make recommendations to the City Administrator as to the needs of the department for uniforms and other equipment.

(c) Establish uniform regulations.

(d) Pass on to all Officers all directions and orders of the City Administrator and see that such directions and orders are carried out.

(e) Establish duty rosters for the operation of the department.

(f) After consulting with the employees of the Police Department, designate the time when annual vacations in the department shall be taken.

(g) Supervise generally the work of all employees in the department.

(h) Make such reports and recommendations to the City Administrator as he may deem necessary to the efficient administration of the department.

(4) It shall be the duty of the Chief of Police and the members of the police force to preserve order in the City, protect the inhabitants and property owners therein from violence, crime, and all criminal acts, prevent the commission of crime, violations of law and of the City ordinances, and perform a general police duty. All Police Officers shall familiarize themselves with the various highways leading into and out of the City and shall be prepared at all times to give aid, assistance, and directions to tourists. (1996 Code, § 6-101, modified)

6-102. Police Officers to preserve law and order, etc. Police Officers shall preserve law and order within the City. They shall patrol the City 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. (1996 Code, § 6-102, modified)

6-103. Police Officers to wear uniforms and be armed. All Police Officers shall wear such uniform and equipment necessary to the functions of their positions as the Mayor and Aldermen shall authorize. The uniform will be worn at all times while on duty unless otherwise directed by the Chief of Police. (Ord. #2011-017, Dec. 2011)

6-104. When Police Officers 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 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 when in domestic situations, in the Officer's discretion, a clear and present danger exists.

(3) Whenever a felony has in fact been committed and the Officer has reasonable cause to believe the person has committed it. (1996 Code, § 6-104, modified)

6-105. Police Officers may require assistance in making arrests. It shall be unlawful for any male person to willfully refuse to aid a Police Officer in making a lawful arrest when such person's assistance is requested by the Police Officer and is reasonably necessary to effect the arrest. (1996 Code, § 6-105, modified)

6-106. Disposition of persons arrested. Unless otherwise authorized by law, when any person is arrested for any offense other than one involving drunkenness he shall be brought before the City Court for immediate trial 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. (1996 Code, § 6-106)

6-107. Police Department records. The Police Department 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.

(3) All police investigations made, funerals convoyed, fire calls answered, and other miscellaneous activities of the Police Department. (1996 Code, § 6-107, modified)

¹Municipal code reference

Motor vehicles, traffic and parking: title 15.

CHAPTER 2**MISCELLANEOUS ENFORCEMENT****SECTION**

6-201. Penalties.

6-201. Penalties. In any case where there shall be a violation of any part of the Sevierville Municipal Code for which no penalty is provided, the person violating such provision shall, upon conviction, be subject to a fine of not less than one dollar (\$1.00) nor more than fifty dollars (\$50.00) for each offense.

Each day such violation continues shall constitute a separate offense.
(1996 Code, § 6-201, modified)

CHAPTER 3

RESERVE POLICE

SECTION

6-301. Reserve Police.

6-301. Reserve Police. There is hereby created a Reserve Police force whose function is to supplement the regular Police Department of Sevierville.

(1) The Reserve Police is a volunteer/part time organization, the members of which have enrolled as a civic service to assist the regular police force of the Sevierville Police Department. All Reserve Officers will be sworn in by the City Recorder. All bonding and liability insurance shall be paid by the City. When performing their duties as Reserve Police and operating under the direction of the Sevierville Police Department, Reserve Police shall have the full rights and authority, and be subject to such regulations, as established by state and local laws for reserve and regular Police Officers.

(2) The Chief of Police shall have cognizance and control of the organization, government administration, operation and discipline of the Reserve Police.

(3) The numerical membership of the Reserve Police shall be designated by the City Administrator.

(4) No exception to any of the rules and regulations of the Reserve Police shall be made without express approval of the Chief of Police.

(5) Applicants for the Reserve Police must possess the following qualifications for membership:

(a) Must be at least eighteen (18) years of age.

(b) Must be a citizen of the United States.

(c) Must have no physical defects which would impair their ability to properly perform police duties, with reasonable accommodation.

(d) Have never been convicted of a felony, serious misdemeanor, gambling offense or series of offenses which indicate a disregard for constituted authority.

(e) Must be of excellent character and bear a good reputation in the community.

(f) Must have the approval of the Chief of Police and the City Administrator.

(6) The order of the designation of rank in the Reserve Police shall be:

(a) Lieutenant.

(b) Sergeant.

(c) Patrol Officer.

(7) Seniority of the members of the Reserve Police shall be determined in the following order:

(a) By rank.

(b) By length of service in the Reserve Police.

(c) By length of time served in rank.

(8) The Lieutenant and Sergeant shall be elected by the members of the Reserve Police after being nominated for the office by the members. Such nomination and election shall take place at the first regular meeting of the Reserve Police in January of each year. The term of office of those elected shall be for one (1) year dated from the date of installation. The installation of office shall be held at the first regular meeting following said election.

(9) The following qualifications are necessary for nomination to office:

(a) Membership for a period of not less than one (1) year.

(b) Satisfactory performance of all duties during the preceding year.

(c) Must hold the minimum rank of Reserve Patrol Officer.

(d) Must have the approval of the Chief of Police.

(10) The Lieutenant of the Reserve Police is charged with and responsible for the proper training, discipline, efficiency and administration of the Reserve Police. He shall act as liaison officer between the Reserve Police and the Police Department, and shall be responsible for the proper performance of any duties and/or details assigned to the Reserve Police by the Chief of Police. He shall call a regular meeting of the Reserve Police each January and as needed throughout the year and shall preside over the same. He shall delegate authority to the next ranking Officer present to act as Lieutenant in the latter's absence.

(11) The Sergeant of the Reserve Police shall act with the advice and approval of the Lieutenant and will exercise such authority and supervision over the functions of the Reserve Police as the Lieutenant may assign to him, and, in the absence of the Lieutenant, shall assume all of the duties and responsibilities of the Lieutenant.

(12) A Patrol Officer in the Reserve Police shall be appointed and approved by the Chief of Police and the City Administrator. He shall possess the following qualifications:

(a) Be qualified to carry firearms.

(b) Have sufficient training and knowledge to enable him to discharge his police duties.

(13) All Reserve Police shall be governed by such rules and regulations of the Sevierville Police Department as, in the opinion of the Chief of Police, are applicable to them.

(14) Members of the Reserve Police, in the performance of their designated duties, shall be subject to the supervision and direction of their superior Officers and the Officers of the regular police force.

(15) All regular Police Officers are senior to Reserve Police Officers, regardless of rank.

(16) Members of the Reserve Police shall properly perform such duties as are assigned to them by their superior Officers.

(17) Upon reporting for duty, Reserve Police shall be assigned to their duties by the Chief of Police or ranking regular Officer at his discretion.

(18) Reserve Police shall at all times, while on duty, wear the designated uniform and equipment of that organization, unless specifically assigned by the Chief of Police or other regular rated Officer of the Police Department to do otherwise.

(19) Reserve Police members shall not engage in any special duty, plainclothes duty, security duty, or group duty, unless the same shall have been authorized by the Reserve Lieutenant and the Chief of Police. Special duty shall include but not be limited to working ball games and parades. Compensation for these activities shall be paid through the City of Sevierville payroll system.

(20) Reserve Police may be assigned to patrol units to travel directly to and from special duty assignments. No Reserve Officer shall be allowed to operate a vehicle until he has met the following qualifications:

(a) Must possess a valid Tennessee operator's license.

(b) Minimum of six (6) months' service with the Sevierville Reserve Police.

(c) Must pass a training course on operation of vehicle.

(d) Approval of the Reserve Lieutenant, Chief of Police, and Officer in charge of shift. Reserve Officers may be assigned to operate a vehicle in non-special duty assignments only when such action is needed to protect the life, health, and convenience of Sevierville residents and is approved by the Chief of Police or his designee.

(21) No member of the Reserve Police shall be permitted to carry firearms until such time as he has met the following qualifications:

(a) Satisfactorily completed the Reserve Police basic training program.

(b) Completed all required firearms training.

(c) Passed the POST firearms qualification course.

(d) Approval of the Patrol Captain and the Chief of Police.

(22) Any complaints or charges against any Reserve Police member shall be investigated by the Reserve Lieutenant and Patrol Captain, who shall submit a written report to the Chief of Police with recommendations as to final disposition.

(23) The Chief of Police may discharge a member of the Reserve Police, either with or without charges being filed, by notice in writing to such member after investigation and conference with the Reserve Lieutenant, Patrol Captain and the Chief of Police.

(24) Continuance of membership depends upon the obedience to orders, satisfactory performance of duty, good behavior and the willingness by members to work as needed, unless sick, or otherwise excused by the Chief of Police. (Ord. #2011-018, Dec. 2011)

CHAPTER 4**DRIVER'S LICENSE IN LIEU OF BAIL****SECTION**

6-401. City Officers and employees shall comply.

6-401. City Officers and employees shall comply.¹ All City Officers and employees shall comply fully with the requirements of Tennessee Code Annotated § 55-50-801, et seq, and any implementing orders of the Department of Safety, State of Tennessee. (1996 Code, § 6-402)

¹Municipal code reference
Enforcement: title 15.