

## TITLE 6

### LAW ENFORCEMENT

#### CHAPTER

1. POLICE AND ARREST.
2. WORKHOUSE.

#### CHAPTER 1

### POLICE<sup>1</sup> AND ARREST<sup>2</sup>

#### SECTION

- 6-101. Policemen subject to chief's orders.
- 6-102. Policemen to see that law and order is maintained, 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. Disposition of persons arrested.
- 6-107. Police department records.
- 6-108. Emergency seizure of hazardous properties.

**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. (1989 Code, § 1-501)

**6-102. Policemen to see that law and order is maintained, 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. (1989 Code, § 1-502)

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<sup>1</sup>For provisions in the charter with respect to the following, see the sections indicated.

(1) Board's authority to establish, support and regulate a police department: §§ 5(8) and 5(21).

(2) Board's authority to provide for arrest and confinement of rioters, etc.: § 5(17).

(3) Marshal to take oath and issue process: § 6.

(4) Mayor's authority to make appointments to fill vacancies: § 3.

<sup>2</sup>For provisions relating to traffic citations, etc., see title 15 in this code.

**6-103. Policemen to wear uniforms and be armed.** All policemen shall wear such uniform and badge as the mayor shall prescribe and shall carry a service pistol and billy club at all times while on duty. (1989 Code, § 1-503)

**6-104. When policemen to make arrests.**<sup>1</sup> Unless otherwise authorized or directed in this code or other applicable law, arrests 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 is threatened in the officer's presence by the person.

(3) Whenever a felony has in fact been committed and the officer has reasonable and probable cause to believe the person has committed it. (1989 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 person's assistance is reasonably requested and necessary. (1989 Code, § 1-505)

**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 court is not immediately available and the alleged offender is not able to post the required bond he shall be confined. (1989 Code, § 1-506)

**6-107. Police department records.** The police department shall keep a comprehensive and detailed daily record, in permanent form, showing:

(1) All 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. (1989 Code, § 1-507)

**6-108. Emergency seizure of hazardous properties.** The police department shall have the authority to temporarily seize properties that are determined to house controlled substances, hazardous materials, methamphetamine, and any and all other materials that pose a threat to the public, subject to the following conditions:

(1) That the discovery of said materials resulted from an arrest, arrest with a warrant, or execution of a search warrant;

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<sup>1</sup>For provisions relating to traffic citations, etc., see title 15 in this code.

(2) That the police department made a discovery of such materials or the probability of same;

(3) That the chief of the police department concurred in the finding of the danger to the community, and authorized the temporary seizure; and thereafter:

(4) That the seizure was reported to the mayor within (12) hours;

(5) That within forty eight (48) hours of the seizure the discovery is reported to a qualified law enforcement agency and request made for a thorough inspection of the premises to determine the existence or non-existence of said substances;

That the immediate seizure made after compliance with conditions (1) through (5) above shall be followed with the installation of appropriate fencing, barricades, and/or other obstacles to prevent public entrance to the property, and appropriate notice of the seizure by signs displayed prominently.

Said seizure shall expire after the passage of sixty (60) days;

Any action taken hereunder shall be reviewable by the general sessions court of Overton County, Tennessee. (Ord. #2004-10-1, Oct. 2004)

**CHAPTER 2****WORKHOUSE**<sup>1</sup>**SECTION**

6-201. County workhouse to be used.

6-202. Inmates to be worked.

6-203. Compensation of inmates.

**6-201. County workhouse to be used.** The county workhouse is hereby designated as the municipal workhouse. (1989 Code, § 1-701)

**6-202. Inmates to be worked.** All persons committed to the workhouse shall be required to perform such public work or labor as may be lawfully prescribed for the county prisoners. (1989 Code, § 1-702)

**6-203. Compensation of inmates.** Each workhouse inmate shall be allowed five dollars (\$5.00) per day as credit toward payment of the fines assessed against him. (1989 Code, § 1-703)

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<sup>1</sup>For provisions in the charter with respect to the workhouse, see §§ 5(16), 5(18) and 5(20).