

TITLE 6**LAW ENFORCEMENT**¹**CHAPTER**

1. ARREST PROCEDURES.
2. CITATIONS, WARRANTS, AND SUMMONSES.

CHAPTER 1**ARREST PROCEDURES****SECTION**

- 6-101. When police officers to make arrests.
6-102. Disposition of persons arrested.

6-101. When police officers to make arrests.² 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; and
- (3) Whenever a felony has in fact been committed and the officer has probable cause to believe the person has committed it.

6-102. Disposition of persons arrested. 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.

¹Municipal code references

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

"Mutual Aid and Emergency and Disaster Assistance Agreement Act of 2004:" title 7, chapter 3, footnote 1.

²Municipal code reference

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

CHAPTER 2

CITATIONS, WARRANTS, AND SUMMONSES

SECTION

6-201. Citations in non-traffic cases.

6-202. Summonses.

6-201. Citations in non-traffic cases.¹ Pursuant to *Tennessee Code Annotated*, §§ 7-63-101, *et seq.*, the board of mayor and aldermen appoints the N/A in the fire department and the N/A in the building department special police officers having the authority to issue citations. The N/A in the fire department shall have the authority to issue citations for violations of the fire code adopted in title 7, chapter 2 of this municipal code of ordinances. The N/A in the building department shall have the authority to issue citations for violations of the building, utility and housing codes adopted in title 12 of this municipal code of ordinances.

The citation 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 was issued.

6-202. Summonses. Pursuant to *Tennessee Code Annotated*, §§ 7-63-201, *et seq.*, which authorizes the board of mayor and aldermen to designate certain town enforcement officers the authority to issue ordinance summonses in the areas of sanitation, litter control and animal control, the board designates the chief in the police department to issue ordinance summonses in those areas. These enforcement officers may not arrest violators or issue citations, but upon witnessing a violation of any ordinance, law or regulation in the areas of sanitation, litter control or animal control, may issue an ordinance summons and give the summons to the offender.

¹Municipal code reference

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

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 town 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 for the violation, or arrest the offender for failure to sign the citation. If the police officer makes an arrest, he shall dispose of the person arrested as provided in § 6-301 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. (modified)