

TITLE 6

LAW ENFORCEMENT

CHAPTER

1. POLICE AND ARREST.
2. RESERVE POLICE FORCE.

CHAPTER 1

POLICE AND ARREST¹

SECTION

- 6-101. Police operating procedure manual to be maintained.
- 6-102. Chief of police.
- 6-103. When arrests to be made.
- 6-104. Disposition of persons arrested.
- 6-105. Citations or complaints in lieu of arrest.

6-101. Police operating procedure manual to be maintained. It shall be the duty of the city administrator to see that there is maintained a standard operating procedure manual for the operations of the police department. It shall also be the duty of the city administrator to see that said manual is updated from time to time to conform with modern concepts of law enforcement operating procedures and administration. (1988 Code, § 1-901)

6-102. Chief of police. (1) The chief of police shall hold his office at the will and pleasure of the board of mayor and aldermen, and his salary shall be as the board directs. He may be removed at any time by a simple majority vote of the board, either at a regular meeting or a meeting called for that purpose.

(2) During his incumbency in office he shall devote himself to the duties of his office, and he shall follow no other vocation, nor be interested in any business that requires a license or on which a privilege tax is imposed.

(3) Before entering upon the discharge of his duties, the chief of police shall execute a bond with good and sufficient security in the sum of ten thousand dollars (\$10,000.00) payable to the board of mayor and aldermen, and conditioned that he will faithfully account for all money that may or ought to come into his hands, and that he will faithfully account for all money that may or ought to be collected by him, by virtue of his office, and that he will well and truly do and perform all other duties pertaining to his office, which bond shall

¹Charter references: §§ 10 and 16.

be acknowledged by the chief of police and his securities before the board of mayor and aldermen and approved by it.

(4) The chief of police shall perform all the duties required of him by the ordinances, rules, or regulations of the board of mayor and aldermen, or by the laws of the state, or that may be imposed on him by the board, or by the mayor during intermission. It shall be the duty of the chief of police:

(a) To make himself thoroughly acquainted with all the laws and ordinances of the city, and to see that the same are faithfully enforced;

(b) To execute all manner of process in behalf of the mayor and aldermen, upon any persons, or their property, under any law or ordinance of the city requiring such service;

(c) To see that no trespasses are committed upon the property of the city;

(d) To repair without delay to any part of the city when he is advised that a breach of the peace or violation of any law or ordinance of the city has been or is about to be committed. (1988 Code, § 1-902)

6-103. When arrests to be made. The chief of police or any policeman shall make arrests in the following cases:

(1) Whenever any such warrant as is mentioned in § 3-103 shall come to his hands.

(2) Whenever any offense shall be committed in his presence, except as provided in § 6-105.

(3) Whenever the commission of any offense shall be otherwise brought to his knowledge.

In either of the last two cases he may make arrests without a warrant; provided the city judge shall issue a warrant and cause the same to be served upon his trial. (1988 Code, § 1-903)

6-104. Disposition of persons arrested. (1) Persons arrested for a violation of the ordinances of the city shall be carried without delay before the city judge for trial.

(2) When the chief of police or any policeman making an arrest shall deem it necessary for the safe custody of the person arrested, the offender shall be confined in jail, to be tried as early as practicable. (1988 Code, § 1-904)

6-105. Citations or complaints in lieu of arrest. When any person violates any traffic or other ordinance, law, or regulation of the city in the presence of any police or peace officer of said city, or in the presence of any member of the fire department or building department of the city who are designated as special police officers of the city, it shall not be necessary for said officer to arrest said offender and have a warrant issued for said person, but in lieu thereof, said officer may issue a citation or complaint, leaving a copy with

said offender showing the offense charged and the time and place where such offender is to appear in court. The procedure hereinabove enumerated as to giving citations or complaints in lieu of making arrests or taking out warrants, shall also apply when said officer makes a personal investigation at the scene of a traffic accident or makes a personal investigation at the place of violation, as a result of which the officer has reasonable and probable grounds to believe that the driver of any vehicle involved in said accident has violated any ordinance, law, or regulation of the city, or in the case of violations other than traffic accidents, the officer has reasonable and probable grounds to believe that the owner or occupant of property involved in a violation, has violated any ordinance, law, or regulation of the city.

(1) In order to prevent the offender's arrest and issuance of the warrant against the offender, said offender aforementioned must sign an agreement to appear at the place indicated and waive the issuance and service of a warrant on such offender.

(2) When said offender has signed the agreement and waiver provided for herein, it shall be the duty of the municipal court to try the case upon said citation or complaint, without the issuance and/or service of a warrant upon the defendant, and said citation or complaint shall in all respects be deemed and treated as though it were a warrant properly served upon the defendant.

(3) In the event said offender refuses to sign said agreement to appear in court and to waive the issuance and service upon such offender of a warrant, then it shall be the duty of the officer in whose presence the offense is committed, forthwith to place the offender under arrest and take such offender before the proper authority, procure a warrant, serve the same upon the offender and book the offender as in other cases of violations, and the authority issuing the warrant shall take bail from the accused for appearance in court for trial, or in lieu thereof commit the offender to jail.

(4) In the event that the offender signs said agreement and waiver as is herein provided and then fails to appear for trial at the time and place designated, then the municipal court shall immediately issue a warrant against said offender for said offense, and an additional warrant for the offense of violating said agreement to appear, it being established hereby that failure to appear is an offense punishable as is provided by the code of ordinances, and said warrant or warrants shall then be served upon said offender and the procedure followed as set out above regarding the service of warrants, booking the defendant, and taking appearance bail or committing to jail. (1988 Code, § 1-905)

CHAPTER 2

RESERVE POLICE FORCE

SECTION

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6-201. Created. There is hereby created a reserve police force for the City of Tullahoma, Tennessee. (1988 Code, § 1-1001)

6-202. Composition. The reserve police force shall consist of no more than twenty-five (25) officers of which all shall meet the eligibility requirements of the personnel regulations of the City of Tullahoma, Tennessee, and shall be the age of eighteen (18) years or older and shall be bonded by the City of Tullahoma, Tennessee. (1988 Code, § 1-1002, as replaced by Ord. #1362, Jan. 2008)

6-203. Appointment of members. Members of the reserve police force shall be appointed by the chief of police. Such appointment shall be evidenced by a document on file in the office of the city recorder and chief of police, setting forth the names of the reserve policemen and the same to be signed by the mayor. In addition, the mayor shall issue to each reserve policeman a card stating the date and fact of such appointment. (1988 Code, § 1-1003)

6-204. Compensation. The members of the reserve police force shall receive no compensation for acting as such, unless recommended by the chief and approved by the city administrator. (1988 Code, § 1-1004)

6-205. Members under authority of chief of police. The members of the reserve police force shall operate under the authority of the chief of police. (1988 Code, § 1-1005)

6-206. Members authorized to act. The members of the reserve police force shall have no authority to act as such until the reserves or as many of them as shall be required are ordered to duty by the chief of police. When ordered to duty the reserve policemen shall have those duties and that power

and authority which is directed to them for the particular time, or as are established in rules and regulations promulgated. (1988 Code, § 1-1006)

6-207. Rules and regulations. The chief of police and the safety committee shall have the authority to make and promulgate rules and regulations for the government of the reserve police force subject to approval by the board of mayor and aldermen. When so promulgated, such rules and regulations shall have the same force and effect as if set out in full in this chapter. It shall be unlawful and grounds for dismissal from the reserve police force for any reserve policeman to fail to obey such rules and regulations. Such rules and regulations shall be supervised by the chief of police. (1988 Code, § 1-1007)

6-208. Response to duty call. When called to duty, the members of the reserve police force shall instantly respond in the manner required by the rules and regulations governing the force. When so called to duty, the reserve force shall take such action and perform such duties as shall be ordered by the authority calling them to duty. (1988 Code, § 1-1008)