

## TITLE 6

### LAW ENFORCEMENT

#### CHAPTER

1. POLICE AND ARREST.
2. WORKHOUSE.

#### CHAPTER 1

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

#### SECTION

- 6-101. Policemen subject to chief's orders.
- 6-102. Policemen to preserve law and order, etc.
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- 6-109. Confiscated money to be locked up.

**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. (1980 Code, § 1-301)

**6-102. Policemen to preserve law and order, etc.** Policemen shall preserve law and order within the town. They shall patrol the town and shall assist the city court during the trial of cases. Policemen shall also promptly serve any legal process issued by the city court. (1980 Code, § 1-302)

**6-103. Policemen to wear uniforms and be armed.** All policemen shall wear such uniform and badge as the board of mayor and aldermen shall authorize and shall carry a service pistol and billy club at all times while on duty unless otherwise expressly directed by the chief for a special assignment. (1980 Code, § 1-303)

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<sup>1</sup>Municipal code reference

Traffic citations, etc.: title 15, chapter 7.

**6-104. When policemen to make arrests**<sup>1</sup>. 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 reasonable cause to believe the person has committed it. (1980 Code, § 1-304)

**6-105. Policemen may require assistance in making arrests**. It shall be unlawful for any person willfully to refuse to aid a policeman in maintaining law and order or in making a lawful arrest when such a person's assistance is requested by the policeman and is reasonably necessary. (1980 Code, § 1-305)

**6-106. Disposition of persons arrested**. Unless otherwise authorized by law, when a person is arrested he shall be brought before the city court for immediate trial or allowed to post bond. When the city judge is not immediately available and the alleged offender is not able to post the required bond, he shall be confined. (1980 Code, § 1-306)

**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 policemen.

(3) All police investigations made, funerals convoyed, fire calls answered, and other miscellaneous activities of the police department. (1980 Code, § 1-307)

**6-108. Overtime and compensation time for the police department**. (1) All police department overtime will be accrued on a twenty-eight (28) day tour of duty. The police officer shall be eligible for overtime or compensation time off in lieu thereof.

(2) A "28-Day" pay sheet will be filled out for each cycle (tour of duty) identifying the number of hours worked in excess of one hundred seventy-one (171). These pay sheets will be turned in at the end of each twenty-eight (28) day cycle and shall be reviewed and approved by the mayor. The pay sheet will have a statement at the bottom that give the officer the choice of requesting the time in overtime hours or in compensatory time. Only actual hours worked will count toward the one hundred seventy-one (171) hour cycle. For example: If "A" works forty (40) hours on week one, forty-eight (48) hours on week two, forty-four (44) hours on week three, and thirty-two (32) hours on week four (using

eight (8) hours of holiday, compensatory, or sick time to make the forty (40) hour week). The total actual worked hours would be one hundred and sixty-four (164), not one hundred and seventy-two (172).

(3) Compensation delineated. (a) Overtime will be paid at a rate of 1.5 times the hourly wage of the officer per each hour worked in excess of one hundred seventy-one (171) hours. If not set in the budget, the hourly wage shall be determined by dividing the salary for the twenty-eight (28) day cycle by one hundred seventy-one (171) hours.

(b) Compensatory time will be calculated at the rate of 1.5 hours per each hour worked in excess of one hundred seventy-one (171) hours and shall be recorded at the calculated rate.

(4) Holiday hours. (a) Due to the sporadic nature of police work and the subsequent scheduling thereof, holiday time off will be accrued as an hourly figure which is accumulated on actual day of the holiday (usually eight (8) hours per holiday).

(b) An exception to this rule would be for holidays worked by the officer when the officer works in excess of the eight (8) hours afforded such holiday. In this case the officer would accrue actual hours worked in excess of eight (8) hours. The hours would be added to the holiday time of eight (8) hours without any further calculations. It will not be calculated as compensatory time, only straight time.

(5) Time used. (a) When leave time is used by the officer, it will be recorded on the date taken and must be identified as "H" - Holiday; "C" - Compensatory; or "S" - Sick time.

(b) At no time will an officer be allowed to take time off that has not yet been accrued.

(6) At no time shall any officer carry any amount of compensatory time in excess of forty-two (42) hours. After an officer accrues forty-two (42) hours of compensatory time, actual overtime pay must be given at the end of each twenty-eight (28) day cycle, until such time that the officer's compensatory time drops below the forty-two (42) hour cap. (Ord. #94-001, Feb. 1994, as replaced by Ord. #2004-007, Aug. 2004)

**6-109. Confiscated money to be locked up.** All confiscated monies from the police department drug or other related citations will be locked up according to approved control procedures and reported to the city manager/city recorder where it will be logged in for verification from the State of Tennessee pending approval or denial for processing into the general ledger of the city. (as added by Ord. #2011-025, Jan. 2012)

**CHAPTER 2****WORKHOUSE****SECTION**

6-201. Town jail designated municipal workhouse.

6-202. Inmates to be worked.

6-203. Compensation of inmates.

**6-201. Town jail designated municipal workhouse.** The town jail is hereby designated as the municipal workhouse. (1980 Code, § 1-501)

**6-202. Inmates to be worked.** All persons committed to the workhouse, to the extent that their physical condition shall permit, shall be required to perform such public work or labor as may be lawfully prescribed for the county prisoners. (1980 Code, § 1-502)

**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.<sup>1</sup> (1980 Code, § 1-503)

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<sup>1</sup>State law reference

Tennessee Code Annotated, § 40-24-104.