

TITLE 6

LAW ENFORCEMENT

CHAPTER

1. POLICE DEPARTMENT.
2. MUNICIPAL ENFORCEMENT OFFICERS.

CHAPTER 1

POLICE DEPARTMENT¹

SECTION

- 6-101. Police department created.
- 6-102. Duties of the police department; police chief.
- 6-103. Organization of police department.
- 6-104. Policemen subject to police chief's orders.
- 6-105. Policemen to preserve law and order, etc.
- 6-106. Policemen to wear uniforms and be armed.
- 6-107. When policemen to make arrests
- 6-108. When policemen may require assistance in making arrests.
- 6-109. Police division records.
- 6-110. Terms, meanings.

6-101. Police department created. Under the authority of § 6-21-302 of the Collegedale City Charter, the police is created. (1977 Code, § 1-501, as repealed and replaced by Ord. #328, § 1, June 1995, as repealed and replaced by Ord. #593, May 2004)

6-102. Duties of the police department; police chief. Police services shall be provided in the City of Collegedale Police Department, which shall have all the powers, duties and responsibilities conferred upon the police department under the charter of the City of Collegedale, and any other laws of the State of Tennessee. (1977 Code, § 1-502, as repealed and replaced by Ord. #328, § 1, June 1995, as repealed and replaced by Ord. #593, May 2004)

6-103. Organization of police department. The police department shall be divided into one division and shall be staffed by officers and other municipal employees in the number provided for by the city manager. (1977 Code, § 1-503,

¹Municipal code reference

Issuance of citations in lieu of arrest in traffic cases: title 15, chapter 6.

as repealed and replaced by Ord. #328, § 1, June 1995, as repealed and replaced by Ord. #593, May 2004)

6-104. Policemen subject to police chief's orders. All policemen shall obey and comply with such orders and administrative rules and regulations as the police chief may officially issue. (1977 Code, § 1-504, as repealed and replaced by Ord. #328, § 1, June 1995, as repealed and replaced by Ord. #593, May 2004)

6-105. Policemen to preserve law and order, etc. Policemen shall preserve law and order within the City of Collegedale. They shall patrol the city and shall assist the city court during the trial of cases. Policemen shall also promptly serve any legal process issued by the city court. (1977 Code, § 1-505, as repealed and replaced by Ord. #328, § 1, June 1995, as repealed and replaced by Ord. #593, May 2004)

6-106. Policemen to wear uniforms and be armed. All policemen shall wear such uniform and shall carry a service weapon at all times while on duty unless otherwise expressly directed by the police chief for a special assignment. (1977 Code, § 1-507, as repealed and replaced by Ord. #328, § 1, June 1995, as repealed and replaced by Ord. #593, May 2004)

6-107. When policemen 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 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 officers have reasonable cause to believe the person has committed it. (as added by Ord. #328, § 1, June 1995, as repealed and replaced by Ord. #593, May 2004)

6-108. 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 a person's assistance is requested by the policeman and is reasonably necessary to effect the arrest. (as added by Ord. #328, § 1, June 1995, as repealed and replaced by Ord. #593, May 2004)

¹Municipal code reference

Issuance of citations in lieu of arrest in traffic cases: title 15, chapter 6.

6-109. Police division records. The police division 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 division. (as added by Ord. #328, § 1, June 1995, as repealed and replaced by Ord. #593, May 2004)

6-110. Terms, meanings. Anywhere in the Collegedale Municipal Code are found the following terms, those terms shall be given the meaning indicated:

(1) The term "public safety director" and similar terms shall respectively mean, "police chief."

(2) The terms, "public safety department" or similar terms shall mean "police department." (as added by Ord. #593, May 2004)

CHAPTER 2

MUNICIPAL ENFORCEMENT OFFICERS

SECTION

- 6-201. Title.
- 6-202. Definitions.
- 6-203. Authority to establish additional regulations.
- 6-204. Carrying of weapons prohibited.
- 6-205. Conditions of commissions.
- 6-206. Powers.
- 6-207. Form of citation.
- 6-208. Conduct.

6-201. Title. This chapter may be referred to as the "Municipal Enforcement Officers' Commission Ordinance." (as added by Ord. #1040, Oct. 2017)

6-202. Definitions. When used in this chapter, the term "municipal enforcement officer" means any person employed by the city and commissioned by city commission to enforce the codes and ordinances of the city, or any portion thereof, or any person appointed by the chief of police to enforce the ordinances of the city related to parking.

For the purposes of this chapter, "municipal enforcement officer" includes "municipal enforcement officers," as defined in Tennessee Code Annotated, § 7-63-101 and "special police officers," as defined in Tennessee Code Annotated, § 7-63-201. (as added by Ord. #1040, Oct. 2017)

6-203. Authority to establish additional regulations. The city manager, or if the city manager elects, the police chief has the authority to establish and enforce rules and regulations for the operation of municipal enforcement officers in the interest of public safety, morals and welfare, and to effectuate the general purpose of this division. (as added by Ord. #1040, Oct. 2017)

6-204. Carrying of weapons prohibited. No municipal enforcement officer may carry a firearm in the execution of his official duties, although an employee may carry a private firearm in his vehicle consistent with state law. If the employee feels physically threatened in any way, he or she should leave the immediate presence of the threat and call law enforcement to address the situation. (as added by Ord. #1040, Oct. 2017)

6-205. Conditions of commissions. The following shall apply to all commissions:

(1) Municipal enforcement officers appointed under this chapter shall not have general law enforcement authority, and shall have the authority to enforce only those codes and ordinances of the city of that directly pertain to their employment by the city, or, if so commissioned, to enforce the ordinances of the city related to parking.

(2) Commissions issued under this chapter are to be issued by resolution of the city commission.

(3) Commissions issued under this division shall not be transferable.

(4) A municipal enforcement officer commission shall be automatically revoked upon termination of the municipal enforcement officer's employment with the city. (as added by Ord. #1040, Oct. 2017)

6-206. Powers. Municipal enforcement officers appointed under the provisions of this division shall have the power and authority to issue citations for violations of the codes and ordinances of the city within the scope of their employment, but not otherwise. No municipal enforcement officer shall have the power or authority to make arrests except as may be authorized for private citizens by Tennessee Code Annotated, § 40-7-109 or use force in the discharge of said municipal enforcement officer's duties except as may be authorized by Tennessee Code Annotated, § 39-11-621. (as added by Ord. #1040, Oct. 2017)

6-207. Form of citation. (1) Citations in lieu of arrest may be issued for violations of the building, utility and housing codes adopted in title 12 of this municipal code of ordinances, and violation of municipal parking offenses as provided in title 11 of this code. The citation in lieu of arrest 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.

(2) Ordinance summonses in the areas of sanitation, litter control and animal control. 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 summons 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.

(3) 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 or summons was issued.

(4) If the offender refuses to sign the agreement to appear, the enforcement officer in whose presence the offense occurred may:

(a) Have a summons issued by the clerk of the city court, or

(b) May seek the assistance of a police officer to witness the violation.

The police officer who witnesses the violation may issue a citation in lieu of arrest for the violation, or arrest the offender for failure to sign the citation in lieu of arrest. If the police officer makes an arrest, he shall dispose of the person arrested as provided in accordance with Tennessee Code Annotated, § 7-63-104. (as added by Ord. #1040, Oct. 2017)

6-208. Conduct. In addition to any rules of conduct imposed as part of their employment, municipal enforcement officers shall conduct themselves at all times in such a manner as to reflect favorably on the city. (as added by Ord. #1040, Oct. 2017)