

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

1. POLICE AND ARREST.
2. CITATIONS, WARRANTS, AND SUMMONSES.
3. WORKHOUSE.

CHAPTER 1**POLICE AND ARREST¹****SECTION**

- 6-101. Qualifications of policemen.
- 6-102. Policemen subject to chief's orders.
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6-101. Qualifications of policemen. (1) There are hereby established the following standards of qualification for employment in the police department of Jefferson City, Tennessee. Each policeman must:

- (a) Be a citizen of the United States and a resident of the State of Tennessee during tenure of office.
- (b) Be a high school graduate or its equivalent.
- (c) Not have been convicted of a felony or of a misdemeanor involving "moral turpitude" as the term is defined by law and not have been released or discharged under any other than honorable conditions from any of the armed forces of the United States.
- (d) Have his fingerprints on file with the Tennessee Bureau of Criminal Identification.
- (e) Have passed a physical examination by a licensed physician within sixty (60) days before the date of employment and must furnish

¹Municipal code reference

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

the chief of police with a certificate of physical examination signed by a licensed physician.

(f) Have a good moral character as determined by investigation.

(g) Be free from all latent or apparent mental or emotional disorders, as verified by a qualified professional.

(2) Police department employees shall not report for duty under the influence of beer, liquor, or narcotics. Any such employee suspected of being under the influence of beer, liquor, or narcotics while on duty shall be required to submit to a urine, blood, or breath analysis, and by accepting employment in the police department gives consent to such analysis. Any employee of the police department refusing to submit to such analysis shall be subject to disciplinary action including discharge. (1996 Code, § 1-401)

6-102. 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. (1996 Code, § 1-402)

6-103. Policemen to preserve law and order, etc. Policemen shall preserve law and order within the city. 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. (1996 Code, § 1-403)

6-104. Policemen to wear uniforms and be armed. All policemen shall wear such uniform and badge as the city council 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. (1996 Code, § 1-404)

6-105. When policemen to make arrests¹. 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. (1996 Code, § 1-405)

6-106. Policemen may require assistance in making arrests. It shall be unlawful for any person willfully to 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. (1996 Code, § 1-406)

6-107. Disposition of persons arrested. Unless otherwise authorized by law, when a 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 judge is not immediately available and the alleged offender is not able to post the required bond, he shall be confined. (1996 Code, § 1-407)

6-108. 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. (1996 Code, § 1-408)

CHAPTER 2

CITATIONS, WARRANTS, AND SUMMONSES

SECTION

6-201. Citations in lieu of arrest in non-traffic cases.

6-202. Summonses in lieu of arrest.

6-201. Citations in lieu of arrest in non-traffic cases.¹ Pursuant to Tennessee Code Annotated, § 7-63-101, et seq., the city council appoints the fire inspector and the building inspector in the building department special police officers having the authority to issue citations in lieu of arrest. The fire inspector shall have the authority to issue citations in lieu of arrest for violations of the fire code adopted in title 7 of this municipal code of ordinances. The building inspector in the building department shall have the authority to issue citations in lieu of arrest for violations of the building, utility and housing codes adopted in title 12 of this municipal code of ordinances.

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. 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 city court, or
2. May seek the assistance of a police officer to witness the violation.

If the violation is a misdemeanor under state law, the police officer who witnesses the violation may issue a citation to the General Sessions Court for Jefferson City 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 § 6-107 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. (Ord. #98-21, Nov. 1998)

6-202. Summonses in lieu of arrest. Pursuant to Tennessee Code Annotated, § 7-63-201, et seq., which authorizes the city council to designate certain city enforcement officers the authority to issue ordinance summonses in the areas of sanitation, litter control and animal control, the board designates

¹Municipal code reference

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

the building inspector in the building department to issue ordinance summonses in those areas. The enforcement officer may not arrest violators or issue citations in lieu of arrest, 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.

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 city court, or (2) may seek the assistance of a police officer to witness the violation. If the violation is a misdemeanor under state law, the police officer who witnesses the violation may issue a citation to general sessions court 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 § 6-201 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. (Ord. #98-21, Nov. 1998)

CHAPTER 3**WORKHOUSE****SECTION**

6-301. County workhouse or city jail to be used.

6-302. Inmates to be worked.

6-303. Compensation of inmates.

6-301. County workhouse or city jail to be used. The county workhouse is hereby designated as the municipal workhouse, subject to such contractual arrangement as may be worked out with the county. The city jail may also be used as a workhouse in the discretion of the city judge. (1996 Code, § 1-601)

6-302. Inmates to be worked. All persons committed to the workhouse, to the extent that their physical condition shall permit, shall be required to perform public work or labor. (1996 Code, § 1-602)

6-303. Compensation of inmates. Each workhouse inmate shall be allowed five dollars (\$5.00) per day as credit toward payment of the fines and costs assessed against him. (1996 Code, § 1-603)