TITLE 10

OFFENSES--MISCELLANEOUS¹

CHAPTER

- 1. GENERALLY.
- 2. ENUMERATED.
- 3. ENFORCEMENT OF ORDINANCE SUMMONSES.

CHAPTER 1

GENERALLY

SECTION

10-101. Misdemeanors of the state adopted.

10-101. <u>Misdemeanors of the state² adopted</u>. All offenses against the State of Tennessee which are committed within the corporate limits and which are defined by the state law or recognized by the common law to be misdemeanors are hereby designated and declared to be offenses against the City of Shelbyville also. Any violation of any such law within the corporate limits is also a violation of this section. (1979 code, § 10-101)

¹For offenses relating to animals and fowls, see title 3 in this code; for offenses relating to health and sanitation, see title 8; for traffic offenses, see title 9; for non-traffic offenses relating to streets and sidewalks, see title 12.

²See sections 39-11-110 and 39-11-111 of the <u>Tennessee Code Annotated</u> for definitions of "misdemeanor."

CHAPTER 2

ENUMERATED

SECTION

- 10-201. Assault and battery.
- 10-202. Disturbing the peace.
- 10-203. Profanity, etc.
- 10-204. Escape from custody or confinement.
- 10-205. Resisting or interfering with city personnel.
- 10-206. Impersonating a government officer or employee.
- 10-207. Weapons and firearms generally.
- 10-208. Discharge of weapons.
- 10-209. Throwing of missiles.
- 10-210. Gambling.
- 10-211. Promotion of gambling.
- 10-212. [Deleted.]
- 10-213. Loitering.
- 10-214. Trespassing on trains.
- 10-215. Minors in beer places.
- 10-216. Abandoned refrigerators, etc.
- 10-217. Malicious mischief.
- 10-218. Posting notices, etc.
- 10-219. Public drunkenness.
- 10-220. Drinking beer, etc., on streets, etc.
- 10-221. Spitting.
- 10-222. Coercing people not to work.
- 10-223. Caves, wells, cisterns, etc.
- 10-224. Interference with traffic.
- 10-225. Anti-noise regulations.
- 10-226. Fortune telling, etc.
- 10-227. Wearing masks.
- 10-228. Removal of gravel from Duck River.
- 10-229. Storage of abandoned motor vehicles.
- 10-230. Ordinance regulating the presence and conduct of minors on streets and public places.
- 10-231. Storage of abandoned motor vehicles on private property.
- 10-201. <u>Assault and battery</u>. It shall be unlawful for any person to commit an assault or an assault and battery upon any person. (1979 code, § 10-201)
- 10-202. <u>Disturbing the peace</u>. No person shall disturb, tend to disturb, or aid in disturbing the peace of others by violent, tumultuous, offensive or

obstreperous conduct, and no person shall knowingly permit such conduct upon any premises owned or possessed by him or under his control. (1979 code, § 10-202)

- 10-203. <u>Profanity</u>, etc. No person shall use any profane, vulgar, or indecent language in or near any public street or other public place or in or around any place of business open to the use of the public in general. (1979 code, § 10-208)
- 10-204. Escape from custody or confinement. It shall be unlawful for any person under arrest or otherwise in custody of or confined by the city to escape or attempt to escape, or for any other person to assist or encourage such person to escape or attempt to escape from such custody or confinement. (1979 code, § 10-209)
- 10-205. Resisting or interfering with city personnel. It shall be unlawful for any person knowingly to resist or in any way interfere with or attempt to interfere with any officer or employee of the city while such officer or employee is performing or attempting to perform his city duties. (1979 code, § 10-210)
- 10-206. <u>Impersonating a government officer or employee</u>. No person other than an official police officer of the city shall wear the uniform, apparel, or badge, or carry any identification card or other insignia of office like or similar to, or a colorable imitation of that adopted and worn or carried by the official police officers of the city. Furthermore no person shall deceitfully impersonate or represent that he is any other governmental officer or employee. (1979 code, § 10-211)
- 10-207. Weapons and firearms generally. It shall be unlawful for any person to carry in any manner whatever, with the intent to go armed, any razor, dirk, knife, blackjack, brass knucks, pistol, revolver, or any other dangerous weapon or instrument. However, the foregoing prohibition shall not apply to members of the United States Armed Forces carrying such weapons as are prescribed by applicable regulations nor to any officer or policeman engaged in his official duties, in the execution of process, or while searching for or engaged in arresting persons suspected of having committed crimes. Furthermore, the prohibition shall not apply to persons who may have been summoned by such officer or policeman to assist in the discharge of his said duties. It shall also be unlawful for any unauthorized person to discharge a firearm within the city. (1979 code, § 10-212, as amended by Ord. #2015-956, March 2015)
- 10-208. <u>Discharge of weapons</u>. (1) It shall be unlawful for any person in the city to discharge any firearm, air gun, BB gun, gas-operated or spring gun, bow or any instrument, toy or weapon, commonly known as a "peashooter,"

- "slingshot," or "beany," made for the purpose of throwing or projecting by any means whatever any missile of any kind or composition including, but not limited to, a bullet, pellet, BB, arrow, or rock, whether such instrument or its missile is called by any name set forth above or by any other name.
- (2) Exception. The prohibition contained in paragraph (1) above shall not apply to shooting galleries or archeries regularly maintained by a responsible organization or group, and constructed or established in accordance with nationally recognized standards for the activity, but then only under such circumstances that the instrument can be fired, discharged or operated in such galleries or archeries in a manner which will not endanger persons or property, and also, under such circumstances as to prevent the missile therefrom from traversing in even the slightest degree any grounds or space outside the limits of such gallery or archery, whether or not the grounds which would be traversed are occupied by persons or property of any kind, provided this section shall not prohibit any officer of law from discharging a firearm in the performance of his duty, not to any citizen from discharging a firearm when legally defending persons or property. (1979 code, § 10-213, as replaced by Ord. #382, and amended by Ord. #2015-956, March 2015)
- 10-209. <u>Throwing of missiles</u>. It shall be unlawful for any person to maliciously throw any stone, snowball, bottle or any other missile upon or at any vehicle, building, tree, or other public or private property or upon or at any person. (1979 code, § 10-214)
- 10-210. <u>Gambling</u>. It shall be unlawful for any person to play at any game of hazard or chance for money or other valuable thing or to make or accept any bet or wager for money or other valuable thing. (1979 code, § 10-215)
- 10-211. <u>Promotion of gambling</u>. It shall be unlawful for any person to encourage, promote, aid or assist the playing at any crime, or the making of any bet or wager, for money or other valuable thing, or to possess, keep or exhibit for the purpose of gambling, any gaming table, device, ticket or any other gambling paraphernalia. (1979 code, § 10-216)
- 10-212. [Deleted.] (1979 code, \S 10-217, as deleted by Ord. #2015-954, Feb. 2015)
- 10-213. <u>Loitering</u>. It shall be unlawful for any person without ligitimate business or purpose to loaf, loiter, wander or idle in, upon, or about any way or place customarily open to public use. (1979 code, § 10-218)

- 10-214. <u>Trespassing on trains</u>. It shall be unlawful for any person to climb, jump, step, stand upon, or cling to, or in any other way attach himself to any locomotive engine or railroad car unless he works for the railroad corporation and is acting in the scope of his employment or unless he is a lawful passenger or is otherwise lawfully entitled to be on such vehicle. (1979 code, § 10-221)
- 10-215. <u>Minors in beer places</u>. No minor under eighteen (18) years of age shall loiter in or around, work in, or otherwise frequent any place where beer is sold at retail for consumption on the premises. (1979 code, § 10-222)
- 10-216. <u>Abandoned refrigerators, etc.</u> It shall be unlawful for any person to leave in any place accessible to children any abandoned, unattended, unused, or discarded refrigerator, icebox or other container with any type latching or locking door without first removing therefrom the latch, lock or door. (1979 code, § 10-223)
- 10-217. <u>Malicious mischief</u>. It shall be unlawful and deemed to be malicious mischief for any person to wilfully, maliciously or wantonly damage, deface, destroy, conceal, tamper with, remove, withhold or trespass upon any real or personal property which does not belong to him. (1979 code, § 10-225)
- 10-218. <u>Posting notices, etc.</u> No person shall fasten, in any way, any show-card, poster or other advertising device upon any public or private property unless legally authorized to do so. (1979 code, § 10-226)
- 10-219. <u>Public drunkenness</u>. (See the <u>Tennessee Code Annotated</u>, sections 39-17-310, et seq. and title 33, chapter 8.)
- 10-220. <u>Drinking beer, etc., on streets, etc.</u> It shall be unlawful for any person to drink or consume, or have an open can or bottle of beer in or on any public street, alley, avenue, highway, sidewalk, public park, public school ground or other public place unless the place has a beer permit and license for on premises consumption. (1979 code, § 10-228)
- 10-221. <u>Spitting</u>. It shall be unlawful for any person to spit upon any public street or sidewalk or upon the floors or walks of any public place. (1979 code, § 10-229)
- 10-222. <u>Coercing people not to work</u>. It shall be unlawful for any person in association or agreement with any other person to assemble, congregate or meet together in the vicinity of any premises where other persons are employed or reside for the purpose of inducing any such other person by threats, coercion, intimidation, or acts of violence to quit or refrain from entering a place of lawful

employment. It is expressly not the purpose of this section to prohibit peaceful picketing. (1979 code, § 10-230)

- 10-223. <u>Caves, wells, cisterns, etc.</u> It shall be unlawful for any person to permit to be maintained on property owned or occupied by him any cave, well, cistern or other such opening in the ground which is dangerous to life and limb without an adequate cover or safeguard. (1979 code, § 10-231)
- 10-224. <u>Interference with traffic</u>. It shall be unlawful for any person to stand, sit, or engage in any activity whatever, on any public street, sidewalk, bridge, or public ground in such a manner as to prevent, obstruct or interfere with the free passage of pedestrian or vehicular traffic thereon. (1979 code, § 10-232)
- 10-225. <u>Anti-noise regulations</u>. Subject to the provisions of this section the creating of any unreasonably loud, disturbing and unnecessary noise is prohibited. Noise of such character, intensity, or duration as to be detrimental to the life or health of any individual, or in disturbance of the public peace and welfare is prohibited.
- (1) <u>Miscellaneous prohibited noises enumerated</u>. The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this section, but this enumeration shall not be deemed to be exclusive, namely:
 - (a) <u>Blowing horns</u>. The sounding of any horn or signal device on any automobile, motorcycle, bus, street-car or other vehicle while not in motion except as a danger signal if another vehicle is approaching, apparently out of control, or if in motion, only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any unreasonably loud or harsh sound; and the sounding of such device for an unnecessary and unreasonable period of time.
 - (b) <u>Radios</u>, <u>phonographs</u>, <u>etc</u>. The playing of any radio, phonograph or any musical instrument or sound device, including but not limited to loudspeakers or other devices for reproduction or amplification of sound, either independently of or in connection with motion pictures, radio or television, in such a manner or with such volume, particularly during the hours between 11:00 p.m. and 7:00 a.m., as to annoy or disturb the quiet, comfort or repose of persons in any office or hospital, or in any dwelling, hotel or other type of residence, or of any person in the vicinity.
 - (c) <u>Yelling, shouting, hooting, etc.</u> Yelling, shouting, hooting, whistling, or singing on the public streets, particularly between the hours of 11:00 p.m. and 7:00 a.m. or at any time or place so as to annoy or disturb the quiet, comfort or repose of any persons in any hospital, dwelling, hotel or other type of residence or of any person in the vicinity.

- (d) <u>Pets</u>. The keeping of any animal, bird or fowl which by causing frequent or long continued noise shall disturb the comfort or repose of any person in the vicinity.
- (e) <u>Use of vehicle</u>. The use of any automobile, motorcycle, streetcar or vehicle so out of repair, so loaded, or in such manner as to cause loud and unnecessary grating, grinding, rattling or other noise.
- (f) <u>Blowing whistles</u>. The blowing of any steam whistle attached to any stationary boiler, except to give notice of the time to begin or stop work or as a warning of fire or danger, or upon request of proper city authorities.
- (g) <u>Exhaust discharge</u>. To discharge into the open air the exhaust of any steam engine, stationary internal combustion engine, motor vehicle or boat engine, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- (h) <u>Building operations</u>. The erection (including excavation, demolition, alteration, or repair of any building in any residential area or section or the construction or repair of streets and highways in any residential area or section, other than between the hours of 7:00 a.m. and 6:00 p.m. on week days, except in case of urgent necessity in the interest of public health and safety.
- (i) Noises near schools, hospitals, churches, etc. The creation of any excessive noise on any street adjacent to any hospital or adjacent to any school, institution of learning, church or court while the same is in session.
- (j) <u>Loading and unloading operations</u>. The creation of any loud and excessive noise in connection with the loading or unloading of any vehicle or the opening and destruction of bales, boxes, crates, and other containers.
- (k) <u>Noises to attract attention</u>. The use of any drum, radio, including radios in vehicles, loudspeaker or other instrument or device emitting noise for the purpose of attracting attention to any performance, show or sale or display of merchandise.
- (l) <u>Loudspeakers or amplifiers on vehicles</u>. The use of mechanical loudspeakers or amplifiers on trucks or other moving or standing vehicles for advertising or other purposes.
- (2) <u>Exceptions</u>. None of the terms or prohibitions hereof shall apply to or be enforced against:
 - (a) <u>City vehicles</u>. Any vehicle of the city while engaged upon necessary public business.
 - (b) Repair of streets, etc. Excavations or repairs of bridges, streets or highways at night, by or on behalf of the city, the county, or the state, when the public welfare and convenience renders it impracticable to perform such work during the day.

- (c) <u>Noncommercial and nonprofit use of loudspeakers or amplifiers</u>. The reasonable use of amplifiers or loudspeakers in the course of public addresses which are noncommercial in character and in the course of advertising functions sponsored by nonprofit organizations. (1979 code, § 10-233)
- 10-226. <u>Fortune telling, etc.</u> It shall be unlawful for any person to hold himself forth to the public as a fortune teller, clairvoyant, hypnotist, spiritualist, palmist, phrenologist, or other mystic endowed with supernatural powers. (1979 code, § 10-234)
- 10-227. <u>Wearing masks</u>. It shall be unlawful for any person to appear on or in any public way or place while wearing any mask, device or hood whereby any portion of the face is so hidden or covered as to conceal the identity of the wearer. The following are exempted from the provisions of this section:
 - (1) Children under the age of ten (10) years.
- (2) Workers while engaged in work wherein a face covering is necessary for health and/or safety reasons.
- (3) Persons wearing gas masks in civil defense drills and exercises or emergencies.
- (4) Any person having a special permit issued by the city manager to wear a traditional holiday costume. (1979 code, § 10-235)
- 10-228. Removal of gravel from Duck River. (1) It is hereby declared to be illegal and a violation of this section to remove gravel from the river bed from Duck River Dam at Shelbyville for a distance from the dam to the city limits down the river, following the centerline of the river bed in a westerly and southwesterly direction.
- (2) The removal of any such gravel within the distance herein enumerated constitutes a misdemeanor and shall be punishable under the general penalty clause for this municipal code. In addition to the fine, the City of Shelbyville is specifically authorized to institute suit against any responsible individual, firm, or corporation, to collect the value of the gravel removed and also to collect damages for the destruction of the natural beauty of the surrounding area and for the destruction of the specific fishing area near the Red Horse shoal immediately below the Duck River Dam. (1979 code, § 10-237)
- 10-229. Deleted. (as added by ord. no. 412, Sept. 1988, and replaced by Ord. #520, March 1995, See § 10-231)
- 10-230. Ordinance regulating the presence and conduct of minors on streets and public places. (1) Short title. This ordinance shall be known and may be cited as the "Ordinance Regulating The Presence and Conduct of Minors On Streets And Public Places."

- (2) <u>Definitions</u>. For the purposes of this section, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number the plural number. The word "shall" is always mandatory and not merely directory.
 - (a) "City" is the City of Shelbyville.
 - (b) "Minor" is any person under the age of 18.
 - (c) "Parent" is the natural or adoptive parent of a minor.
 - (d) "Guardian" is any person other than a parent, who has legal guardianship of a minor.
 - (e) "Custodian" is any person over the age of 18 who is in loco parentis to a juvenile.
 - (f) "Public place" shall mean any street, alley, highway, sidewalk, park, playground or place to which the general public has access and a right to resort for business, entertainment, or other lawful purpose. A public place shall include but not be limited to any store, shop, restaurant, tavern, bowling alley, cafe, theater, drug store, pool room, shopping center and any other place devoted to amusement or entertainment of the general public. It shall also include the front or immediate area of the above.
- (3) <u>Curfew for minors</u>. It shall be unlawful for any minor to remain, idle, wander, stroll or play in any public place either on foot or to cruise about without a set destination in any vehicle in, about or upon any place in the city between the hours of 10:30 p.m. and 5:00 a.m., Sunday through Thursday and between the hours of 12:00 a.m. and 5:00 a.m., Friday through Saturday unless accompanied by a parent, guardian, custodian or other adult person having custody or control of such minor unless the minor is on an emergency errand or specific business or activity directed or permitted by his parent, guardian or other adult person having the care and custody of the minor or where the presence of such minor is connected with or required by some legitimate employment, trade or professional occupation.
- (4) Responsibility of owners of public places. It shall be unlawful for any person, firm or corporation operating or having charge of any public place to knowingly permit or suffer the presence of minors under the age of 18 between the hours of 10:30 p.m. and 5:00 a.m., Sunday through Thursday and between the hours of 12:00 a.m. and 5:00 a.m., Friday through Saturday unless accompanied by a parent, guardian, custodian or other adult person having custody or control of such minor unless the minor is on an emergency errand or specific business or activity directed or permitted by his parent, guardian or other adult person having the care and custody of the minor or where the presence of such minor is connected with or required by some legitimate employment, trade, profession occupation.

- (5) Parents' responsibility. It shall be unlawful for the parent, guardian or other adult person having custody or control of any minor under the age of 18 to suffer or permit or by inefficient control to allow such person to be on the streets or sidewalks or on or in any public property or public place within the city between the hours of 10:30 p.m. and 5:00 a.m., Sunday through Thursday and between the hours of 12:00 a.m. and 5:00 a.m., Friday through Saturday. However, the provisions of this section do not apply to a minor accompanied by his parent, guardian, custodian or other adult person having the care, custody or control of the minor, or if the minor is on an emergency errand or specific business or activity directed by his parent, guardian, custodian or other adult having the care and custody of the minor or if the parent, guardian or other adult person herein has made a missing person notification to the police department.
- (6) <u>Special functions</u>. Any minor attending a special function or entertainment of any church, school, club, or other organization that requires such minor to be out at a later hour than that called for in this section shall be exempt from the provisions of this section provided the church, school, club or other entertainment shall register in advance with the Shelbyville Police Department to have the minors stay out to this later hour. The registrant shall state the time the function or entertainment shall end, and the minors who attend the function shall be required to be in their homes or usual places of abode within one hour after the function is ended.
 - (7) <u>Procedures</u>. (a) Any police officer upon finding a minor in violation of section 10-230 shall ascertain the name and address of such minor and warn the minor that he is in violation of curfew and shall direct the minor to proceed at once to his or her home or usual place of abode. The police officer shall report such action to the shift commander of the police department who in turn shall notify the parents, guardian, or person having custody or control of such minor.
 - (b) If such minor refuses to heed such warning or direction by any police officer or refuses to give such police officer his correct name and address, or if the minor has been warned on a previous occasion that he or she is in violation of curfew, he or she shall be taken to the police department and the parent, guardian or other adult person having the care and custody of such minor shall be notified to come and take charge of the minor. If the parent, guardian or other adult person above cannot be located or fails to come and take charge of the minor, the minor shall be released to the proper legal authorities.
- (8) <u>Penalties</u>. Any minor violating the provisions of this section shall he dealt with in accordance with the juvenile court law and procedure. Any parent, guardian, or other adult person having the care and custody of a minor or the owner of a public place violating this section shall, after having been previously notified of this section be fined not more than \$100.00 dollars for each offense. (Ord. #535, Nov. 1995)

- 10-231. Storage of abandoned motor vehicles on private property. Every motor vehicle located on private property in a residential area shall be either stored inside a fully enclosed structure, or parked or stored in a safe manner on a paved or graveled area, other than a sidewalk. Such paved or graveled parking area for private residential property shall not exceed twenty-five percent (25%) of the total lot area. It shall be unlawful for the owner or occupant of a residential building, structure or property to utilize the premises of such residential property for the open storage of any abandoned or disabled motor vehicle, regardless of whether or not it is on a paved or graveled area. A disabled motor vehicle is one which has come in such a state of disrepair that it is incapable of being driven or moved under its own power, or is in the process of disassembly, being stripped, or dismantled, or undergoing major repair, overhaul, or body work. It shall include but not be limited to any wrecked, junked, partially dismantled, or inoperative motor vehicle which is maintained in open storage on private property. An abandoned motor vehicle is one which left on private property for more than 48 hours without the consent of the owner or person in charge of such property. Storage of motor vehicles in violation of this provision is detrimental to the health, safety and welfare of the community, as it is inferred with the enjoyment and reduces the value of property and interferes with the comfort and well-being of the public, thereby creating a public nuisance. Such nuisance shall be handled by the city as follows:
- (1) Removal required. One or more such motor vehicles in violation of the provisions of this chapter shall constitute a nuisance detrimental to the health, safety and general welfare of the inhabitants of the city. It shall be the duty of the registered owner of such motor vehicle and shall also be the duty of the person in charge or control of the private property upon which motor vehicle is located, whether as owner, tenant, occupant, lessee or otherwise, to remove the same or to have the vehicle housed within a fully enclosed structure.
- (2) Notice to remove. Whenever it shall appear that a violation of the provision of this section exists, the city manager shall give, or cause to be given, notice to the registered owner of any motor vehicle which is in violation of this section, and to the owner or person in lawful possession or control of the property upon which such motor vehicle is located, advising that such motor vehicle violates the provisions of this section and directing that such vehicle be moved to a place of lawful storage within ten (10) days. Such notice shall be served upon the owner of the vehicle by leaving a copy of such notice upon or within the vehicle. Notice to the owner or person in lawful possession or control of the property upon which motor vehicle is located may be served by conspicuously posting such notice upon the premises or by United States mail.
- (3) <u>Refusal to remove</u>. Any person who fails, neglects or refuses to remove the improperly stored or disabled motor vehicle or properly store the same and abate said nuisance in accordance with the notice as provided herein, shall be in violation of the provisions of this section.

- (4) <u>Vehicle removal</u>. If the vehicle is not disposed of after the time provided for in the aforesaid notice, the owner shall be cited for violating this section. It shall be a separate offense for each and every day or portion thereof, during which any violation of this section is committed, continued, or permitted, and upon conviction of any such violation such person shall be punishable by a fine as established by local applicable laws. If the vehicle is not disposed of after the time provided for in the aforesaid notice and after having been properly adjudicated in violation of this section, the city manager may report the location of such vehicle to the police department and direct its removal. The police department or a wrecker designated by it shall then remove such vehicle or cause it to be removed to a designated storage area. A permanent record shall be completed on the vehicle containing make, model, I.D., personal contents and general condition. Vehicle will be removed only during day light hours.
- (5) <u>Disposal of vehicle</u>. If after 45 days, the vehicle has not been claimed, the holder of the vehicle shall make or cause to be made a title search on the vehicle. After the title search has been completed, the holder of such vehicle may dispose of such vehicle as prescribed by state law.
- (6) Return of vehicle to owner. If during the time that the vehicle is being held, the owner of the vehicle demands the return of such vehicle, then the holder shall turn the vehicle over to the owner upon payment of the storage and tow in fees by the owner. The holder shall notify the city manager of such redemption by the owner.
- (7) Storage and sale of valuable property found in abandoned vehicles. Any valuable property found in any abandoned vehicle subject to this section shall be stored by the police department and sold at public auction as determined by the city manager. (Ord. #520, March 1995, as amended by Ord. #743, July 2004)

CHAPTER 3

ENFORCEMENT OF ORDINANCE SUMMONSES

SECTION

- 10-301. Enforcement of ordinance summonses; designation of municipal enforcement officers to issue.
- 10-302. Issuance, contents and failure to execute.
- 10-303. Failure to appear.

10-301. <u>Enforcement of ordinance summonses; designation of municipal enforcement officers to issue</u>. The city code enforcer, rabies control officer, and any other municipal enforcement officer, as designated by the city manager or city council, shall have the authority to issue ordinance summonses in the area of sanitation and animal control as provided in <u>Tennessee Code Annotated</u>, sections 7-63-201 through 7-63-204.

Further all park officers shall have authority to issue ordinance summonses within the confines of park complex, or any other park or recreation area of the city. (as added by ord. No. 409 and amended by ord. No. 413)

10-302. <u>Issuance</u>, <u>contents</u> and <u>failure</u> to <u>execute</u>. Such enforcement officers who witness a violation of any ordinance, law or regulation in those areas in which they have been given the authority, by the nature of their employment, to issue ordinance summonses, 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 cited notice of the charge against him and state 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 have a summons issued by the clerk of the city court, or 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 for in citations in lieu of arrest in non-traffic cases. (as added by ord. No. 409 and amended by ord. No. 413)

10-303. <u>Failure to appear</u>. 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 in lieu of arrest was issued. (as added by ord. No. 409 and amended by ord. No. 413)