

TITLE 6

LAW ENFORCEMENT

CHAPTER

1. POLICE AND ARREST.
2. POLICE RESERVE UNIT.

CHAPTER 1

POLICE AND ARREST

SECTION

- 6-101. Establishment of police department.
- 6-102. Appointments.
- 6-103. Oath of office.
- 6-104. Police services and facilities by contract.
- 6-105. Duties of chief of police.
- 6-106. Policemen subject to chief's orders.
- 6-107. Policemen to preserve law and order, etc.
- 6-108. Uniforms, arms.
- 6-109. When policemen to make arrests.
- 6-110. Policemen may require assistance in making arrests.
- 6-111. Disposition of persons arrested.
- 6-112. Police department records.
- 6-113. Fleeing or attempting to elude a police officer.

6-101. Establishment of police department. A Police Department for the City of Hendersonville, Sumner County, Tennessee, is hereby authorized and established and vested with the police power as authorized by the Charter of the City of Hendersonville Tennessee, and the Constitution of the United States and of the State of Tennessee. (Ord. #1970-36, Sept. 1970)

6-102. Appointments. The mayor is hereby authorized and shall appoint a chief of police, subject to the approval of the board of mayor and aldermen. Other members of the police department shall be appointed by the chief of police, subject to the approval of the mayor. (Ord. #1989-62, Feb. 1990)

6-103. Oath of office. The chief of police shall before entering upon his duties, take and subscribe, before the mayor, an oath or affirmation that he has all the qualifications named in the charter for the office of employment he is about to assume and that he will support the Constitution and laws of the United States, and the State of Tennessee, and the charter and ordinances of the city, and that he will faithfully discharge the duties of his office

or employment. Other members of the police force shall take this oath from the chief of police. (Ord. #1989-62, Feb. 1990)

6-104. Police services and facilities by contract. The services of the police department and the attending facilities and equipment may be furnished for the City of Hendersonville and its inhabitants under such contracts as the governing body, the board of mayor and aldermen, shall grant. (Ord. #1970-36, Sept. 1970)

6-105. Duties of chief of police. The chief of police shall direct the police work of the city, be responsible for the enforcement and maintenance of law and order. (Ord. #1970-36, Sept. 1970)

6-106. 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. (Ord. #1970-36, Sept. 1970)

6-107. Policemen to preserve law and order, etc. Policemen shall preserve law and order within the municipality. They shall patrol the municipality and shall assist the city court during the trial of cases. Policemen shall also promptly serve any legal process issued by the city court. (Ord. #1970-36, Sept. 1970)

6-108. Uniforms, arms. All police officers shall wear such uniform and badges as are authorized by the chief of police and mayor. All police officers shall carry a service pistol and equipment as directed by the chief of police. (Ord. #1989-62, Feb. 1990)

6-109. When policemen to make arrests. 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.
- (4) A misdemeanor arrest can be made for domestic violence not committed in his presence. (Ord. #1970-36, Sept. 1970, modified)

6-110. 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. (Ord. #1970-36, Sept. 1970)

6-111. Disposition of persons arrested. Persons arrested for city violations shall be brought before the city court for trial or allowed to post bond. Individuals who receive traffic citations will not be required to post bond. Individuals who are arrested on state

violations shall be brought before the general session or juvenile judge, whichever is applicable. Misdemeanor citations may also be used where warranted. (Ord. #1989-62, Feb. 1990)

6-112. 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. (Ord. #1970-36, Sept. 1970)

6-113. Fleeing or attempting to elude a police officer. Any driver of a motor vehicle who wilfully fails or refuses to bring his vehicle to a stop, or who otherwise flees or attempts to elude a pursuing police vehicle, when given visual or audible signal to bring the vehicle to a stop, shall be guilty of a violation of this section. The signal given by the police officer may be by hand, voice, emergency light or siren. Any violation of this section shall be punishable by a fine not to exceed \$50.00 and any applicable court costs. (Ord. #1988-95, Sept. 1988)

CHAPTER 2

POLICE RESERVE UNIT

SECTION

6-201. Establishment of police reserve unit.

6-202. Qualifications.

6-203. Authority.

6-204. Supervision.

6-205. Uniforms.

6-206. Workmen's compensation.

6-207. Liability insurance.

6-201. Establishment of police reserve unit. There is hereby created within the City of Hendersonville in the Department of Police, a Police Reserve Unit, the members of which shall be recommended by the chief of police and appointed by the mayor and shall serve so long as the mayor shall direct or until any such member submits his resignation. Said police reserve unit shall assist and aid the regular police force of the City of Hendersonville. (Ord. #1974-77, Dec. 1974, modified)

6-202. Qualifications. The police reserve unit shall be composed of deputy police reserve in a number not to exceed forty (40) qualified volunteers. Said volunteers shall be not less than twenty-one (21) years of age at the time of appointment and shall have such other qualifications as the appointing authority may determine. (Ord. #1974-77, Dec. 1974)

6-203. Authority. The police reserve unit shall have full police powers while on duty or while under the control and direction of the chief of police or his designated agent, but shall not carry firearms in any event, except when directed to do so by the chief of police. Its members shall perform only such police duties as may be assigned by the chief of police and then only when dressed in the prescribed uniform, and shall be available for any emergencies as the mayor or chief of police may determine. (Ord. #1974-77, Dec. 1974, modified)

6-204. Supervision. Subject to the approval of the mayor, the chief of police shall prescribe rules and regulations for the conduct, control, and administration of the reserve police unit. Each reserve member's record shall be subject to inspection and review for approval at intervals by the chief of police. A training officer shall be appointed for the reserve police by the chief of police. Members of said reserve police unit shall obey all lawful orders of any members of the department of police. Within the reserve police unit there shall be a captain of said reserve unit who, subject to the orders and control of the chief of police shall exercise supervision of said reserve. Said captain shall be recommended by the chief of police and appointed by the mayor. The police reserve unit shall have such subordinate ranks to the captain as the mayor may determine which shall be appointed by the mayor in the same manner as the captain of said reserve police unit. All disciplinary action

shall be administered by the chief of police. His decision may be appealed to the mayor for final judgment. (Ord. #1974-77, Dec. 1974, modified)

6-205. Uniforms. Subject to the approval of the mayor, the chief of police shall prescribe the uniform to be worn by the members of the reserve police unit. The city shall provide uniforms, and the chief shall provide such equipment as he may deem necessary and proper. (Ord. #1974-77, Dec. 1974, modified)

6-206. Workmen's compensation. The City of Hendersonville shall provide for coverage of each member of the police reserve unit by workmen's compensation. (Ord. #1974-77, Dec. 1974)

6-207. Liability insurance. The City of Hendersonville shall provide for coverage for each member of the police reserve unit by liability insurance while in performance of official duties as prescribed by § 6-203 and in accordance with Tennessee Code Annotated, § 7-51-202. (Ord. #1974-77, Dec. 1974)