ORDINANCE 10-13

AN ORDINANCE OF THE CITY OF WHITE HOUSE, TENNESSEE, AMENDING THE MUNICIPAL CODE, TITLE 6, CHAPTER 1, POLICE AND ARREST.

WHEREAS, the Board of Mayor and Aldermen desire to update the Municipal Code amending the Municipal Code, Title 6, Chapter 1, Police and Arrest; and

NOW, THEREFORE, BE IT ORDAINED, by the Board of Mayor and Aldermen that the following addition be made to Title 6, Chapter 1, Police and Arrest is amended as follows:

6-101. Policemen officers subject to Chief's orders. All policemen officers shall comply with such orders and administrative rules and regulations as the Chief of Police may officially issue. (1979 Code, § 1-401, modified)

6-102. Policemen officers to preserve law and order, etc. Policemen officers shall preserve law and order within the city. They shall patrol the city and shall assist the city, state, and federal courts during the trail trial of cases. Policemen officers shall also promptly serve any legal process issued by the city court. (1979 Code, § 1-402)

6-103. Policemen officers to wear uniforms and be armed. All policemen officers shall wear such uniform and badge as the Chief of Police board of mayor and aldermen shall authorize and shall be armed with approved weapons carry a service pistol and baton at all times while on duty unless otherwise expressly directed by the Chief for a special assignments or specialized duty. (1979 Code, § 1-403, modified)

6-104. When policemen officers 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 officers in the following cases:

(1) Whenever he the officer 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 the officer has probable cause to believe that a felony has in fact been committed and the officer has reasonable cause to believe the person has committed it.

(4) Whenever the officer has probable cause to believe that a misdemeanor domestic violence has been committed and the person has committed it.

All arrests made by officers of the White House Police Department shall be made in accordance with the Constitution of the State of Tennessee and the Constitution of the United States. (1979 Code, § 1-404)

6-105. Policemen officers may require assistance. It shall be unlawful for any male person willfully to refuse to aid a policeman officer in maintaining law and order or

~~in~~ making a lawful arrest when such a person's assistance is requested by the police~~man~~ officer and is reasonably necessary to effect the arrest and to do so would not place such persons in danger of life or limb. (1979 Code, § 1-405)

6-106. Disposition of persons arrested. Unless otherwise authorized by law, when a person is arrested ~~he~~ that person shall be brought before ~~the city~~ a court of appropriate jurisdiction for immediate trial or allowed to post bond. When the city's judge or a magistrate is not immediately available and the alleged offender ~~does not~~ is not able to post the required bond, he shall be confined. (1979 Code, § 1-406)

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 police~~men~~ officers.

(3) All police investigations made, ~~funerals convoyed, fire calls answered~~, and other miscellaneous activities of the police department. (1979 Code, § 1-407)

6-108. Policemen officer - age requirements. No person shall be employed in the police department as a uniformed police~~man~~ officer ~~dispatcher, or any other position within said department~~, on a full-time, part-time or reserve capacity until such individuals attains the age of twenty-one (21). (1979 Code, § 1-408)

6-109. Municipal enforcement of rules of the road on interstate highways. Pursuant to Ord. #05-03 , the Board of Mayor and Aldermen of the City of White House authorized enforcement of rules of the road on interstate highways. (as added by Ord. #05-03, May 2005)

6-110. Police department records division fee schedule. The following fee schedule for the police department's records division is hereby established.

~~Traffic crash report. . . . . $6 per report~~
~~Other copies. . . . . $1 per page~~
Fee to certify copies. $5
(as added by Ord. #06-47, Jan. 2007)

6-111. Establishment, equipment, and membership. There is hereby established a police department to be supported and equipped from appropriations by the Board of Mayor and Alderman. All apparatus, equipment, and supplies shall be purchased by or through the city and shall be and remain the property of the city. The police department shall be composed of a Chief and such number of physically-fit subordinate officers as the city shall hire.

This provision shall not be read to preclude police department use of funds that are provided by statute or available through grants provided that acquisition of such funds and their expenditure are approved by the Board of Mayor and Alderman.

6-112. Organization, rules, and regulations. The Chief of Police shall set up the organization of the department, have full authority and responsibility for the management, direction, and control of the operations and administration of the police department, make definite assignments to individuals, and shall formulate and enforce such rules, regulations, policies and procedures as shall be necessary for the orderly and efficient operation of the police department, consistent with the personnel rules and regulations, and any other city-wide policies or rules adopted by the city administrator or the Board of Mayor and Alderman.

6-113. 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 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.

6-114. Authorization to act while off-duty. Police officers are authorized to act, during those hours when such police officers are off-duty, to enforce the law or to apprehend persons who violate the law when violations or threatened violations of the law occur in the presence of an off-duty police officer and when such actions are necessary to protect lives and property within the corporate limits of the City of White House, Tennessee, and all such actions by off-duty police officers shall be carried out in accordance with the laws, rules, regulations, policies, and procedures governing actions and conduct of police officers.

BE IT FURTHER ORDAINED, that all ordinances or parts of ordinances in conflict herewith are hereby repealed.

This ordinance shall become effective upon final reading and adoption by the Board of Mayor and Aldermen, and publication, the public welfare requiring it.

First Reading:	July 15, 2010	PASSED
Second Reading:	August 19, 2010	PASSED

John Decker

John Decker, Mayor

ATTEST:

Amanda Priest, City Recorder