

ORDINANCE NO. 73-12

AN ORDINANCE TO CREATE THE POSITION OF CHIEF OF POLICE AND AN UNLIMITED NUMBER OF PATROLMEN WHO SHALL BE SUBJECT TO THE CHIEF'S ORDERS ALL OF WHOM SHALL PRESERVE LAW AND ORDER, MAKE ARRESTS WHEN REQUIRED, AND TO DO ALL OTHER ACTIONS NECESSARY FOR THE WELFARE OF THE COMMUNITY TO PRESERVE SAID LAW AND ORDER.

BE IT ORDAINED BY THE CITY OF MT. JULIET, TENNESSEE, AS FOLLOWS:

SECTION 1. APPOINTMENT OF CHIEF AND PATROLMEN. The City Manager shall appoint the Chief of Police and an unlimited number of patrolmen necessary to preserve law and order in the City of Mt. Juliet.

SECTION 2. DUTIES OF THE POLICE FORCE. It shall be the duty of the Chief of Police and the members of the Police Force to preserve law and order in the city, protecting inhabitants and property owners therein from violence, crime, and all criminal acts, prevent the commission of crime, violations of law and of the city Ordinances, and perform a general police duty, execute and return all processes, notices, and orders of the Mayor, City Manager, City Attorney, and Recorder, and all other processes, notices, and orders as in this Ordinance may be provided.

SECTION 3. DUTIES OF POLICEMEN IN PROSECUTION OF VIOLATIONS. Members of the Police Force, whenever necessary for the purpose of enforcing the Ordinances of the City, shall procure the issuance of warrants, serve the same, and appear in the City Courts as prosecutors, relieving complaining citizens insofar as practical of the burden of instituting cases involving the violation of City Ordinances; but shall not be construed to relieve any person from the duty of appearing in Court and testifying in any case.

SECTION 4. SALARIES OF POLICE FORCE. The Chief of Police

shall receive the sum of \$ 400<sup>00</sup> per month as his salary. Patrolmen appointed by the Chief may waive their salary but those who do not waive their salary in writing shall receive the sum of \$ 100<sup>00</sup> per month as their salary.

SECTION 5. EMERGENCY ASSISTANCE TO POLICE. In time of riot or other emergency, the Mayor or City Manager shall have power to summon any number of male inhabitants to assist the Police Force.

SECTION 6. POLICEMEN TO WEAR BADGES AND BE ARMED. All Policemen shall wear badges as the governing bodies 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.

SECTION 7. WHEN POLICEMEN TO MAKE ARRESTS. Unless otherwise authorized or directed in this or any other Ordinance or 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.

SECTION 8. 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 person's assistance is requested by the policeman and is reasonably necessary to make the arrest.

SECTION 9. DISPOSITION OF PERSONS ARRESTED. Unless otherwise authorized by law, when any 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.

SECTION 10. 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, burials conveyed, fire calls answered, and other miscellaneous activities of the Police Department.

SECTION 11. COUNTY <sup>JAIL</sup> WORKHOUSE TO BE USED. The County <sup>JAIL</sup> ~~workhouse~~ is hereby designated as the municipal workhouse subject to such contractual arrangement as may be worked out with the County.

SECTION 12. INMATES TO BE WORKED. All persons committed to the <sup>JAIL</sup> ~~workhouse~~, to the extent that their physical conditions shall permit, shall be required to perform such tasks as may be lawfully prescribed for the County prisoners.

SECTION 13. COMPENSATION OF INMATES. Each <sup>JAIL</sup> ~~workhouse~~ inmate shall be allowed that amount which is lawful per day as credit towards payments of the fines and costs assessed against him.

BE IT FURTHER ORDAINED that all Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that this Ordinance take effect from and after its passage, the public welfare of the municipality of Mt. Juliet, Tennessee, requiring it.

APPROVED AND RECOMMENDED BY:

Richard C. H. Shell  
MAYOR

Robert W. Bull  
COMMISSIONER

PASSED:

1st Reading 10-11-73

2nd Reading 10-18-73

3rd Reading 10-25-73

Homer Dean Tomlinson  
COMMISSIONER

Darwin M. Weston  
CITY MANAGER

APPROVED AS TO FORM:

Wilson West  
CITY ATTORNEY

ATTEST:

Darwin M. Weston