



County Technical Assistance Service  
INSTITUTE *for* PUBLIC SERVICE

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# Chapter X - Law Enforcement

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Dear Reader:

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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# Chapter X - Law Enforcement

## Offenses

### Fireworks

#### Private Acts of 1949 Chapter 295

**SECTION 1.** That from and after the effective date of this Act, it shall be unlawful for any person, firm or corporation to possess, store, use, manufacture or sell pyrotechnics, as hereinafter defined, in all Counties of this State having a population of not less than 15,960 and not more than 15,970 inhabitants, according to the Federal Census of 1940 or any subsequent Federal Census.

The term "pyrotechnics" as used in this Act shall be held to mean any sparkler, squib, rocket, firecracker, Roman candle, fire balloon, flashlight composition, fireworks or other similar device or composition used to obtain a visible or audible pyrotechnic display.

**SECTION 2.** That any article or articles of merchandise coming within the definition of "pyrotechnics" as defined in this Act, are hereby declared to be contraband, and subject to confiscation whenever found within the boundaries of any county within this State to which this Act is applicable, and it shall be the duty of the Sheriff of any such county, and all peace officers, to seize such article or articles and destroy the same.

**SECTION 3.** That any person guilty of violating any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than Fifty (\$50.00) Dollars and not more than Four Hundred (\$400.00) Dollars, or by confinement in the County jail for not less than thirty days and not more than eleven months and twenty-nine days, or by both such fine and imprisonment, in the discretion of the Court.

**SECTION 4.** That nothing in this Act shall be construed as applying to persons, firms and corporations conducting public displays of pyrotechnics by contract or arrangement with any State Fair, patriotic assembly or similar public functions, who acquire all articles used in such pyrotechnic displays from points outside the Counties in this State to which this Act is applicable, and keep such pyrotechnic articles in their possession at all times during the public gathering, and transport the same out of this County upon the conclusion of the arrangement or contract under which such pyrotechnics are displayed for public entertainment.

**SECTION 5.** That the provisions of this Act are hereby declared to be severable, and if any of its sections, provisions, clauses, or parts be held unconstitutional or void, then the remainder of this Act shall continue in full force and effect, it being the legislative intent, now hereby declared, that this Act would have been adopted even if such unconstitutional or void matter had not been included herein.

**SECTION 6.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: February 23, 1949.

## Law Enforcement - Historical Notes

### **Sheriff**

The following acts have no current effect but are included here for reference purposes since they once applied to the Scott County sheriff's office. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Acts of 1865-66, Chapter 74, Section 5, stated that Baley Buttram, the law Sheriff and tax collector of Scott County, was granted additional time of six months from and after the passage of this act to collect and account for all his unfinished business as Sheriff and tax collector.
2. Acts of 1867-68, Chapter 62, recites in the preamble that for many years preceding the rebellion, Bailey Buttram was the Sheriff and tax collector for Scott County and the war prevented him from making complete collections and final settlements. He is, therefore, granted an extension of two years from and after the passage of this act to wind up, collect all taxes and arrears, and make his final settlements as the said Sheriff and Tax Collector were required to do.
3. Private Acts of 1919, Chapter 543, provided that in Scott County the Sheriff shall be allowed and paid all the fees provided by law for him to collect and receive, and, in addition, shall be paid out

of the county treasury on the warrant of the Judge or Chairman, the further sum of \$800 per year, as ex-officio fees, payable on the first Monday of January, April, July, and October of each year.

4. Private Acts of 1923, Chapter 157, Section 3, provides that the constables in each Civil District shall be the Truant Officer and receive same fees as others doing that work but shall not receive over \$50 a year as compensation for these duties.
5. Private Acts of 1933, Chapter 534, amended Private Acts of 1919, Chapter 543, by deleting the provision which allowed the payment of \$800 a year to the Sheriff over and above the fees of his office, thus reducing his compensation by that amount and making his fees his only income. This act was repealed by the one following.
6. Private Acts of 1937, Chapter 518, expressly and entirely repeals Private Acts of 1933, Chapter 534, Item 5, above.
7. Private Acts of 1947, Chapter 860, provided that in Scott County, jurors would be paid at the rate of \$4 per day and the Sheriff would be paid \$1.10 for feeding prisoners per day per prisoner.

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