

**TITLE 3****MUNICIPAL COURT****CHAPTER****1. CITY COURT.****CHAPTER 1****CITY COURT****SECTION**

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**3-101. City judge.** (1) **Appointment.** The city judge designated by the charter to handle judicial matters within the city shall be a licensed attorney appointed by the board of commissioners and shall serve at the pleasure of the governing body. Vacancies in the office of the city judge arising from resignation, disqualification or for any other reason whatsoever, shall be filled in the same manner as prescribed for the appointment of the city judge.

(2) **Qualifications.** The city judge shall be licensed by the State of Tennessee to practice law, and be a resident of Robertson County. If the city judge for any reason removes his domicile from Robertson County after his appointment, the removal of his domicile shall automatically create a vacancy in the office of city judge.

**3-102. Maintenance of docket.** The court clerk shall keep a complete docket of all matters coming before him in his judicial capacity. The docket shall include for each defendant, such information as his name, warrant and/or summons numbers, alleged offense, and all other information that may be relevant. (1964 Code, § 1-502, modified)

**3-103. Issuance of summonses.** When a complaint of an alleged ordinance violation is made to the city judge, the judge may in his discretion, issue a summons ordering the alleged offender to personally appear before the

city court at a time specified therein to answer to the charges against him. The summons shall contain a brief description of the offense charged but need not set out verbatim the provisions of the ordinance alleged to have been violated. Upon failure of any person to appear before the city court as commanded in a summons lawfully served on him, the cause may be proceeded with ex parte, and the judgment of the court shall be valid and binding subject to the defendant's right of appeal. (1964 Code, § 1-504, modified)

**3-104. Issuance of subpoenas.** The city judge may subpoena as witnesses all persons whose testimony he believes will be relevant and material to matters coming before his court, and it shall be unlawful for any person lawfully served with such a subpoena to fail or neglect to comply therewith. (1964 Code, § 1-505)

**3-105. Trial and disposition of cases.** Every person charged with violating a municipal ordinance shall be entitled to an immediate trial and disposition of his case, provided the city court is in session or the city judge reasonably available. However, the provisions of this section shall not apply when the alleged offender, by reason of drunkenness or other incapacity, is not in a proper condition or is not able to appear before the court. (1964 Code, § 1-506)

**3-106. Imposition and remission of fines and costs.** All fines and costs shall be imposed and recorded by the court clerk on the city court docket in open court. After any fine and costs have been so imposed and recorded, the city judge shall have no power to remit or release the same or any part thereof except when necessary to correct an error. (1964 Code, § 1-508, modified)

**3-107. Appeals.** Any defendant who is dissatisfied with any judgement of the city court against him may, within ten (10) days next after such judgement is rendered, Sundays and legal holidays excepted, appeal to the next term of the circuit court upon posting a proper appeal bond. (1964 Code, § 1-509)

**3-108. Bond amounts, conditions and forms.** An appeal bond in any case shall be in the sum of two hundred fifty dollars (\$250.00) and shall be conditioned that if the circuit court shall find against the appellant the fine and all costs of the trial and appeal shall be promptly paid by the defendant and/or his sureties. An appearance or appeal bond in any case may be made in the form of a cash deposit or by any corporate surety company authorized to do business in Tennessee or by two (2) private persons who individually own real property located within the county. No other type bond shall be acceptable. (1964 Code, § 1-510, modified)

**3-109. Disposition and report of fines and costs.** All funds coming into the hands of the court clerk in the form of fines, costs and forfeitures shall be recorded by him and paid over daily to the municipality. At the end of each month, he shall submit to the governing body a report accounting for the collection or non-collection of all fines and costs imposed by his court during the current month and to date for the current fiscal year. (1964 Code, § 1-511, modified)

**3-110. Disturbance of proceedings.** It shall be unlawful for any person to create any disturbance of any trial before the city court by making loud or unusual noises. (1964 Code, § 1-512, modified)