

TITLE 3**MUNICIPAL COURT****CHAPTER**

1. TOWN JUDGE.
2. COURT ADMINISTRATION.
3. SUBPOENAS AND APPEALS.

CHAPTER 1**TOWN JUDGE****SECTION**

- 3-101. Town judge.
- 3-102. Jurisdiction.

3-101. Town judge. (1) Appointment and term. The town judge designated by the charter to handle judicial matters within the town shall be appointed by the board of mayor and aldermen for a term of two (2) years, or until the next regular town election to fill vacancies in the office of mayor and/or aldermen next following the appointment of the town judge, whichever period is shorter. Vacancies in the office of the town judge arising from resignation, disqualification or for any other reason whatsoever, shall be filled in the same manner and for the same term prescribed for the appointment of the town judge.

(2) Qualifications. The town judge shall be a minimum of twenty-one (21) years of age, and be a resident of Monroe County. If the town judge for any reason removes his domicile from Monroe County after his appointment, the removal of his domicile shall automatically create a vacancy in the office of town judge.

(3) Judge pro tem.¹ During the absence of the town judge from his duties for any reason or at any time the office of the town judge is vacant, the board of mayor and aldermen may appoint a town judge pro tem to serve until the town judge returns to his duties or the office of town judge is no longer vacant. The town judge pro tem shall have all the qualifications required and powers of the town judge. (1997 Code, § 3-101)

3-102. Jurisdiction. The town judge shall have the authority to try persons charged with the violation of municipal ordinances, and to punish

¹Charter reference

Appointment of temporary judge: § 6-4-301(b)(2).

persons convicted of such violations by levying a civil penalty not to exceed five hundred dollars (\$500.00). (1997 Code, § 3-102)

CHAPTER 2

COURT ADMINISTRATION

SECTION

3-201. Maintenance of docket.

3-202. Imposition of fines, penalties, and costs.

3-203. Disposition and report of fines, penalties, and costs.

3-204. Disturbance of proceedings.

3-205. Failure to appear.

3-201. Maintenance of docket. The court clerk shall keep a complete docket of all matters coming before the town judge. The docket shall include for each defendant such information as his name; warrant and/or summons numbers; alleged offense; disposition; fines, penalties, and costs imposed and whether collected; whether committed to workhouse; and all other information which may be relevant.(1997 Code, § 3-201, modified)

3-202. Imposition of fines, penalties, and costs. All fines, penalties, and costs shall be imposed and recorded by the court clerk on the town court docket in open court.

In all cases heard and determined by him, the town judge shall impose court costs in the amount of one hundred dollars (\$100.00). One dollar (\$1.00) of the court costs shall be forwarded by the court clerk to the state treasurer to be used by the administrative office of the courts for training and continuing education courses for municipal court judges and municipal court clerks. In addition, the court shall levy a local litigation tax in the amount of thirteen dollars and seventy-five cents (\$13.75) in all cases in which the state litigation tax is levied. (Ord. #19-01, Feb. 2019, modified)

3-203. Disposition and report of fines, penalties, and costs. All funds coming into the hands of the court clerk in the form of fines, penalties, costs, and forfeitures shall be recorded by him and paid over daily to the town. At the end of each month, he shall submit to the board of mayor and aldermen a report accounting for the collection or noncollection of all fines, penalties, and costs imposed by his court during the current month and to date for the current fiscal year. (1997 Code, § 3-203, modified)

3-204. Disturbance of proceedings. It shall be unlawful for any person to create any disturbance of any trial before the town court by making loud or unusual noises, by using indecorous, profane, or blasphemous language, or by any distracting conduct whatsoever. (1997 Code, § 3-204)

3-205. Failure to appear. Any person who fails to appear in town court to answer a summons or citation for the violation of any ordinance or provision of this code shall be guilty of a civil offense punishable under the general provision of this code. (Ord. #05-02, July 2005)

CHAPTER 3

SUBPOENAS AND APPEALS

SECTION

3-301. Issuance of subpoenas.

3-302. Appeals.

3-301. Issuance of subpoenas. The court clerk may issue a subpoena requested by a party to a case or matter before the court for the presence of a witness and/or documents or things to give testimony in the case or matter stated in the subpoena.

3-302. Appeals. Any defendant who is dissatisfied with any judgment of the town court against him may, within ten (10) days¹ next after such judgment is rendered, appeal to the next term of the circuit court upon posting a proper appeal bond. (1997 Code, § 3-402)

¹State law reference

Tennessee Code Annotated, § 27-5-101.