

TITLE 3

MUNICIPAL COURT¹

CHAPTER

1. CITY JUDGE.
2. COURT ADMINISTRATION.
3. SUMMONSES AND SUBPOENAS.
4. BONDS AND APPEALS.

CHAPTER 1

CITY JUDGE

SECTION

3-101. City judge.

3-101. City judge. The office of city judge is hereby created. The city judge shall receive such salary as may be established from time to time by the board of mayor and aldermen. (1980 Code, § 1-401)

¹Charter reference: art. VIII.

CHAPTER 2

COURT ADMINISTRATION

SECTION

- 3-201. Fines and court costs.
- 3-202. Imposition of fines, penalties, and costs.
- 3-203. Disturbance of proceedings.
- 3-204. Trial and disposition of cases.
- 3-205. Driver education course for traffic violations.

3-201. Fines and court costs. (1) The following specified municipal ordinance violations carry the designated monetary fine as a penalty:

Speeding	\$50.00
Registration law violation	\$20.00
Operating a motor vehicle on public streets without a valid operator's permit	\$45.00
Failure to have a valid operator's permit in possession while operating a motor vehicle on public streets	\$35.00
Improper passing	\$20.00
Following too closely	\$20.00
Failure to obey stop sign or other traffic control signal	\$20.00
Failure to yield the right-of-way	\$20.00
Vehicle light and equipment violations	\$17.00
Failure to obey citation to appear in municipal court	\$30.00
Trespassing	\$20.00
Disorderly conduct	\$15.00
Possessing an open alcoholic beverage	\$25.00
Violation of noise abatement ordinance	\$12.00
Improper parking	\$15.00
Parking in a fire lane	\$25.00
Blocking access to a fire hydrant	\$25.00
Passing a stopped school bus which is loading or unloading students	\$40.00
Blocking traffic on a public street	\$12.00
Violations of the municipal dog ordinance	
First offense	\$15.00
Second offense	\$25.00
Third offense	\$50.00
Violation of § 11-705	\$50.00
Loading and unloading students and/or passengers on Maple Street in front of Bluff City Elementary School	\$50.00
Miscellaneous traffic offenses not specified above	\$30.00
False alarms	\$50.00

Miscellaneous ordinance violations not specified above
not less than \$15.00 and not more than \$50.00

(2) No court costs or litigation tax shall be assessed for improper parking violations other than a one dollar (\$1.00) litigation tax pursuant to Tennessee Code Annotated, § 16-18-304(b). No state litigation tax shall be assessed for violation of municipal dog ordinance or for any municipal ordinance violations which is not also a state misdemeanor. Otherwise court costs in the amount of seventy-five dollars (\$75.00) shall be fixed and collected for each violation specified above, a state litigation tax of thirteen dollars and seventy-five cents (\$13.75) shall be fixed and collected on each state law traffic misdemeanor specified above and a municipal litigation tax of thirteen dollars and seventy-five cents (\$13.75). A training fund assessment of five dollars (\$5.00) shall be fixed and assessed for each violation specified above and a one dollar (\$1.00) fee shall be fixed and assessed for each violation specified above for administrative director's expenses in providing training and continuing education for municipal court judges and municipal clerks.

(3) For each violation of municipal ordinance scheduled in subsection there shall be assessed a court cost in the amount of seventy-five dollars (\$75.00) and a state litigation tax of thirteen dollars and seventy-five cents (\$13.75), a municipal litigation tax of thirteen dollars and seventy-five cents (\$13.75), a training fund assessment of five dollars (\$5.00) and a one dollar (\$1.00) fee shall be fixed and assessed for each violation specified above for administrative director's expense in providing training and continuing education for municipal court judges and municipal court clerks. (Ord. #93-002, April 1993, as amended by Ord. #97-014, § 2, Nov. 1997, Ord. #2000-011, Sept. 2000, Ord. #2002-001, Jan. 2002, Ord. #2002-004, March 2002, and Ord. #2003-008, Jan. 2004, and replaced by Ord. #2005-003, May 2005, Ord. #2008-018, Feb. 2009, and Ord. #2013-010, Sept. 2013)

3-202. Imposition of fines, penalties, and costs. All fines, penalties and costs shall be imposed and recorded by the city judge on the city court docket in open court. (1980 Code, § 1-406)

3-203. 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, by using indecorous, profane, or blasphemous language, or by any distracting conduct whatsoever. (1980 Code, § 1-409)

3-204. Trial and disposition of cases. Every person charged with violating a municipal ordinance shall be entitled to an expeditious trial and disposition of his case, provided the city court is in session or the city judge is 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. (1980 Code, § 1-404)

3-205. Driver education course for traffic violations. (1) The terms and provisions as set forth in Tennessee Code Annotated, § 55-10-301 and all amendments thereof, are hereby adopted and ratified as though copied verbatim herein, together with all future amendments of this state law are made a part hereof by reference.

(2) The police department, under the supervision of the city judge, is hereby authorized and directed to operate and conduct a driver education or improvement course.

(3) A reasonable fee of one hundred dollars (\$100.00) shall be assessed for the driver education course to each person who attends, however, no one shall be refused admittance for inability to pay.

(4) All ordinances and parts of ordinances, which are inconsistent with the provisions of this section, are hereby repealed to the extent of such inconsistency. (as added by Ord. #2008-017, Feb. 2009)

CHAPTER 3

SUMMONSES AND SUBPOENAS

SECTION

3-301. Issuance of summonses.

3-302. Issuance of subpoenas.

3-301. Issuance of summonses. When a complaint of an alleged ordinance violation is made to the city judge, the judge may in his discretion, in lieu of issuing an arrest warrant, 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. (1980 Code, § 1-402)

3-302. 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. (1980 Code, § 1-403)

CHAPTER 4

BONDS AND APPEALS

SECTION

3-401. Appearance bonds authorized.

3-402. Appeals.

3-401. Appearance bonds authorized. When the city judge is not available or when an alleged offender requests and has reasonable grounds for a delay in the trial of his case, he may, in lieu of remaining in jail pending disposition of his case, be allowed to post an appearance bond with the city judge or, in the absence of the judge, with the ranking police officer on duty at the time, provided such alleged offender is not drunk or otherwise in need of protective custody. (1980 Code, § 1-405)

3-402. Appeals. Any defendant who is dissatisfied with any judgment of the city court against him may, within ten (10) days next after such judgment is rendered, appeal to the next term of the circuit court upon posting a proper appeal bond.¹ (1980 Code, § 1-407)

3-403. Amount of appearance bonds. An appearance bond in any case before the city court shall be in such amount as the city judge shall prescribe and shall be conditioned that the defendant shall appear for trial before the city court at the stated time and place. (1980 Code, § 1-408)

¹State law reference

Tennessee Code Annotated, § 27-5-101.