

TITLE 3

MUNICIPAL COURT¹

CHAPTER

1. TOWN JUDGE.
2. COURT ADMINISTRATION.
3. WARRANTS, SUMMONSES, AND SUBPOENAS.
4. BONDS AND APPEALS.

CHAPTER 1

TOWN JUDGE

SECTION

3-101. Town judge.

3-101. Town judge. The officer designated by the charter to handle judicial matters within the town shall preside over the town court and shall be known as the town judge. (1990 Code, § 3-101)

¹Charter reference
Judicial duties of judge: section 10.

State law reference
For authority to issue arrest warrants see *Tennessee Code Annotated*, title 40, chapter 5.

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.

3-201. 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; disposition; fines, penalties, and costs imposed and whether collected; whether committed to workhouse; and all other information which may be relevant. (1990 Code, § 3-201, modified)

3-202. Imposition of fines, penalties, and costs. (1) All fines, penalties, and costs shall be imposed and recorded by the court clerk on the town court docket in open court.

(2) In all cases heard and determined by the town judge, the following court costs shall be imposed.

(a) Court costs in all cases, unless otherwise provided, shall be one hundred eighteen dollars and twenty-three cents (\$118.23). Such court cost shall include other statutorily authorized fees, such as interest, litigation tax that may be legally assessed.

(b) State litigation tax of thirteen dollars and seventy-five cents (\$13.75).

(c) Local litigation tax of thirteen dollars and seventy-five cents (\$13.75).

(d) Cash bond forfeiture fee of thirteen dollars and seventy-five cents (\$13.75).

(e) Continuance fee of five dollars (\$5.00) each (after the first free continuance).

(f) Litigation tax for public parking space violation one dollar (\$1.00).

(g) One dollar (\$1.00) of the court costs in each case 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 pursuant to *Tennessee Code Annotated*, 16-18-305(b).

(3) Such court costs shall be determined in accordance with "Exhibit A."¹ (1990 Code, § 3-202, as amended by Ord. #02-12, June 2012, modified)

3-203. Disposition and report of fines, penalties, and costs. All funds coming into the hands of the town judge 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. (1990 Code, § 3-203)

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. (1990 Code, § 3-204, modified)

¹Exhibit "A" is available in the recorder's office. These costs shall be amended by ordinance from time to time to reflect reasonable court costs.

CHAPTER 3

WARRANTS, 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 town judge, the judge may in his discretion, issue a summons ordering the alleged offender personally to appear before the town 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 municipal code or ordinance alleged to have been violated. Upon failure of any person to appear before the town 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. (1990 Code, § 3-302, modified)

3-302. Issuance of subpoenas. The town 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. (1990 Code, § 3-303)

CHAPTER 4

BONDS AND APPEALS

SECTION

3-401. Appeals.

3-402. Bond amounts, conditions, and forms.

3-401. 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. (1990 Code, § 3-402)

3-402. Bond amounts, conditions, and forms. An appeal bond in any case shall be in such sum as the town judge shall prescribe, not to exceed 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 or penalty and all costs of the trial and appeal shall be promptly paid by the defendant and/or his sureties. An 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 within the county. No other type bond shall be acceptable. (1990 Code, § 3-403, modified)

¹State law reference

Tennessee Code Annotated, § 27-5-101.