



Fines

Dear Reader:

The following document was created from the MTAS website ([mtas.tennessee.edu](https://www.mtas.tennessee.edu)). This website is maintained daily by MTAS staff and seeks to represent the most current information regarding issues relative to Tennessee municipal government.

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 municipal 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 MTAS website material.

Sincerely,

The University of Tennessee
Municipal Technical Advisory Service
1610 University Avenue
Knoxville, TN 37921-6741
865-974-0411 phone
865-974-0423 fax
www.mtas.tennessee.edu

Table of Contents

Fines	3
-------------	---

Fines

Reference Number: MTAS-316

The Tennessee Constitution provides that no fine shall exceed \$50 unless it is assessed by a jury. See, Article VI, Section 14, Constitution of the State of Tennessee. Municipal courts do not have statutory authority to hold jury trials. The Tennessee Supreme Court has ruled that the constitutional limitation on fines applies to penalties for municipal ordinance violations, which are punitive in nature rather than remedial. *City of Chattanooga v. Davis and Barrett v. Metropolitan Government of Nashville and Davidson County*, 54 S.W.3d 248 (Tenn. 2001). It has been recommended that all penalties for municipal ordinance violations be limited to \$50 pending further direction from the courts. See generally, T.C.A. § 16-18-302(a)(2).

The schedule of fines can be established by the governing body, but most cities leave the amount of the fine, within the limits described above, to the discretion of the city judge.

DISCLAIMER: The letters and publications written by the MTAS consultants were written based upon the law at the time and/or a specific sets of facts. The laws referenced in the letters and publications may have changed and/or the technical advice provided may not be applicable to your city or circumstances. Always consult with your city attorney or an MTAS consultant before taking any action based on information contained in this website.

Source URL (retrieved on 10/26/2020 - 5:39pm): <https://www.mtas.tennessee.edu/reference/fines>



Municipal Technical Advisory Service
INSTITUTE for PUBLIC SERVICE