

TITLE 3
MUNICIPAL COURT¹

CHAPTER

1. CITY JUDGE.
2. COURT ADMINISTRATION.
3. BONDS AND APPEALS.

CHAPTER 1**CITY JUDGE****SECTION**

- 3-101. Absence, etc.
- 3-102. Duties and powers; commitment to workhouse; payment of fines by installments.

3-101. Absence, etc. The city court shall be presided over by a city judge, who shall be appointed by and whose compensation shall be set by the board of commissioners. In case of absence or disability of the city judge, the

¹Charter references

For provisions of the charter governing the city judge and city court operations, see Tennessee Code Annotated, title 6, chapter 21, part 5. For specific charter provisions in part 5 related to the following subjects, see the sections indicated:

City judge:

- Appointment and term: § 6-21-501.
- Jurisdiction: § 6-21-501.
- Qualifications: § 6-21-501.

City court operations:

- Appeals from judgment: § 6-21-508.
- Appearance bonds: § 6-21-505.
- Arrest warrants: § 6-21-504.
- Docket maintenance: § 6-21-503.

Fines and costs:

- Amounts: §§ 6-21-502, 6-21-507.
- Collection: § 6-21-507.
- Disposition: § 6-21-506.

Municipal code reference

- Court costs: § 11-706.

mayor shall designate a special judge to act in the place and stead of the city judge, with all powers incident to that office. (As replaced by ord. 87-6. 1987 Code, § 1-402, as amended by ord. 90-9, § 1)

3-102. Duties and powers; commitment to workhouse; payment of fines by installments. The city judge shall hear and determine all cases brought before him for violations of the ordinances of the city and for such violations of laws of the State of Tennessee as judges of city courts are, by law, authorized to hear and determine. He shall have power and authority to impose fines, costs, and forfeitures, and to impose fines for violations of city ordinances; to preserve and enforce order in his court; to enforce the collection of all such fines, costs, and forfeitures as shall be imposed by him; or, in the case of first offenders, to require certain educational activities or procedures to prevent repetition of such violations. The fines may be paid in installments or in such other manner as may be provided by ordinance with the approval of the city judge. The city judge may remit, with or without condition, fines and costs imposed for violation of any ordinance or charter provision. (Ord. 71-1, § 3, modified. 1987 Code, § 1-403, modified)

CHAPTER 2

COURT ADMINISTRATION

SECTION

3-201. City court established.

3-202. Duties of police as to city court.

3-203. Court rules.

3-204. Duties and powers of city judge.

3-205. Electronic citation regulations and fees.

3-201. City court established. There is hereby established a court, to be known and designated as the city court of the City of Belle Meade. (Ord. 71-1, § 1. 1987 Code, § 1-401)

3-202. Duties of police as to city court. The chief of police of the City of Belle Meade shall be responsible for the attendance of a police officer, or members of the police department of the city, upon the court at all times when it shall be in session, and said chief of police shall also designate an officer or officers to serve as police desk sergeant. (Ord. 71-1, § 6. 1987 Code, § 1-405)

3-203. Court rules. The city court shall make rules for the conduct of its business, and shall prescribe and adopt forms for its use in issuing process, entering judgments, and keeping records of its transactions. It shall further, with the concurrence of the board of commissioners by resolution, adopt a schedule of days and hours at which hearings will be held. The city court shall be authorized to compel the attendance of witnesses by the issuance of subpoena or by attachment. (Ord. 71-1, § 7. 1987 Code, § 1-406)

3-204. Duties and powers of city judge. The city judge shall hear and determine all cases brought before him for violations of the ordinances of the city and for such violations of laws of the State of Tennessee as judges of city courts are, by law, authorized to hear and determine. He shall have power and authority to impose fines, costs, and forfeitures, and to impose fines for violations of city ordinances; to preserve and enforce order in his court; to enforce the collection of all such fines, costs, and forfeitures as shall be imposed by him; and in the case of first offenders in traffic law cases to require certain educational activities or procedures to prevent repetition of such violations. Fines may be paid in installments or in such other manner as may be provided by ordinance with the approval of the city judge. The city judge may remit, with or without condition, fines and costs imposed for violation of any ordinance or charter provision. (Ord. 71-1, § 3, modified. 1987 Code, § 1-403, modified)

3-205. Electronic citation regulations and fees. (1) As used in this section, "electronic citation" means a written citation or an electronic citation prepared by a law enforcement officer on paper or on an electronic data device with the intent the citation shall be filed, electronically or otherwise, with a court having jurisdiction over the alleged offense.

(2) Pursuant to and in accordance with state statutory requirements found in Tennessee Code Annotated, § 55-10-207(e), each court clerk shall charge and collect an electronic citation fee of five dollars (\$5.00) for each citation which results in a conviction. (as added by Ord. #2015-4, June 2015)

CHAPTER 3

BONDS AND APPEALS

SECTION

3-301. Appearance bonds, etc.

3-302. Appeals.

3-301. Appearance bonds, etc. Whenever any person is arrested for the violation of any city ordinance in the presence of a police officer and no warrant for such violation has been issued or served, such person may execute an appearance bond in an amount not exceeding fifty dollars (\$50.00), and file same with a police desk sergeant, or he may, in lieu of the execution of an appearance bond, deposit a sum not exceeding fifty dollars (\$50.00) with a police desk sergeant and be given a receipt for same, and on the appearance of such person before the city court at the time specified in such receipt, such deposit shall be returned to him. On the failure of such person to appear at the time specified, however, the amount so deposited shall be forfeited to the city and he shall not be entitled to the return of any part thereof, and it shall not be necessary to issue a scire facias; provided, however, that within two (2) days following the imposition of forfeiture, the city judge shall have the power to set aside the conditional judgment imposing such forfeiture when it shall be made to appear that the failure of the accused to appear and defend his suit was due to no fault or negligence of the accused. After the expiration of two (2) days following such forfeiture, there may be a final judgment imposing such forfeiture. (Ord. 71-1, § 4(A). 1987 Code, § 1-404)

3-302. Appeals. Any person dissatisfied with the judgment of the city judge in any case or cases heard and determined by the city judge, may, within ten (10) entire days thereafter, Sundays excluded,¹ appeal to the next circuit court of the county, upon giving bond with good and sufficient security as approved by the city judge for his appearance or the faithful prosecution of the appeal, provided, however, that in prosecutions for violations of the city ordinances the bond shall not exceed two hundred and fifty dollars (\$250.00). Such appeal shall not act as a stay or supersedeas of any imprisonment which may be imposed unless the defendant shall execute an appeal bond with surety and approved by the city judge and in treble the amount of the fine imposed, conditioned to pay the fine and costs adjudged upon such appeal. (Ord. 71-1, § 8. 1987 Code, § 1-408)

¹State law reference

Tennessee Code Annotated, §§ 27-5-101 and 6-21-508.