

**TITLE 3**  
**MUNICIPAL COURT<sup>1</sup>**

**CHAPTER****1. CITY COURT.****CHAPTER 1****CITY COURT****SECTION**

- 3-101. City court established.
- 3-102. City judge; appointment, qualifications, court dates.
- 3-103. Jurisdiction; penalties.
- 3-104. Appeals.
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- 3-106. Court costs, litigation taxes, collection.
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**3-101. City court established.** In accordance with *Tennessee Code Annotated*, § 6-21-501, *et seq.*, and §§ 16-18-301 *et seq.*, there is established an Oak Hill City Court. (Ord. #13-8, July 2013)

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<sup>1</sup>Charter 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.

**3-102. City judge; appointment, qualifications, court dates.** The city judge shall be appointed by and serve at the will of the board of commissioners. The city judge shall be licensed to practice law in the State of Tennessee. The board of commissioners shall set, by resolution, a regular court date, time, and place. The city judge shall serve without compensation except that he or she shall be reimbursed for attending the required municipal court training in accordance with the city's travel policy. The city judge may appoint a general sessions judge or another licensed attorney to serve as judge pro tem in his or her absence. (Ord. #13-8, July 2013)

**3-103. Jurisdiction; penalties.** (1) The city court shall have jurisdiction in and over cases for violations of or arising under the laws and ordinances of the city and any municipal law or ordinance that mirrors, substantially duplicates, or incorporates by cross-reference the language of a state criminal statute, if the state criminal statute mirrored, duplicated, or cross-referenced is a Class C misdemeanor. The city judge may exercise any powers of a municipal judge as may be authorized by the general assembly now or under future law.

(2) The maximum penalty that may be imposed by the city court for a violation of a municipal law or ordinance is a civil fine not to exceed fifty dollars (\$50.00). Contempt of court or failure to appear shall be a separate offense subject to a civil fine not to exceed fifty dollars (\$50.00) plus court costs. (Ord. #13-8, July 2013, modified)

**3-104. Appeals.** Any person dissatisfied with the judgment of the city court, may, within ten (10) days thereafter, Sundays exclusive, appeal to the circuit court of the county, upon giving bond in the amount of two hundred fifty dollars (\$250.00) for the person's appearance and the faithful prosecution of the appeal. As used in this section, "person" includes, but is not limited to, a natural person, corporation, business entity, or the municipality. (Ord. #13-8, July 2013)

**3-105. Court clerk.** The board of commissioners shall appoint a court clerk by resolution to perform the duties set forth in *Tennessee Code Annotated*, § 16-18-310 and other such duties as are necessary for the efficient operation of city court. (Ord. #13-8, July 2013)

**3-106. Court costs, litigation taxes, collection.** In all cases heard and determined by the city judge, the court costs shall be fifty dollars (\$50.00) to cover clerk's fees, officer's fees, and other administrative costs. An additional one dollar (\$1.00) (or other amount as may be required by state law) shall be collected and forwarded to the state treasurer for the administrative office of the courts for training and continuing legal education. If a judgment is entered against the defendant, the court shall assess a state litigation tax of thirteen

dollars seventy-five cents (\$13.75) (or other amount as maybe required by state law) and a local litigation tax of thirteen dollars seventy-five cents (\$13.75). A processing fee equal to the amount paid to a third party processor shall be charged for any credit and debit card payments. (Ord. #13-8, July 2013)

**3-107. Collection of penalties and costs.** The city may take such actions as are authorized by law to collected unpaid penalties and costs, including but not limited to, employing a collection agency, by written contract, pursuant to *Tennessee Code Annotated*, § 40-24-105(e), to collect unpaid penalties and costs that are delinquent over sixty (60) days; provided that, the city shall comply with the notice requirements of *Tennessee Code Annotated*, § 6-54-513 with respect to the collection of unpaid parking tickets. (Ord. #13-8, July 2013)