

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 municipality shall preside over the town court and shall be known as the town judge. (1996 Code, § 1-501)

¹Charter reference
Established: Art. VII, § 1.

CHAPTER 2

COURT ADMINISTRATION

SECTION

3-201. Maintenance of docket.

3-202. Imposition of fines, penalties, and costs.

3-203. Litigation tax.

3-204. Disposition and report of fines, penalties, and costs.

3-205. 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; and all other information that may be relevant. (1996 Code, § 3-201, modified)

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

In all cases and determined by him, the town judge shall impose court costs in the amount of one hundred sixty two dollars and fifty cents (\$162.50). One dollar (\$1.00) of the court costs 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.

3-203. Litigation tax. (1) Effective on the first day of the month following the passage of this section, a town litigation tax shall become effective as follows: On cases in municipal court there is hereby levied a town litigation tax to match the state litigation tax of thirteen dollars and seventy-five cents (\$13.75).

(2) The privilege taxes levied pursuant to this section shall be paid to the town recorder monthly to be used to assist in paying for the operation of town court and for the police department.

(3) This section shall become effective on the first day of the month following the final passage of this section the public welfare requiring it. (Ord. #2006-2, June 2006)

3-204. 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 municipality. At the end of each month, he shall submit to the board of mayor and aldermen a report accounting for the collection or non-collection of all fines,

penalties and costs imposed by his court during the current month and to date for the current fiscal year. (1996 Code, § 3-203)

3-205. 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. (1996 Code, § 3-204, modified)

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 to personally 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 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. (1996 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. (1996 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) entire days thereafter, Sundays exclusive, appeal to the next term of the circuit court upon posting a proper appeal bond.¹ (1996 Code, § 3-402)

3-402. Bond amounts, conditions, and forms. An appearance bond in any case before the town court shall be in such amount as the town judge shall prescribe and shall be conditioned that the defendant shall appear for trial before the town court at the stated time and place. An appeal bond in any case shall be in 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 and all costs of the trial and appeal shall be promptly paid by the defendant and/or his sureties. An appearance or 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 located within the county. No other type bond shall be acceptable. (1996 Code, § 3-403)

¹State law reference

Tennessee Code Annotated, § 27-5-101.