

TITLE 3

MUNICIPAL COURT

CHAPTER

1. CITY JUDGE.
2. COURT ADMINISTRATION.
3. WARRANTS, SUMMONSES AND SUBPOENAS.
4. BONDS AND APPEALS.
5. COURT COSTS.

CHAPTER 1

CITY JUDGE¹

SECTION

3-101. City judge.

3-101. City judge. The officer designated by the charter to handle judicial matters within the municipality shall preside over the city court and shall be known as the city judge. (1983 Code, § 1-501)

¹Charter reference

Judicial authority of mayor; town council may appoint city judge: § 12.

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.

3-205. Trial and disposition of cases.

3-201. Maintenance of docket. The city judge 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 offenses; disposition; fines, penalties, and costs imposed and whether collected; whether committed to workhouse; and all other information that may be relevant. (1983 Code, § 1-502)

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

In all cases heard or determined by him, the city judge shall tax in the bill of costs the same amounts and for the same items allowed in courts of general sessions¹ for similar work in state cases.

In addition to the foregoing costs, mileage at a rate set by resolution by the board of mayor and aldermen shall be charged when a prisoner must be transported to and out of the county and shall be assessed as part of the costs of the cause and figured in the bill of costs, along with any jail fees, and paid as a part of the bill of costs by anyone found guilty of a misdemeanor. (1983 Code, § 1-508, modified)

3-203. Disposition and report of fines, penalties, and costs. All funds coming into the hands of the city 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 town council 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. (1983 Code, § 1-511)

¹State law reference

Tennessee Code Annotated, § 8-21-401.

3-204. Disturbance of proceedings. It shall be unlawful for any person to create any disturbance of any trial before the city court by making loud or unusual noises, by using indecorous, profane, or blasphemous language, or by any distracting conduct whatsoever. (1983 Code, § 1-512)

3-205. Trial and disposition of cases. Every person charged with violating a town ordinance shall be entitled to an immediate trial and disposition of his case, provided the city court is in session or the city judge is reasonably available. However, the provisions of this section shall not apply when the alleged offender, by reason of drunkenness or other incapacity, is not in a proper condition or is not able to appear before the court. (1983 Code, § 1-506)

CHAPTER 3

WARRANTS, SUMMONSES AND SUBPOENAS

SECTION

3-301. Issuance of arrest warrants.

3-302. Issuance of summonses.

3-303. Issuance of subpoenas.

3-301. Issuance of arrest warrants.¹ The city judge shall have the power to issue warrants for the arrest of persons charged with violating town ordinances. (1983 Code, § 1-503)

3-302. Issuance of summonses. When a complaint of an alleged ordinance violation is made to the city judge, the judge may in his discretion, in lieu of issuing an arrest warrant, issue a summons ordering the alleged offender personally to appear before the city 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 city 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. (1983 Code, § 1-504)

3-303. Issuance of subpoenas. The city 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. (1983 Code, § 1-505)

¹State law reference

For authority to issue warrants, see Tennessee Code Annotated, title 40, chapter 6.

CHAPTER 4

BONDS AND APPEALS

SECTION

3-401. Appearance bonds authorized.

3-402. Appeals.

3-403. Bond amounts, conditions, and forms.

3-401. Appearance bonds authorized. When the city judge is not available or when an alleged offender requests and has reasonable grounds for a delay in the trial of his case, he may, in lieu of remaining in jail pending disposition of his case, be allowed to post an appearance bond with the city judge or, in the absence of the judge, with the ranking police officer on duty at the time, provided such alleged offender is not drunk or otherwise in need of protective custody. (1983 Code, § 1-507)

3-402. Appeals. Any defendant who is dissatisfied with any judgment of the city court against him may, within ten (10) days next after such judgment is rendered, appeal to the next term of the circuit court upon posting a proper appeal bond.¹ (1983 Code, § 1-509)

3-403. Bond amounts, conditions, and forms. An appearance bond in any case before the city court shall be in such amount as the city judge shall prescribe and shall be conditioned that the defendant shall appear for trial before the city court at the stated time and place.

An appeal bond in any case shall be in the sum of two hundred and 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 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. (1983 Code, § 1-510)

¹State law reference

Tennessee Code Annotated, § 27-5-101.

CHAPTER 5
COURT COSTS

SECTION

3-501. Court costs.

3-501. Court costs. The following costs and fines will be levied as follows:

COURT COST AND FINES

<u>Violation</u>	<u>Cost</u>	<u>Fines</u>	<u>Total</u>
Public intoxication	\$65.28	\$ 5.00	\$70.28
No drivers license	\$92.31	\$10.00	\$102.31
Vio. of Reg. law	\$92.31	\$10.00	\$102.31
Tail lights out	\$92.31	\$10.00	\$102.31
Causing unnecessary noise	\$92.31	\$10.00	\$102.31
Ran red light	\$92.31	\$10.00	\$102.31
Ran stop sign	\$92.31	\$10.00	\$102.31
Loud muffler	\$92.31	\$10.00	\$102.31
Speeding-50 MPH & under	\$92.31	\$ 5.00	\$97.31
Speeding-50 MPH & over	\$92.31	\$10.00	\$102.31
Reckless driving-1st offense	\$92.31	\$25.00	\$117.31
Reckless driving-2nd offense	\$92.31	Court appearance mandatory	
Improper passing	\$92.31	\$10.00	\$102.31
Anti-noise regulation	\$92.31	\$10.00	\$102.31
Parking violations	\$92.31	\$ 5.00	\$97.31
Prowling	\$92.31	\$ 5.00	\$97.31
Disorderly conduct	\$92.31	Court appearance mandatory	
Open alcoholic beverage	\$92.31	\$ 5.00	\$97.31
Possession alcoholic beverage Under Age of 21	\$92.31	\$ 5.00	\$97.31
Wrong way on one way street	\$92.31	\$10.00	\$102.31

Change 1, June 24, 2004

3-7

Failure to appear	\$92.31	\$10.00	\$102.31
Contempt of court	\$92.31	\$ 5.00	\$97.31
Animal control offenses	\$92.31	Court appearance mandatory	

Note: Always check speeding citation for the M.P.H. listed in order to apply the correct fine as listed above

50 M.P.H. and under	\$5.00
50 M.P.H. and over	\$10.00

Note: The Defendant shall pay the postage for certified letter when applicable.

Litigation Tax of \$13.75 to be added to the total when defendant appears in court and ordered to pay court cost or the court cost and fine on moving violations. (Defendant does not pay litigation tax when paying fine and cost before the set court date set for the citation.) (Ord. #239, May 1990, modified, and amended by Ord. #327, June 2004)