

TITLE 3
MUNICIPAL COURT¹

CHAPTER

1. CITY COURT.
2. CITY JUDGE.
3. COURT ADMINISTRATION.

CHAPTER 1

CITY COURT

SECTION

3-101. City court established.

3-101. City court established. A city court for the City of Fairview, Tennessee is established. (1973 Code, § 1-501)

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.

CHAPTER 2

CITY JUDGE

SECTION

3-201. Jurisdiction.

3-202. Qualifications.

3-203. Election and term.

3-204. Vacancies.

3-205. Salary.

3-201. Jurisdiction. (1) Municipal jurisdiction. The city judge shall have the authority to try persons charged with the violation of municipal ordinances, and to punish persons convicted of such violations by levying a civil penalty up to the maximum allowed under state law, and costs prescribed by ordinance.

(2) Concurrent jurisdiction. The city judge shall also have the authority to exercise jurisdiction concurrent with courts of general sessions in all cases involving the violation of the criminal laws of the state within the corporate limits of the city. (1973 Code, § 1-502, modified)

3-202. Qualifications. The city judge shall be a resident of the County of Williamson one year and a resident of Tennessee five years immediately preceding his or her election, at least 30 years old, and licensed to practice law in Tennessee. (1973 Code, § 1-503)

3-203. Election and term. In accordance with art. VII, § 3 of the Tennessee Constitution, at the August general election of 1998, and every eight years thereafter during the August general election, the city judge shall be elected by the qualified voters of the city for a term of eight years, and the city judge shall take office on September 1st next following his or her election. However, the office of city judge during the interim period between the passage of this code amendment and September 1, 1998, shall be filled as follows:

(1) The board of commissioners shall appoint a city judge to serve until the next regular August general election falling at least 180 days after his or her appointment, or until September 1, 1998, if the next regular August general election falls within 180 days of September 1, 1998.

(2) At the next regular August general election, August 4, 1994, the qualified voters of the city shall elect a city judge to serve until September 1, 1998. (1973 Code, § 1-504)

3-204. Vacancies. Vacancies in the office of city judge shall be filled by the board of commissioners for the unexpired portion of the term. (1973 Code, § 1-505)

3-205. Salary. (1) The salary of the municipal court judge for the City of Fairview, Tennessee is hereby set as sixteen thousand two hundred dollars (\$16,200.00) annually for the elected term beginning on August 8, 2006, for as long as the Municipal Court of the City of Fairview, Tennessee, exercises concurrent, general sessions jurisdiction. Said salary shall be paid in installments as agreed upon by the city and the municipal court judge.

(2) The salary of the municipal court judge for the City of Fairview, Tennessee is hereby set as six thousand dollars (\$6,000.00) annually for the elected term beginning on August 8, 2006, effective the date that the Municipal Court of the City of Fairview, Tennessee, ceases to exercise concurrent, general sessions jurisdiction, for any reason either voluntarily or involuntarily. In the event the Municipal Court of the City of Fairview, Tennessee, ceases to exercise concurrent general sessions jurisdiction, the salary listed for the municipal court judge in "A" above shall terminate and the salary listed in "B" shall be prorated for the remainder of the year in which concurrent general sessions jurisdiction is terminated and shall be the municipal court judge's annual salary for the remaining years of his elected term. Said salary shall be paid in installments as agreed upon the city and the municipal court judge. (1973 Code, § 1-506, as amended by Ord. #486, Sept. 2000, and replaced by Ord. #635, July 2006)

CHAPTER 3

COURT ADMINISTRATION

SECTION

3-301. Records; docket; city clerk.

3-302. Imposition of fines, penalties and costs.

3-301. Records; docket; city clerk. The city does not elect, as permitted by the laws of the State of Tennessee, to require the city court clerk to be elected. The city manager shall have the duty of maintaining all records of the city court in accordance with applicable laws. The city manager may employ on behalf of the city a person to assist him in this function and such person shall be designated as city court clerk. The board of commissioners shall require the proper maintenance of the docket of the city court and other records of the court. Subject to general law and the authority of the city judge(s), the board shall fix the regular time for holding court. (1973 Code, § 1-507)

3-302. Imposition of fines, penalties and costs. The schedule of fees set out in Tennessee Code Annotated, § 8-21-401 (when applicable to the City Court of the City of Fairview, Tennessee when said court is exercising its current general sessions jurisdiction relative to criminal offenses) and the fees set out in Schedule "A"¹ is made part of this section by reference per Tennessee Code Annotated, § 16-18-304 (applicable to all violations of City of Fairview, Tennessee Municipal Ordinances).

Schedule "A" may be amended as required from time to time by resolution of the Board of Commissioners of the City of Fairview, Tennessee at any regular scheduled meeting or by special meeting called in accordance with applicable law at the time the special meeting is called. (Ord. #377, June 1995, as replaced by Ord. #699, May 2008)

¹Schedule "A" is available in the office of the city recorder.