

TITLE 3**MUNICIPAL COURT****CHAPTER**

1. CITY JUDGE.
2. COURT ADMINISTRATION.
3. WARRANTS, SUMMONSES AND SUBPOENAS.
4. ELECTRONIC CITATION REGULATIONS AND FEES.

CHAPTER 1**CITY JUDGE¹****SECTION**

- 3-101. City judge.
- 3-102. Qualifications.
- 3-103. Compensation.

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

Deposit of operator's or chauffeur's license in lieu of bond in traffic cases: title 15, chapter 7.

3-101. City judge. The city court shall be presided over by a city judge appointed by the board of commissioners. The city judge shall serve at the pleasure of the board of commissioners. (2000 Code, § 3-101, as amended by Ord. #06-683, June 2006)

3-102. Qualifications. The city judge will: (1) Be an attorney licensed to practice law in the State of Tennessee, and
(2) Be a resident of Davidson or Sumner Counties. (Ord. #06-683, June 2006)

3-103. Compensation. The annual compensation of the city judge shall not exceed twenty thousand dollars (\$20,000.00). (Ord. #06-683, June 2006, as amended by Ord. #11-752, Feb. 2011)

CHAPTER 2

COURT ADMINISTRATION

SECTION

3-201. Maintenance of docket.

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

3-203. Contempt of court.

3-204. Trial and disposition of cases.

3-201. Maintenance of docket. The docket required to be kept by § 6-21-503 of the city's charter shall include for each defendant such information as their name; warrant and/or summons numbers; alleged offense; disposition; fines, penalties, and costs imposed and whether collected; whether committed to workhouse; and all other information that may be relevant. (2000 Code, § 3-201, as amended by Ord. #20-982, Jan. 2021 *Ch5_02-10-22*)

3-202. Imposition of fines, penalties, and costs. (1) In all cases heard and determined by their, the city judge shall impose court costs in the amount of fifty dollars (\$50.00). 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. Additionally, a state litigation tax in the amount of thirteen dollars and seventy-five cents (\$13.75) is imposed.

(2) There is further created a court administrative fee in the amount of ten dollars (\$10.00) as it relates only to a violation of law regarding vehicle equipment (including, but not limited to, inoperable headlights, tail lights, brake lights, or turn signals), financial responsibility, driver licensing, or vehicle licensing and registration, the charge may be dismissed if the person charged with the violation submits evidence of compliance with such law on or before the court date. (2000 Code, § 3-202, modified, as amended by Ord. #20-982, Jan. 2021 *Ch5_02-10-22*, and Ord. #21-990, April 2021 *Ch5_02-10-22*)

3-203. Contempt of court. Contempt of court is punishable by a fine of fifty dollars (\$50.00), or such lesser amount as may be imposed in the judge's discretion.

3-204. Trial and disposition of cases. Every person charged with violating a municipal ordinance shall be entitled to an immediate trial and disposition of their 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. (2000 Code, § 3-204, as amended by Ord. #20-982, Jan. 2021 *Ch5_02-10-22*)

CHAPTER 3

WARRANTS, SUMMONSES AND SUBPOENAS¹

SECTION

3-301. Issuance of arrest warrants.

3-302. Issuance of summonses.

3-303. Issuance of subpoenas.

3-301. Issuance of arrest warrants. The city judge shall have the power to issue warrants for the arrest of persons charged with violating municipal ordinances. (2000 Code, § 3-301)

3-302. Issuance of summonses. When a complaint of an alleged ordinance violation is made to the city judge, the judge may in their discretion, in lieu of issuing an arrest warrant, issue a summons ordering the alleged offender to personally appear before the city court at a time specified therein to answer to the charges against them. 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 them, 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. (2000 Code, § 3-302, as amended by Ord. #20-982, Jan. 2021 *Ch5_02-10-22*)

3-303. Issuance of subpoenas. The city judge may subpoena as witnesses all persons whose testimony they believe will be relevant and material to matters coming before their court, and it shall be unlawful for any person lawfully served with such a subpoena to fail or neglect to comply therewith. (2000 Code, § 3-303, as amended by Ord. #20-982, Jan. 2021 *Ch5_02-10-22*)

¹State law reference

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

CHAPTER 4

ELECTRONIC CITATION REGULATIONS AND FEES

SECTION

3-401. Electronic citations; fees.

3-402. Deleted.

3-401. Electronic citations; fees. (1) As used in this section, "electronic citation" means a traffic citation containing all information required by law that is prepared by a law enforcement officer in an electronic data device with the intent that the data collected shall be filed electronically with a court having jurisdiction over the alleged offense.

(2) Replicas of citation data included in an electronic citation shall be sent by electronic transmission within three (3) days of the issuance of the citation to a court having jurisdiction over the alleged offense.

(3) Persons issued a citation pursuant to this section shall be provided with a paper copy of the citation. A law enforcement officer who files a citation electronically shall be considered to have certified the citation and has the same rights, responsibilities and liabilities as other citations issued pursuant to this section.

(4) Each court clerk shall charge and collect an electronic citation fee of five dollars (\$5.00) for each citation which results in a conviction. Such fee shall be paid by the defendant for any offense cited in an electronic traffic citation that results in a plea of guilty or nolo contendere, or a judgment of guilty. Such fee shall be assessable as court costs, in addition to all other court costs, fees, taxes and charges. One dollar (\$1.00) of such fee shall be retained by the court clerk. Four dollars (\$4.00) of such fee shall be transmitted on a monthly basis by the court clerk to the law enforcement agency that prepared the electronic traffic citation that resulted in a plea of guilty or nolo contendere, or a judgment of guilty.

(5) All funds derived from the electronic citation fee that are transmitted to the law enforcement agency which prepared the electronic traffic citation shall be accounted for in a special revenue fund of the city's law enforcement agency and may be used only for the following purposes:

(a) Electronic citation system and program related expenditures; and

(b) Related expenditures by the local law enforcement agency for technology, equipment, repairs, replacement and training to maintain electronic citation programs. (as added by Ord. #14-821, Sept. 2014)

3-402. Deleted. (as added by Ord. #14-821, Sept. 2014, and deleted by Ord. #19-944, Aug. 2019 *Ch4_1-23-20*)