

**TITLE 3****MUNICIPAL COURT****CHAPTER****1. TOWN COURT.****CHAPTER 1****TOWN COURT<sup>1</sup>****SECTION**

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**3-101. Town judge.** The officer designated by the charter to handle judicial matters within the town shall preside over the town court and shall be known as the town judge. (1989 Code, § 3-101)

**3-102. Maintenance of docket.** The town 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 offense; disposition; fines, penalties, and costs imposed and whether collected; and all other information which may be relevant. (1989 Code, § 3-102, modified)

**3-103. Issuance of summonses.** When a complaint of an alleged ordinance violation is made to the town 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 town court at a time specified therein to answer to the charges against him. The summons shall contain a brief

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<sup>1</sup>Charter references

For charter provisions respectively giving the mayor and the recorder, or some other properly appointed person, judicial authority, including jurisdiction concurrent with that of a sessions court, see Tennessee Code Annotated, §§ 6-1-406 and 6-2-403.

description of the offense charged but need not set out verbatim the provisions of the municipal code or 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. (1989 Code, § 3-104)

**3-104. 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. (1989 Code, § 3-105)

**3-105. Imposition of fines, penalties, and costs.** All fines, penalties, and costs shall be imposed and recorded by the town judge on the town court docket in open court.

(1) In all cases heard or determined by him, the town judge shall impose court costs. 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, as required by the Municipal Court Reform Act.

(2) Town litigation tax. On cases in town court there is hereby levied a town litigation tax to match the state litigation tax of thirteen dollars and seventy-five cents (\$13.75).

(3) Electronic citations. As used in this section, "electronic citation" means a written citation or an electronic citation prepared by a law enforcement officer on paper or on an electronic data device with the intent the citation shall be filed, electronically or otherwise, with a court having jurisdiction over the alleged offense. Pursuant to and in accordance with state statutory requirements found in Tennessee Code Annotated, § 55-10-207(e), the court shall charge and collect an electronic citation fee of five dollars (\$5.00) for each citation which results in a conviction.

The privilege taxes levied pursuant to this subsection 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. (1989 Code, § 3-107, as amended by Ord. #07-18, March 2007, modified)

**3-106. Appeals.** Any defendant who is dissatisfied with any judgment of the town court against him may, within ten (10) days<sup>1</sup> next after such

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<sup>1</sup>State law reference

Tennessee Code Annotated, § 27-5-101.

judgment is rendered, appeal to the next term of the circuit court upon posting a proper appeal bond. (1989 Code, § 3-108)

**3-107. 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 town. At the end of each month he shall submit to the board of mayor and aldermen a report accounting for the collection or noncollection of all fines, penalties, and costs imposed by his court during the current month and to date for the current fiscal year. (1989 Code, § 3-110)

**3-108. 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, by using indecorous, profane, or blasphemous language, or by any distracting conduct whatsoever. (1989 Code, § 3-111)