

TITLE 3
MUNICIPAL COURT¹

CHAPTER

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

CHAPTER 1

CITY JUDGE

SECTION

3-101. Office of city judge created.

3-102. Powers and duties.

3-103. Salary.

3-101. Office of city judge created. The office of city judge is hereby created, and it shall be filled in accordance with provisions of the charter for a term of four (4) years by the board of mayor and commissioners. (2005 Code, § 3-101)

3-102. Powers and duties. The city judge shall have all of the jurisdiction, powers, and duties provided for the city court in the charter of the City of South Pittsburg. (2005 Code, § 3-102)

3-103. Salary. The city judge shall receive a salary of four hundred dollars (\$400.00) per month. (2005 Code, § 3-103)

¹Charter references

Appointment; term of office; qualifications: art. 4, § 1.

Jurisdiction: art. 4, § 2.

Temporary judge: art. 4, § 3.

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. Contempt of court.

3-201. Maintenance of docket. The city 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; disposition; fines, penalties and costs imposed and whether collected; whether committed to workhouse; and all other information which may be relevant. (2005 Code, § 3-201, modified)

3-202. Imposition of fines, penalties, and costs. All fines, penalties, and costs shall be imposed and recorded by the city clerk on the city court docket in open court and then paid into the general fund of the city.

In all cases heard or determined by him, the city clerk 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. (2005 Code, § 3-202, 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 city. At the end of each month he shall submit to the governing body 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. (2005 Code, § 3-203)

3-204. Contempt of court. It shall be deemed to be contempt of court and a misdemeanor for any person to: willfully fail or refuse to obey any legally issued and served process from the city court; to prevent or attempt to prevent, by unlawful coercion or threats, any other person from complying with such process; to unlawfully refuse to answer any proper question asked him by or before the court; to interfere with or disturb, by noises or otherwise, proceedings of the city court; or to wilfully fail or refuse to obey any lawful order of the city court. (2005 Code, § 3-205)

¹State law reference

Tennessee Code Annotated, § 8-21-401.

CHAPTER 3**WARRANTS, SUMMONSES, AND SUBPOENAS****SECTION**

3-301. Issuance of subpoenas.

3-301. 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. (2005 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 city court against him may, within ten (10) days¹ next after such judgment is rendered, appeal to the next term of the circuit court upon posting a proper appeal bond. (2005 Code, § 3-402)

3-402. Bond amounts, conditions, and forms. 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 or penalty and all costs of the trial and appeal shall be promptly paid by the defendant and/or his sureties. An 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 within the county. No other type bond shall be acceptable. (2005 Code, § 3-403, modified)

¹State law reference

Tennessee Code Annotated, § 27-5-101.