

**TITLE 3**

**MUNICIPAL COURT<sup>1</sup>**

**CHAPTER**

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

**CHAPTER 1**

**TOWN JUDGE**

**SECTION**

3-101. Town judge.

3-102. Municipal court schedule of offenses, fines and costs.

**3-101. Town judge.** (1) Pursuant to Tennessee Code Annotated, § 16-18-101 et seq., the board of mayor and aldermen of the Town of Pikeville, shall appoint the town judge in accordance with this chapter.

(a) The town judge shall be vested with the judicial powers and functions of the recorder and shall be subject to the provisions of law and the town's charter governing the town's court presided over by the recorder.

(b) The town judge for the Town of Pikeville shall be thirty (30) years of age, licensed in the State of Tennessee to practice law, and shall be a resident of Bledsoe County, Tennessee. In the event he removes his residency from Bledsoe County, Tennessee, he shall automatically vacate his or her office.

(c) The town judge shall be appointed by, and serve at the will and pleasure of the board of mayor and aldermen.

(d) Vacancies in the office of town judge shall be filled by the board of mayor and aldermen.

(e) The town judge shall, before entering upon the duties of this office, take an oath or affirmation, before anyone in Tennessee authorized to issue oaths as follows:

I, A.B., solemnly swear that I will support the Constitution of the United

---

<sup>1</sup>Charter references  
Municipal court: § 13.

States and of the State of Tennessee, and the ordinances of the Town of Pikeville, and that I will administer justice without respect to persons, and do equal rights to the poor and to the rich, and that I will faithfully and impartially discharge all the duties incumbent upon me as a town judge to the best of my ability.

(f) The compensation of the town judge shall be \$400.00 per month.

(g) Before assuming his duties, the town judge shall execute a bond with a surety company acceptable to the board of mayor and aldermen in the amount of \_\_\_\_\_ (\$ ), conditioned upon his or her faithful account of all funds coming into his or her hands as town judge. The bond shall be paid for by the town.

(h) During the absence or disability of the town judge, the board of mayor and aldermen may appoint a town judge pro tem to serve until the town judge returns to his duties. The judge pro tem shall have all the qualifications required of the town judge under this chapter, and shall have all authority and powers of the town judge.

(2) The town judge is an appointed judge and shall have jurisdiction only over violations of municipal ordinances.<sup>1</sup> (Ord. #10B-14-096, Nov. 1996, modified)

**3-102. Municipal court schedule of offenses, fines and costs.** The schedule of fines and costs, and any amendments thereto, may be found in the recorder's office. (as added by Ord. #1-8-018, March 2018 *Ch3\_6-29-18*)

---

<sup>1</sup>State law reference

Town of South Carthage v. Barrett, 840 S.W.2d 895 (Tenn. 1992).

## 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.

**3-201. Maintenance of docket.** The town judge shall keep a complete docket of all matters coming before him in his judicial capatown. 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. (1988 Code, § 1-502)

**3-202. 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.

In all cases heard or determined by him, the town judge shall tax in the bill of costs the same amounts and for the same items allowed in courts of general sessions<sup>1</sup> for similar work in state cases. (1988 Code, § 1-507)

**3-203. 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 non-collection of all fines, penalties, and costs imposed by his court during the current month and to date for the current fiscal year. (1988 Code, § 1-510)

**3-204. 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. (1988 Code, § 1-511)

---

<sup>1</sup>State law reference  
Tennessee Code Annotated, § 8-21-401.

## 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.**<sup>1</sup> The town judge shall have the power to issue warrants for the arrest of persons charged with violating municipal ordinances. (1988 Code, § 1-503)

**3-302. 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 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. (1988 Code, § 1-504)

**3-303. 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. (1988 Code, § 1-505)

---

<sup>1</sup>State 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 town 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 town judge or, in the absence of the judge, with the town court clerk, or in the absence of the town court clerk, with the ranking police officer on duty at the time, provided such alleged offender is not under the influence of alcohol or drugs. (1988 Code, § 1-506)

**3-402. Appeals.** Any defendant who is dissatisfied with any judgment of the town 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.<sup>1</sup> (1988 Code, § 1-508)

**3-403. Bond amounts, conditions, and forms.** An appearance bond in any case before the town court shall be in such amount as the town judge shall prescribe and shall be conditioned that the defendant shall appear for trial before the town court at the stated time and place. An appeal bond in any case shall be in such sum as the town judge shall prescribe, not to exceed 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 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. (1988 Code, § 1-509)

---

<sup>1</sup>State law reference

Tennessee Code Annotated, § 27-5-101.