

TITLE 3

MUNICIPAL COURT¹

CHAPTER

1. CITY COURT.

CHAPTER 1

CITY COURT

SECTION

3-101. City judge--duties.

3-102. Court costs.

3-103. Issuance of warrants.

3-104. Prosecution of cases.

3-105. Costs in malicious prosecution cases.

3-106. Issuance of distress warrants by clerk.

3-101. City judge--duties. The city judge shall try all persons charged with a violation of the laws and ordinances of the city and for this purpose shall keep, in a well-bound book, a judgement and execution docket of all cases tried by him for offenses under the laws and ordinances of the city, which docket shall show in continuous order and in distinct columns:

- (1) The number of the case;
- (2) The date of trial and continuances, if any;
- (3) The name or names of the defendant or defendants in full;
- (4) The amount of the judgment;
- (5) The name of the security, if any;
- (6) The name of the policeman who returns the warrant;
- (7) The date of the issuance of each execution and to whom delivered;
- (8) The bill of costs, the items written in words and the amounts in figures;
- (9) The date of the return of the execution and the substances of the same.

Before putting upon trial any person who has been arrested without warrant, the judge shall issue a warrant or a summons setting forth the offense

¹Charter references: §§ 10, 14, 16A, and 16B.

See Ord. #1076 of record in the office of the city recorder setting a term of eight years for the city judge beginning with the judge elected in August 1993.

with which such person is charged, and cause the same to be served upon the defendant. (1988 Code, § 1-1101)

3-102. Court costs. The court costs to be used by the city judge in assessing the bill of costs in cases in the city court shall be as follows:

(1) There are hereby established court costs for the municipal court for the City of Tullahoma, Tennessee, as follows:

Ninety dollars (\$90.00), not to include applicable municipal litigation tax.

(2) The police department's costs shall be the same as those costs charged by the sheriffs and constables as appears in Tennessee Code Annotated, § 8-21-901, as amended. (1988 Code, § 1-1102, as amended by Ord. #1256, Nov. 2002)

3-103. Issuance of warrants. Whenever a complaint shall be made, on oath before the city judge, that an offense under this code has been committed, he shall issue a warrant, except as may be otherwise provided in § 6-105, for the arrest of the offender, addressed to the chief of police or any policeman of the city, commanding him, in the name of the city, to arrest such offender and bring him before the city judge for trial. (1988 Code, § 1-1103)

3-104. Prosecution of cases. It shall be the duty of the chief of police or any policeman to prosecute, before the city judge, in the name of the city, all suits for a violation of the ordinances of the city. If the chief of police or any policeman shall fail to prosecute any such suits, any other person may do so. (1988 Code, § 1-1104)

3-105. Costs in malicious prosecution cases. If any person shall maliciously prosecute another before the city judge, it shall be the duty of the judge, and he is hereby authorized to tax such prosecutor with the costs. (1988 Code, § 1-1105)

3-106. Issuance of distress warrants by clerk. In order to clear up old fines which remain unpaid by violators convicted of offenses under the ordinances of the City of Tullahoma, Tennessee, the clerk of the city court shall prepare a distress warrant to be served upon the offender by the chief of police or any police officer employed by the City of Tullahoma, Tennessee, who shall, after service, make his return thereon, in writing to the City Court of the City of Tullahoma, Tennessee. Said distress warrants may be served by any police officer of the City of Tullahoma, Tennessee, within all areas over which the City Court of the City of Tullahoma, Tennessee, has jurisdiction. In the event that the distress warrant is returned "nulla bona" indicating that there are no assets of the offender to be found to subject to the fine owed by said offender, the matter will be retired from the court's docket. (1988 Code, § 1-1106)