

ARTICLE VI. CITY COURT¹

Sec. 2-154. Fines, penalties and costs.

(a) ~~Court costs. Court costs assessed in city court shall be in a sum equal to that assessed by the general sessions court of the county pursuant to T.C.A. § 6-21-507 in the same amount and for the same item as set forth in the following schedule:~~

~~(1) An administrative fee, not to exceed court costs, will be assessed for each additional charge listed on the ticket, plus a \$5.00 fuel surcharge per ticket.~~

~~(2) Multiple charges can be included on one ticket. The judge is hereby authorized to charge one court cost per citation and an administrative fee per any additional offense.~~

~~(3) Dismissal fee: \$20.00.~~

Schedule of Violations	Fine	Court Costs	Total
Speeding violations			
Speeding 11—19 mph over posted	\$ 5.00	\$141.00	\$146.00
Speeding 20—29 mph over posted	—25.00	—141.00	—166.00
Speeding 30+ over posted	—50.00	—141.00	—191.00
Exception: all I-40 speeders clocked at 91+ mph	—50.00	—141.00	—191.00
Other traffic violations			
Avoiding intersection	—5.00	—138.00	—143.00
Careless or negligent driving (city ordinance)	—25.00	—138.00	—163.00
Child restraint	—20.00	—00.00	—20.00
D/L violations (all)	—5.00	—138.00	—143.00
Failure to change D/L address	—5.00	—138.00	—143.00
Following too closely	—5.00	—138.00	—143.00
HOV lane violation	—50.00	—10.00	—60.00
Registration law	—5.00	—138.00	—143.00
Light law	—5.00	—138.00	—143.00
Muffler law	—5.00	—138.00	—143.00
Handicap parking	—5.00	—138.00	—143.00
Passing violations (all)	—50.00	—138.00	—188.00
Open container	—50.00	—138.00	—188.00
Reckless driving	—50.00	—189.00	—239.00
Seat belt	—20.00	—00.00	—20.00
Stop sign/traffic light	—5.00	—138.00	—143.00
Per ticket —fuel charge	—5.00		—5.00

¹State law reference(s)—Qualifications for city judge, T.C.A. § 6-21-501; powers, T.C.A. § 6-21-502; court dockets, T.C.A. § 6-21-503; arrests and warrants, T.C.A. § 6-21-504; appearance bond, T.C.A. § 6-21-505; fines and labor, T.C.A. § 6-21-506; costs and fines, T.C.A. § 6-21-507.

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- ~~(b) *Fines and penalties.* Under no circumstances shall any defendant found guilty in municipal court of violation of any ordinance be fined or penalized in an amount which exceeds that specified by the constitution and the legislature, except as otherwise provided in this section. Actions, or failure to act, as forbidden or required by ordinance shall be considered as separate offenses for each day that the act or failure to act persists.~~
- ~~(c) *Court cost and remedial sanctions.* Any defendant found guilty in the municipal court of the violation of any ordinance shall be required to pay the court cost associated with the cause, in addition to any other fine or remedial civil sanction. Whenever remedial civil sanctions are sought the city shall provide, prior to hearing, a detailed statement of costs and expenses sought to be recovered against the defendant as civil sanctions.~~
- ~~(d) *Remedial civil sanctions.* Any defendant found guilty in the municipal court of violating any municipal ordinance may be ordered to pay, in addition to the maximum penalty as set forth at subsection (a) of this section, an additional sum as determined by the court to be necessary to:~~
- ~~(1) Compensate the city for loss;~~
 - ~~(2) Reimburse the city for expenses associated with the penalty (other than court costs);~~
 - ~~(3) Disgorge ill gotten gains from the defendant;~~
 - ~~(4) Provide for restitution for harm caused the city by the ordinance violation; and~~
 - ~~(5) Ensure compliance with an order or directive through a prospectively coercive fee.~~
- (a) All fines and costs shall be imposed by the City judge and recorded by the municipal court clerk on the municipal court docket.
- (b) *Court costs.* In all cases heard and determined by him or her, the City judge shall impose court costs in the amount of one hundred forty-five dollars (\$145.00), unless otherwise set by state law.
- Two dollars (\$2.00) of the court costs shall be forwarded by the court clerk to the state treasurer in accordance with Tennessee Code Annotated § 16-18-304(a) to be used by the Administrative Office of the Courts for training and continuing education courses for municipal court judges and municipal court clerks.
- (c) *Dismissal.* When any person has been charged with violation of a law regarding vehicle equipment (including but not limited to inoperable headlights, tail lights, brake lights or turn signals), 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; provided, however, that the city judge may establish a separate court cost not to exceed thirty dollars (\$30.00) to be collected from the person charged with the violation. This separate court costs will be assessed in lieu of the court costs detailed in the section above.
- Two dollars (\$2.00) of the court costs shall be forwarded by the court clerk to the state treasurer in accordance with Tennessee Code Annotated § 16-18-304(a) to be used by the Administrative Office of the Courts for training and continuing education courses for municipal court judges and municipal court clerks.
- (d) *Litigation taxes.* In all cases where the defendant is charged with the violation of a City ordinance or authorized state statute and is found guilty, whether by trial or plea of guilty, such defendant shall pay:
- (1) The State litigation taxes as defined in Tennessee Code Annotated § 67-4-601.
 - (2) In addition, pursuant to the authority granted in Tennessee Code Annotated § 67-4-601, the City of Mt. Juliet adopts a local litigation tax of thirteen dollars and seventy-five cents (\$13.75) and the court shall levy this local litigation tax in all cases in which the state litigation tax is levied.
 - (3) Any other taxes and/or fees imposed pursuant to state statutes and/or town ordinances.
- (e) *Electronic citation regulations and fees.*
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- (1) 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.
 - (2) Pursuant to and in accordance with state statutory requirements found in Tennessee Code § 55-10-207(e), each court clerk shall charge and collect an electronic citation fee of five dollars (\$5.00) for each citation which results in a conviction.
 - (3) *Sunset provision.* This section and its fee requirement shall terminate five (5) years from the date of adoption of this Ordinance.