

ORDINANCE NO. 1028

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF ATHENS, TENNESSEE TO ESTABLISH REASONABLE COURT COSTS.

WHEREAS, the Municipal Court Reform Act of 2004 allows cities to set and collect reasonable municipal court costs in the amounts prescribed by ordinance; and

WHEREAS, the City of Athens, Tennessee has determined that it is in the best interest of the city in order to maintain and improve the operation of the court to modify current court costs as provided in the municipal code of ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ATHENS, TENNESSEE, AS FOLLOWS:

SECTION 1: Amend Chapter 3, Section 202 of Title 3 by deleting the Section in its entirety and substituting the following in lieu thereof:

3-202. Imposition of penalties and costs. In all cases heard and determined by him, the city judge shall impose court costs in the amount of \$90.00. 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. Failure to appear: defendants who are designated to appear in court and fail to do so shall be imposed an additional court cost of \$20.00. Additionally, the state litigation tax is imposed and included in the \$90 court costs.

SECTION 2: Any Ordinance, Resolution, Motion or parts thereof in conflict herewith are hereby repealed and superseded. If any sentence, clause, phrase or paragraph of this Ordinance is declared to be unconstitutional by any Court of competent jurisdiction, such holding will not affect any other portion of this Ordinance.

SECTION 3: **BE IT FURTHER ORDAINED**, that this Ordinance shall take effect upon final passage and as provided by law.

PASSED ON FIRST READING: May 20, 2014

PASSED ON SECOND READING: June 17, 2014

DATE OF PUBLIC HEARING: June 17, 2014


R. HAL BUTTRAM, Mayor


MITCHELL B. MOORE, City Manager

APPROVED AS TO FORM:


H. CHRIS TREW, City Attorney