ORDINANCE NO. 11

AN ORDINANCE TO CREATE A RECORDER'S COURT OF THE CITY OF DUPONTONIA; TO PROVIDE FOR A JUDGE OR JUDGES FOR EACH COURT, AND THE QUALIFICATIONS AND TERM OF OFFICE OF SAME; TO DEFINE THE JURISDICTION OF SUCH COURT; TO AUTHORIZE THE ESTABLISHMENT OF A SCHEDULE OF VOLUNTARY FINES FOR VIOLATION OF LAWS AND ORDINANCES AND OF BAIL; TO PROVIDE FOR THE APPOINTMENT OF A POLICE OFFICER TO SERVE AS DESK SERGEANT; TO AUTHORIZE THE ESTABLISHMENT OF RULES FOR THE CONDUCT OF THE BUSINESS OF THE COURT AND DAYS AND TIMES FOR HEARINGS, WITH CONCURRENCE OF THE BOARD OF COMMISSIONERS; TO PROVIDE FOR APPEALS FROM JUDGMENTS OF THE RECORDER'S COURT AND TO AUTHORIZE A CONTRACTUAL ARRANGEMENT WITH DAVIDSON COUNTY FOR IMPRISONMENT OF CONVICTED PERSONS FAILING TO PAY FINES IMPOSED.

BE IT ORDAINED BY THE CITY OF DUPONTONIA AS FOLLOWS:

SECTION 1. There is hereby created a Court, to be known and designated as "The Recorder's Court of the City of Dupontonia".

SECTION 2. The City Recorder of the City of Dupontonia, who is appointed by the City Manager of the City of Dupontonia, with the concurrence of the Board of Commissioners, shall, as a part of his duties serve as Judge of the Recorder's Court of the City of Dupontonia. In the event of the temporary absence, incompetency, or inability to serve in any case, the City Manager shall designate any resident of the City of Dupontonia, over thirty (30) years of age, to act as Special Judge of the Recorder's Court of the City of Dupontonia, with all powers incidental to the office of City Recorder.

SECTION 3. The Judge of the Recorder's Court of the City of Dupontonia shall hear and determine all cases brought before him for violations of the ordinances of the City of Dupontoniaor for violations of such laws of the State of Tennessee as Recorders are, by law, authorized to hear and determine. He shall have power

and authority to impose fines, costs and forfeitures, and to punish by fine or imprisonment or both for violations of city ordinances; to preserve and enforce order in his Court; to enforce the collection of all such fines, costs and forfeitures imposed by him, and, in default of the payment, or of good and sufficient security given for the payment of any such fines, costs or forfeitures, he may imprison such offenders in any lawful place of confinement established by the Board of Commissioners of the City of Dupontonia; said fines, costs and forfeitures shall be fully paid, at the rate of one (1) day's imprisonment for each fifty (50) cents of such fines, costs, or forfeitures; provided that no such imprisonment shall exceed thirty (30) days for any one offense , and provided further that, no fine shall exceed Fifty ($50.00) Dollars for any one offense, and that fines may be paid in installments in such manner as may be provided by ordinance. The Judge of the Recorder's Court may remit, with or without condition, fines and costs imposed for violation of any ordinance or charter provision.

SECTION 6-2123. APPEARANCE BOND FOR ORDINANCE VIOLATIONS. Whenever any person is arrested for the violation of any city ordinance in the presence of a police officer and no warrant has been issued or served, he may execute an appearance bond in an amount not to exceed Fifty ($50.00) Dollars and file same with a police desk sergeant, or he may, in lieu of the execution of an appearance bond, deposit a sum not exceeding Fifty ($50.00) Dollars, with a police desk sergeant and be given a receipt for same, and on the appearance of such person before the city court at the time specified in said receipt such deposit shall be returned to him, but on the failure of such person to appear at the time specified the amount so deposited shall be forfeited to the municipality and he shall not be entitled to the return of any part thereof and it shall not be necessary to issue a scire facias; provided, however, that within two (2) days of the imposition of the forfeiture the city recorder shall have the power to set aside the conditional judgment imposing such forfeiture when it shall be made to appear that the failure of the accused to appear and defend his suit was due to no fault or negligence of the accused.