

ORDINANCE 2024-13

AN ORDINANCE TO AMEND TITLE 3, CHAPTER 2, SECTION 3-202 OF THE MUNICIPAL CODE OF THE CITY OF FRANKLIN TO ADOPT ELECTRONIC CITATION REGULATIONS AND FEES

WHEREAS, Tennessee Code Annotated, Section 55-10-207, as amended by Public Chapter 750 (2014), authorizes electronic citations to be filed in court, along with a fee of five dollars (\$5.00) to recover costs associated with both written and electronic citations; and

WHEREAS, Public Chapter 750 permits the local legislative body of any county or municipality, by majority vote, to authorize the county or municipal court clerk to collect such fees; and

WHEREAS, the Board of Mayor and Aldermen finds it to be in the best interest of the City to authorize the City of Franklin Municipal Court Clerk to collect the electronic citation fee.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, TENNESSEE, AS FOLLOWS:

Section I. Title 3, Chapter 2, Section 3-202, "Imposition of fines, penalties, and costs," of the Franklin Municipal Code is hereby repealed in its entirety and replaced with the following:

Sec. 3-202. - Imposition of fines, penalties, and costs; Electronic citation regulations and fees.

- (1) All fines, penalties and costs shall be imposed and recorded by the city judge or the city court clerk on the city court docket. In all cases heard or determined by him/her, the city judge shall tax in the bill as specified in appendix A, comprehensive fees and penalties. In all cases, whether heard or not, a fee as specified in appendix A, comprehensive fees and penalties shall be added and remitted to the state treasurer pursuant to Tennessee Code Annotated, § 16-18-303 for training and continuing education courses for municipal court judges and clerks, in addition to any other statutory fees required by law. In cases where driver's school is completed, the case shall be treated as heard and dismissed upon payment of all costs.
- (2) 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.
- (3) Pursuant to the statutory requirements found in Tennessee Code Annotated Section 55-10-207(e), the city court clerk shall charge and collect an electronic citation fee of five dollars (\$5.00) for each citation which results in a conviction.

Section II. Appendix A to the Franklin Municipal Code, Comprehensive Fees and Penalties, Chapter 3. – Municipal Court, is hereby amended by adding the following row to the end of the table:

Electronic Citation Fee	\$5.00
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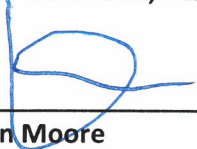
Section III. Pursuant to Tennessee Code Annotated Section 55-10-207(e)(4), the authority of the Municipal Court Clerk to collect electronic citation fees described above shall expire five (5) years from the date of passage of this Ordinance.

BE IT FINALLY ORDAINED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that this Ordinance shall take effect from and after its passage on second and final reading, the health safety, and welfare of the citizens of Franklin, Tennessee, requiring it.

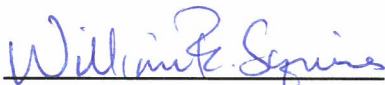
ATTEST:

CITY OF FRANKLIN, TENNESSEE:

By: 
Eric Stuckey
City Administrator

By: 
Dr. Ken Moore
Mayor

Approved as to Form:


William E. Squires
Assistant City Attorney

PASSED FIRST READING

4/19/24, 8-0

PASSED SECOND READING:

4/23/24, 7-0