

AN ORDINANCE AMENDING THE MAXIMUM AMOUNT OF FINES AND CITY COURT COSTS LEVIABLE

WHEREAS, T.C.A. §6-2-201(16) authorizes the collection of fines and forfeitures for breaches and violations of the City's ordinances; and

WHEREAS, the City of Mt. Carmel, Tennessee, has studied its present structure of fines and forfeitures in comparison to other municipalities in Hawkins County, Tennessee; and

WHEREAS, it appears the fines and forfeitures presently imposed are uniformly below the average of such other municipalities; and

WHEREAS, the volume of cases involving violation of the ordinances of the City has dramatically increased causing the expenditure of increasing amounts of time and paperwork for the Municipal Judge, City Recorder, and City police officers; and

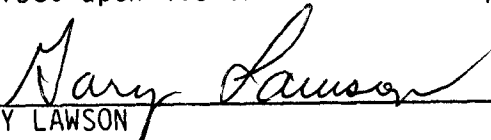
WHEREAS, T.C.A. §6-54-306 allows the setting of maximum penalties of thirty (30) days imprisonment or Fifty Dollars (\$50.00) fine or both for violation of municipal ordinances; and

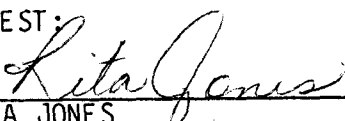
WHEREAS, T.C.A. §8-21-401 sets forth the schedule of commissions receivable by the City Court Clerk; and

WHEREAS, the City Charter gives the duties of City Court Clerk to the City Recorder;

NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE CITY OF MT. CARMEL, TENNESSEE, that in all charges involving the violation or alleged violation of a City ordinance that

1. The City Court Clerk charge those commissions allowed in T.C.A. §8-21-401;
2. The maximum fine or forfeiture be in accordance with T.C.A. §6-54-306;
3. This resolution shall take effect upon its third and final passage.


GARY LAWSON
Mayor

ATTEST:

RITA JONES
City Recorder

1st reading 9-22-88

2nd reading 10-27-88

3rd reading 11-17-88

SCHEDULE OF FINES

OFFENSE	KPT	CH	SUR	ROG	MTC	AVERAGE	MT. CARMEL EFFECTIVE 11/1/88
Improper Passing	\$	\$ 78.25	\$ 75.00	\$ 25.25	\$ 40.25	\$ 48.35	
No Accident	20.25						
Accident	30.25						
No Driver's License	55.25	50.00	83.00	25.25	50.25	95.45	
Public Drunkness	30.25	114.50	114.50	45.25	55.25	71.95	
Reckless Driving		78.25		55.25	55.25	65.40	
20-25 MPH over	45.25	(car)83.00					
over 25	55.25	(truck)93.00					
Speeding		35.25		35.25		44.00	
Up to 15 MPH	25.25	20-40(car)75.00		(car)35.25			
15-20 MPH over	35.25	20-40(truck)83.00		(truck)45.25			
Open Beer or Whiskey	55.25	78.25		35.25	55.25	56.00	
Stop Sign		25.25	75.00	25.25		61.80	
No Accident	20.25				30.25		
Accident	30.25				35.25		
Breach of Peace		75.50			55.25	65.38	
Failure to Yield (RofW)		35.25	75.00	25.25		38.70	
No Accident	20.25				30.25		
Accident	30.25				35.25		
Resisting Arrest	55.25	78.25		55.25	55.25	61.00	
Registration Law		37.50	75.00	25.25	45.25	45.75	
Muffler Law		37.50		25.25		31.38	
Failure to Stop for Blue Lights		78.25			55.25	66.75	
Assault City Officer		114.50			55.25	84.88	

<u>OFFENSE</u>	<u>KPT</u>	<u>CH</u>	<u>SUR</u>	<u>ROG</u>	<u>MTC</u>	<u>AVERAGE</u>	<u>MT. CARMEL EFFECTIVE 11/1/88</u>
Assault				55.25		55.25	
Failure to Appear With Jail Fee		20.25	86.00			49.38	
Without Jail Fee			71.00				
Excessive Noise	55.25	37.50		25.25		39.33	
No Lights or Light Law		35.25	75.00	25.25	20.25	38.94	
Following to Close		114.50	75.00		25.25	71.58	
Hit & Run				55.25		55.25	
One Way Street				25.25		25.25	
Destroying City Prop.		50.00 + replacement			55.25 + replacment	52.63	
Failure to Keep Proper Lookout		50.00			45.25	47.63	
Violation of a City Ordinance(Unless Specified)		75.50			35.25	55.38	
Expungement Fee			25.00			25.00	
Littering		78.25				78.25	
Loitering		50.00				50.00	
Going Armed	55.25				55.25 + weapon	55.25	
Trespassing					55.25	55.25	
Posting of Signs					30.25	30.25	

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Vio. of Dog Law	55.25					50.25	
1st Offense					35.25		
2nd Offense					55.25		
Gambling or Poss. of Gambl. Devices	55.25	114.50				84.88	
Illegal Parking	25.00	30.25				27.63	
Red Light Vio.		25.25				25.25	
No Accident	20.25						
Accident	30.25						
Seat Belt Law					30.25	30.25	
Zoning & Build. Vio.	55.25					55.25	
Disorderly Conduct (Indecent Exposure)	55.25					55.25	
Illegal Turn						25.25	
No Accident	20.25						
Accident	30.25						