

ORDINANCE NO. 13225

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE,
PART II, CHAPTER 12 TO ADOPT ELECTRONIC CITATION
REGULATIONS AND FEES.

WHEREAS, Tennessee Code Annotated, Section 55-10-27 was amended by 2014 Public Chapter 750, authorizing electronic citations to be filed in court, along with a fee to recover costs associated with both written and electronic citations;

NOW, THEREFORE,

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 12, Section 12-21 is hereby amended by adding a new subsection designated as subsection (b) as follows:

- (b) Electronic citation regulations and fees.
 - (i) As used in this subsection, “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.
 - (ii) Pursuant to and in accordance with state statutory requirements found in T.C.A. § 55-10-207(e), each court shall charge and collect an electronic citation fee of five dollars (\$5.00) for each citation which results in a conviction.
 - (iii) (1) The City Court Clerk shall charge and collect an electronic traffic citation fee of five dollars (\$5.00) for each traffic citation resulting in a conviction. Such fee shall be assessable as court costs and paid by the defendant for any offense cited in a traffic citation delivered that results in a plea of guilty or nolo contendere, or a judgment of guilty. This fee shall be in addition to all other fees, taxes and charges. One dollar (\$1.00) of such fee shall be retained by the City Court Clerk. The remaining four dollars (\$4.00) of the fee shall be transmitted monthly by the City Court Clerk to the law enforcement agency that prepared the traffic citation that resulted in a plea of guilty or nolo contendere, or a judgment of guilty.

(2) All funds derived from the electronic traffic citation fee that are transmitted to the law enforcement agency that prepared the traffic citation

pursuant to subdivision (b)(iii)(1) shall be accounted for in a special revenue fund of such law enforcement agency and may only be used for the following purposes:

- (A) Electronic citation system and program related expenditures; and
- (B) Related expenditures by such local law enforcement agency for technology, equipment, repairs, replacement and training to maintain electronic citation programs.

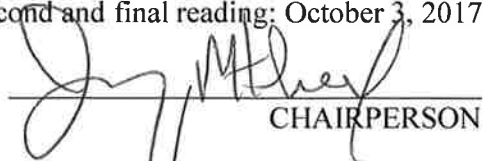
(3) All funds derived from the electronic citation fee set aside for the City Court Clerk pursuant to subdivision (b)(iii)(1) shall be used for computer hardware purchases, usual and necessary computer related expenses, or replacement. Such funds shall be preserved for those purposes and shall not revert to the general fund at the end of a budget year if unexpended.

SECTION 2. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 12, Section 12-21, present subsections (b), (c), and (d) be redesignated as subsections (c), (d), and (e) respectively.

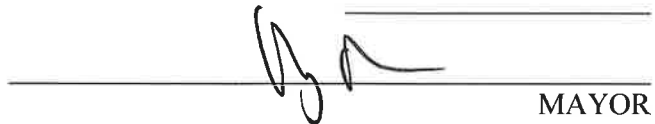
SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance and its electronic citation fee requirement shall terminate five (5) years from the date of adoption of this Ordinance and the Code shall be so annotated.

SECTION 4. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

Passed on second and final reading: October 3, 2017


CHAIRPERSON

APPROVED: DISAPPROVED:


MAYOR

KJR/r1