

TITLE 5

MUNICIPAL FINANCE AND TAXATION¹

CHAPTER

1. MISCELLANEOUS.
2. REAL AND PERSONAL PROPERTY TAXES.
3. PRIVILEGE TAXES.
4. WHOLESALE BEER TAX.
5. PURCHASING.

CHAPTER 1

MISCELLANEOUS

SECTION

- 5-101. Official depositories for town funds.
- 5-102. Fiscal year.
- 5-103. Checks issued by municipality.

5-101. Official depositories for town funds. The mayor and recorder/treasurer are hereby given the authority to deposit all municipal funds with any bank or savings institution designated as a qualified public depository guaranteeing public depositors against loss caused by default or insolvency (Ord. #2, Dec. 1975, as replaced by Ord. #2002-227, April 2002)

5-102. Fiscal year. The fiscal year of the municipality shall be computed and reckoned from the first day of July of each year. All annual reports relating to the municipality's finances, as well as those of any departments, officers, and agencies of the municipality, shall be made up to and including the thirtieth day of June each year. (Ord. #2, Dec. 1975, as replaced by Ord. #2002-227, April 2002)

5-103. Checks issued by municipality. All checks issued by the municipality shall be countersigned by the mayor or one of the aldermen during the absence of the mayor and signed by the recorder/treasurer or one of the aldermen during the absence of the recorder/treasurer before they shall be

¹Charter references

For specific charter provisions on depositories of municipal funds, see Tennessee Code Annotated, section 6-4-402.

payable at any bank in which deposits are kept by the municipality. (Ord. #2, Dec. 1975, as replaced by Ord. #2002-227, April 2002)

CHAPTER 2

REAL AND PERSONAL PROPERTY TAXES

SECTION

5-201. Real property taxes--when due and payable.

5-202. Real property taxes--when delinquent, penalty and interest.

5-201. Real property taxes--when due and payable.¹ Taxes levied by the municipality against real property shall become due and payable annually on the first Monday of October of the year for which levied. (Ord. #2, Dec. 1975, as replaced by Ord. #2002-227, April 2002)

¹State law references

Tennessee Code Annotated, sections 67-1-701, 67-1-702 and 67-1-801, read together, permit a municipality to collect its own property taxes if its charter authorizes it to do so, or to turn over the collection of its property taxes to the county trustee. Apparently, under those same provisions, if a municipality collects its own property taxes, tax due and delinquency dates are as prescribed by the charter; if the county trustee collects them, the tax due date is the first Monday in October, and the delinquency date is the following March 1.

5-202. Real property taxes--when delinquent, penalty and interest.¹ All real property taxes shall become delinquent on and after the first day of March next after they become due and payable and shall thereupon be subject to such penalty and interest as is authorized and prescribed by the state law for delinquent county real property taxes.² (Ord. #2, Dec. 1975, as replaced by Ord. #2002-227, April 2002)

¹Charter and state law reference

Tennessee Code Annotated, section 67-5-2010(b) provides that if the county trustee collects the municipality's property taxes, a penalty of 1/2 of 1% and interest of 1% shall be added on the first day of March, following the tax due date and on the first day of each succeeding month.

²Charter and state law references

A municipality has the option of collecting delinquent property taxes any one of three ways:

- (1) Under the provisions of its charter for the collection of delinquent property taxes.
- (2) Under Tennessee Code Annotated, sections 6-55-201--6-55-206.
- (3) By the county trustee under Tennessee Code Annotated, section 67-5-2005.

CHAPTER 3

PRIVILEGE TAXES¹

SECTION

5-301. Tax levied.

5-302. License required.

5-301. Tax levied. Except as otherwise specifically provided in this code, there is hereby levied on all vocations, occupations, and businesses declared by the general laws of the state to be privileges taxable by municipalities, an annual privilege tax in the maximum amount allowed by state laws. The taxes provided for in the state's "Business Tax Act" (Tennessee Code Annotated, title 67, chapter 58) are hereby expressly enacted, ordained, and levied on the businesses, business activities, vocations, and occupations carried on within the town at the rates and in the manner prescribed by the act.

5-302. License required. No person shall exercise any such privilege within the town without a currently effective privilege license, which shall be issued by the recorder to each applicant therefor upon the applicant's payment of the appropriate privilege tax.

¹Municipal code reference

Business, peddlers, solicitors: title 9.

CHAPTER 4

WHOLESALE BEER TAX

SECTION

5-401. Wholesale beer tax--to be collected.

5-401. Wholesale beer tax--to be collected. The recorder is hereby directed to take appropriate action to assure payment to the municipality of the wholesale beer tax levied by the "Wholesale Beer Tax Act," as set out in Tennessee Code Annotated, title 57, chapter 6.¹ (Ord. #2, Dec. 1975, as replaced by Ord. #2002-227, April 2002)

¹State law reference

Tennessee Code Annotated, title 57, chapter 6 provides for a tax of 17% on the sale of beer at wholesale. Every wholesaler is required to remit to each municipality the amount of the net tax on beer wholesale sales to retailers and other persons within the corporate limits of the municipality.

CHAPTER 5

PURCHASING

SECTION

5-501. Public advertisement and competitive bidding required for amounts exceeding \$10,000.

5-501. Public advertisement and competitive bidding required for amounts exceeding \$10,000. Public advertisement and competitive bidding shall be required for the purchase of all goods and services exceeding an amount of ten thousand dollars (\$10,000) except for those purchases specifically exempted from advertisement and competitive bidding by the Municipal Purchasing Act of 1983. (Ord. #1995-169, Aug. 1995, as replaced by Ord. #2011-287, March 2011)