

TITLE 5

MUNICIPAL FINANCE AND TAXATION

CHAPTER

1. REAL AND PERSONAL PROPERTY TAXES.
2. PRIVILEGE TAXES.
3. CARTA PRIVILEGE TAXES.
4. PURCHASING.

CHAPTER 1

REAL AND PERSONAL PROPERTY TAXES

SECTION

- 5-101. When due and payable.
 5-102. When delinquent--penalty and interest.
 5-103. Tax rate.

5-101. When due and payable.¹ Taxes levied by the town against real and personal property shall become due and payable annually to the Town of Lookout Mountain on the first day of October of the year for which levied. (1992 Code, § 6-101, modified)

¹Charter reference
 Article X.

State law reference

Tennessee Code Annotated, §§ 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.

5-102. 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 (1992 Code, § 6-102)

5-103. Tax rate. In accord with State of Tennessee requirements after a general reassessment of property by Hamilton County, it is hereby ordained that the ad valorem tax rate for all property located within the Town of Lookout Mountain, Tennessee be set by ordinance yearly and reflected on annual tax statements.³ (Ord. #150, Oct. 2009, modified)

¹Charter reference
Article X.

State law reference

Tennessee Code Annotated, § 67-1-801(c) provides that if the county trustee collects the municipality's property taxes, a penalty of one-half of one percent (0.5%) and interest of one percent (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 reference
Article X.

State law reference

A municipality has the option of collecting delinquent property taxes any one (1) of three (3) ways:

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

³These tax statements, and any amendments, may be obtained in the office of the town recorder.

CHAPTER 2

PRIVILEGE TAXES

SECTION

5-201. Tax levied.

5-202. License required.

5-201. 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 Act¹ 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. (1992 Code, § 6-201)

5-202. License required. No person shall exercise any such privilege within the town without a currently effective privilege license, which shall be issued by the clerk to each applicant therefor upon the applicant's payment of the appropriate privilege tax. (1992 Code, § 6-202)

¹State law reference

Tennessee Code Annotated, §§ 67-4-701, et seq.

CHAPTER 3

CARTA PRIVILEGE TAXES¹

SECTION

- 5-301. Intent and purpose.
- 5-302. Levy of tax.
- 5-303. Rate of tax.
- 5-304. Collection of tax.
- 5-305. Tax cumulative.
- 5-306. Supplemental to other laws.

5-301. Intent and purpose. It is the intent and purpose of this chapter to authorize the Town of Lookout Mountain to impose a tax on the sale of all tickets within the Town of Lookout Mountain for rides on the Incline Railway, collectible by CARTA at the time of issuance of the tickets, so as to insure and require that persons responsible for the need to provide additional municipal services share in the burdens by paying their fair share of the cost of new and expanded public services related to tourist traffic. (1992 Code, § 6-301)

5-302. Levy of tax. The sale of tickets within the Town of Lookout Mountain for rides on the Incline Railway is declared to be a privilege upon which a tax shall be due in an amount not to exceed the rate set forth in § 5-303. (1992 Code, § 6-302)

5-303. Rate of tax. For the exercise of the privilege described herein, there is imposed a tax on the charge for tickets for rides upon the Incline Railway not to exceed a percentage of the total charge for the ticket equal to the maximum permissible combined state and local option sales tax. The rate is initially set at seven and one-quarter percent (7.25%). (1992 Code, § 6-303)

5-304. Collection of tax. The tax imposed in this chapter shall be collected at the time of sale of the ticket and segregated as such. (1992 Code, § 6-304)

5-305. Tax cumulative. The imposition of this privilege tax on the sale of tickets within the Town of Lookout Mountain for rides on the Incline Railway

¹State law reference

Chapter 170 of the Private Acts of 1988 of the State of Tennessee.

is in addition to all other authority to impose taxes, fees, assessments, or other revenue raising measure of granted either by private acts of the State of Tennessee and the imposition of such tax, in addition to any other authorized tax, fees, assessments or charges shall not be deemed to constitute double taxation. (1992 Code, § 6-305)

5-306. Supplemental to other laws. The provisions of this chapter shall in no manner repeal, modify, or interfere with the authority granted by any other public or private law applicable to the Town of Lookout Mountain. This chapter shall be deemed to create an additional and alternative method for the Town of Lookout Mountain to impose and collect taxes for public purposes. (1992 Code, § 6-306)

CHAPTER 4**PURCHASING****SECTION**

5-401. Public advertisement and competitive bidding required.

5-402. Three quotations required.

5-401. Public advertisement and competitive bidding required.

Public advertisement and competitive bidding shall be required for the purchase of all goods and services exceeding an amount of twenty five thousand dollars (\$25,000.00) except for those purchases specifically exempted from advertisement and bidding by the Municipal Purchasing Law of 1983, *Tennessee Code Annotated* §§ 6-56-301, *et seq.* (Ord. #___, Feb. 2016, modified)

5-402. Three quotations required. Three (3) written quotations are required whenever possible for purchases costing less than the twenty-five thousand (\$25,000.00) bid threshold adopted for competitive bidding and public advertisement, but more than ten thousand dollars (\$10,000.00). (Ord. #___, Feb. 2016)