

TITLE 5

MUNICIPAL FINANCE AND TAXATION¹

CHAPTER

1. REAL PROPERTY TAXES.
2. PRIVILEGE TAXES.
3. WHOLESALE BEER TAX.
4. PURCHASING.

CHAPTER 1

REAL PROPERTY TAXES

SECTION

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

5-101. When due and payable.² Taxes levied by the city against real property shall become due and payable annually on the first day of December of the year for which levied. (1984 Code, § 6-201)

5-102. When delinquent--penalty and interest.³ All real property taxes shall become delinquent on and after the first day of March next after they

¹Charter references: §§ 19-22.

²State law references

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.

³Charter and state law reference

Tennessee Code Annotated, § 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.

become due and payable and shall thereupon be subject to such penalty and interest as established under a general law procedure, Tennessee Code Annotated, §§ 6-55-201--6-55-206.¹ (1984 Code, § 6-202)

¹Charter 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, §§ 6-55-201--6-55-206.
- (3) By the county trustee under Tennessee Code Annotated, § 67-5-2005.

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 city, 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, § 67-4-701, et seq.) are hereby expressly enacted, ordained, and levied on the businesses, business activities, vocations, and occupations carried on within the city at the rates and in the manner prescribed by the act. (1984 Code, § 6-301)

5-202. License required. No person shall exercise any such privilege within the city without a currently effective privilege license, which shall be issued by the recorder and treasurer to each applicant therefor upon the applicant's payment of the appropriate privilege tax. (1984 Code, § 6-302)

CHAPTER 3**WHOLESALE BEER TAX****SECTION**

5-301. To be collected.

5-301. To be collected. The recorder and treasurer is hereby directed to take appropriate action to assure payment to the city of the wholesale beer tax levied by the "Wholesale Beer Tax Act," as set out in Tennessee Code Annotated, title 57, chapter 6.¹ (1984 Code, § 6-401)

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 4

PURCHASING

SECTION

5-401. Advertisement and competitive bidding.

5-402. Requests for proposals.

5-401. Advertisement and competitive bidding. Pursuant to Tennessee Code Annotated, § 6-56-306, municipalities may increase the maximum purchase amount before public advertisement and competitive bidding are required; therefore the city increases the limit to ten thousand dollars (\$10,000). (Ord. #2000-04-02, April 2000)

5-402. Requests for proposals. (1) The City of Munford may issue requests for proposals and use competitive sealed proposals to purchase goods and services rather than competitive sealed bids after determining that the use of competitive sealed bids are not practicable or advantageous to the city.

(2) When there is more than one (1) solution to a purchasing issue and the competitive sealed proposals will assist in choosing the best solution.

(3) When there is no readily identifiable solution to a purchasing issue and the competitive sealed proposals will assist in identifying one (1) or more solutions.

(4) Guidelines for requests for proposals and competitive sealed proposals:

(a) Adequate public notice of each Request for Proposals shall be given in a similar manner to that provided for competitive sealed bids.

(b) Competitive sealed proposals shall be opened in a manner that avoids disclosure of contents to competing respondents during the negotiation. The proposals shall be available for public inspection upon request after the intent to award the contract to a particular respondent is announced.

(c) Each request for proposals shall state the relative importance of price and other evaluation factors.

(d) Discussions may be conducted for clarification to assure full understanding of, and responsiveness to, the proposal requirements with responsible respondents who submit proposals determined to be reasonably susceptible of being selected. These respondents shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals, and revisions may be permitted, after submission and before the intent to award to a particular respondent is announced, to obtain the best and final offers. In conducting discussions, municipal personnel may make no disclosure to

any respondent of any information derived from proposals submitted by competing respondents.

(e) The award shall be made to the responsible respondent whose proposal the governing body determines is the most advantageous to the municipality, taking into consideration the evaluation factors set out in the request for proposals. No other factor may be used in the evaluation. The municipality shall place in the contract file a statement containing the basis on which the award was made. (as added by Ord. #2017-07-03, Aug. 2017)