

TITLE 5

MUNICIPAL FINANCE AND TAXATION¹

CHAPTER

1. MISCELLANEOUS.
2. REAL PROPERTY TAXES.
3. PRIVILEGE TAXES.
4. WHOLESALE BEER TAX.
5. LITIGATION TAX.

CHAPTER 1

MISCELLANEOUS

SECTION

5-101. Official depository for town funds.

5-101. Official depository for town funds. The Bank of Hartsville of Hartsville, Tennessee, and Citizens Bank, Hartsville, Tennessee are hereby designated as the official depositories for all municipal funds. (1975 Code, § 6-101, modified)

¹Charter references

Delinquent taxes: art. IV, § 4.15.

Due dates: art. IV, § 4.14.

Property taxes: art. IV, § 4.12.

Tax levy: art. IV, § 4.13.

CHAPTER 2

REAL PROPERTY TAXES

SECTION

5-201. When due and payable.

5-202. When delinquent--penalty and interest.

5-201. 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. (1975 Code, § 6-201)

5-202. When delinquent--penalty and interest.² Property taxes shall become delinquent thirty (30) days after a due date, at which time a penalty of five percent (5%) shall be added and thereafter such taxes shall be subject to interest at the rate of one-half of one percent (1/2%) for each month or fraction thereof until paid.³ (1975 Code, § 6-202, modified)

¹State 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.

²Charter 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.

³Charter 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 3**PRIVILEGE TAXES****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, § 67-4-701, et seq.) are hereby expressly enacted, ordained, and levied on the businesses, business activities, vocations, and occupations carried on within the municipality at the rates and in the manner prescribed by the act. (1975 Code, § 6-301)

5-302. License required. No person shall exercise any such privilege within the municipality without a currently effective privilege license, which shall be issued by the clerk to each applicant therefor upon the applicant's compliance with all regulatory provisions in this code and payment of the appropriate privilege tax. (1975 Code, § 6-302)

CHAPTER 4**WHOLESALE BEER TAX****SECTION**

5-401. To be collected.

5-401. To be collected. The clerk 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 (1975 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 5

LITIGATION TAX

SECTION

5-501. Tax levied.

5-502. Tax to be paid to recorder.

5-501. Tax levied. Effective on the first day of the month following the passage of this ordinance,¹ the city litigation taxes in effect in the Town of Hartsville City Court shall be as follows:

On cases in city court there is hereby levied a city litigation tax to match the state litigation tax of thirteen dollars and seventy five cents (\$13.75). (as added by Ord. #1-95, § 1, May 1995)

5-502. Tax to be paid to recorder. The privilege taxes levied pursuant to this ordinance shall be paid to the city recorder monthly to be used for any municipal purpose. (as added by Ord. #1-95, § 2, May 1995)

¹These provisions were taken from Ordinance No. 1-95, which passed final reading May 1, 1995.