



RESOLUTION 2012-13
AMENDED RESOLUTION TO CALL A REFERENDUM ON THE QUESTION OF
WHETHER A COUNTY-WIDE MOTOR VEHICLE TAX SHOULD BE
LEVIED FOR BRADLEY COUNTY

WHEREAS, Tennessee Code Annotated, Section 5-8-102, authorizes counties to levy and have approved by a majority of the number of qualified voters of the county voting in an election on the question of whether or not the tax should be levied, a motor vehicle privilege tax as a condition precedent to the operation of a motor vehicle within a county; and,

WHEREAS, the need for new revenue sources is great in Bradley County;

NOW, THEREFORE BE IT RESOLVED, by the Bradley County Legislative Body:

SECTION 1. For the privilege of using the public roads and highways, in Bradley County, Tennessee, there is levied upon motor-driven vehicles including motorcycles, and upon the privilege of the operation thereof, except motor-driven bicycles and scooters, farm tractors, self-propelled farm machines not usually used for operation upon public highways or roads, motor-driven vehicles owned by any governmental agency or governmental instrumentality and except for other exemptions provided by general law, a special privilege tax for the benefit of such county, which tax shall be in the amount of thirty-two dollars (\$32) for each such motor-driven vehicle and sixteen dollars (\$16) for motorcycles, the owner of which resides within said county.

SECTION 2. The tax herein levied shall be paid to and collected by the County Clerk of Bradley County, who is authorized by Tennessee Code Annotated, Section 67-4-103, to collect such privilege taxes. The County Clerk shall collect this tax at the same time he or she collects the state privilege tax levied upon the operation of a motor-driven vehicle over the public highways of this State. The County Clerk shall deduct a fee of five percent (5%) as authorized in Tennessee Code Annotated, Section 8-21-701(55), from the amount of taxes collected and paid over to the Trustee.

SECTION 3. Payment of the privilege tax imposed hereunder shall be evidenced by a receipt, issued in duplicate by the County Clerk, the original of which shall be kept by the owner of the motor-driven vehicle. No separate decal shall be required to evidence payment of the privilege tax imposed hereunder.

SECTION 4. The privilege tax or wheel tax herein levied, when paid together with full, complete and explicit performance of and compliance with all provisions of the Resolutions, by the owner, shall entitle the owner of the motor-driven vehicle for which said tax was paid on, to operate or allow to be operated his vehicle over the streets, roads, and highways of the county for a period of one year, which will run concurrently with the period established for the state registration fees by Tennessee Code Annotated, Section 55-4-104.

SECTION 5. All of the proceeds of this tax shall be deposited in the Debt Service Fund, for principal,

interest, and fees on education capital projects.

SECTION 6. This Resolution shall have no effect unless it is approved by a majority of the number of qualified voters of Bradley County, Tennessee, voting in an election on the question of whether or not the tax should be approved. The county election commission, upon passage of this Resolution, shall call an election on the question of whether or not the wheel tax should be levied to be held in the general election in August of 2012, with the ballots having printed on them the substance of this Resolution. The voters shall vote for or against the approval of this Resolution and the result of such referendum certified by the county election commission to the county legislative body. The cost of the election, if any, shall be paid by Bradley County.

SECTION 7. For the purpose of approving or rejecting the provisions of this Resolution, it shall be effective upon being approved by a majority of the members of the Bradley County Legislative Body, the public welfare requiring it. For the purpose of collection of the tax herein levied, such collection shall begin on January 1, 2013. For all other purposes, this Resolution shall take effect upon approval as provided in Section 7.

Adopted this 5th day of March, 2012.

Louie Alford, Chairman

Donna A. Simpson, County Clerk

APPROVE/VETO:

D. Gary Davis, County Mayor