

ORDINANCE NO. _____

AN ORDINANCE TO ALLOW FOR THE PARTIAL PAYMENT OF REAL PROPERTY TAXES

WHEREAS, The Public Chapter No. 660 of the 2010 Public Acts authorizes any municipality that collects its own property taxes to accept partial payments of local real property taxes; and

WHEREAS, _____ (governing body) of _____ the City of _____ believe that such a program is in the best interests of the City; and

NOW THEREFORE, BE IT ORDAINED BY THE _____, OF THE CITY OF _____, THAT:

Section 1. Title 5, Chapter 2, Real and Personal Property Taxes, shall be amended to include the following as a new subsection 5-203:

5-203; Partial Payments

(1) The City shall accept partial payments of annual real property taxes beginning on the first Monday of October 20___. **[Unless another due date is prescribed by the charter; where it is, enter that date]**. Notwithstanding the following schedule, the entire amount of taxes due must be paid in full prior to the first day of March. **[Unless another delinquency date is prescribed by the charter; where it is, enter that date]**.

(2) Partial payments will be accepted according to the following Schedule:

[Include a proposed Schedule of payments here. State law is silent as to allowable schedules. A City should only allow for partial payments in increments which are feasible to collect considering personnel and software resources. Increments of no more than four (4) payments are recommended.]

(3) Notwithstanding the schedule in subsection (2), no penalties, fines, interest or other fees shall be assessed against the taxpayer except as provided by Section 5-202.

(4) Prior to the final reading of this ordinance, the Recorder shall transmit to the State Comptroller of the Treasury a copy of this ordinance, which shall serve as the plan required by T.C.A. § 6-56-152 (b) ¹. To fulfill the requirements of that Section, the City hereby declares that:

¹ State law reference

Tennessee Code Annotated Section 6-56-152 permits a municipality that collects its own property taxes to, via ordinance, accept partial payment of property taxes upon filing a plan for such with the Comptroller of the Treasury. The plan must indicate that the municipality has the appropriate accounting system technology. The plan must also indicate whether the program will be implemented within existing resources or indicate prior approval

- (a) The City has the appropriate accounting technology to implement this program; and,
- (b) The City can implement this program within existing resources. **[A city who cannot implement this program within existing resources should instead indicate that prior approval of the governing body for additional resources is needed.]**

[A city who implemented a partial payment program prior to March 29, 2010 is not required to file a plan pursuant to subsection (4) and may omit that subsection entirely]

Section 2. This ordinance shall take effect from and after its final passage, the public welfare requiring it.

Passed 1st reading, _____, 20__.

Passed 2nd reading, _____, 20__.

Mayor

Recorder

of the governing body if additional resources are needed. This plan is not required for a city that has implemented a partial payment program prior to March 29, 2010.