

AUTHORIZATION OF CAPITOL OUTLAY NOTES
FOR HIGHWAY CONSTRUCTION:

Commissioner James H. Bell moved to amend the Budget to exceed: In the official copy of the budget page 19, new line item - 36810 increase thaton estimated revenue \$200,000.00. Page 21, purposed expenditures line item 43886 \$2000,000.00. Motion seconded by Commissioner Earl Wright to amend the official budget to authorize the Highway Department to spend this money that has been authorized.

Upon being put to a roll call vote motion carried unanimously.

RESOLUTION NO. 1979-20RESOLUTION TO LEVY A COUNTY-WIDE
MOTOR VEHICLE TAX

WHEREAS, Tennessee Code Annotated, Section 50802, authorizes counties to levy 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 Weakley County.

NOW, THEREFORE BE IT RESOLVED, by the Weakley County Board of County Commissioners that:

SECTION 1. For the privilege of using the public roads and highway, except state-maintained roads, in Weakley County, Tennessee, there is levied upon motor-driven vehicles, (including motorcycles and motor-driven bicycles and scooters), and upon the privilege of the operation thereof, except farm tractors, self-propelled farm machines not usually used for operation upon public highways or roads, and except all motor-driven vehicles owned by any governmental agency or governmental instrumentality, a special privilege tax for the benefit of such county, which tax shall be in the amount of Dollars (\$.00) for each such motor-driven (and Dollars (\$.00) for each such motorcycles, or motor-driven bicycles and scooter).

This tax applies to, is a levy upon, and shall be paid on each motor-driven vehicle, the owners of which lives within, or usually stays within, or who operates such a motor-driven vehicle, on, over, or upon the streets, roads, or highways of said county, state-maintained roads excluded, for a period of as many as thirty (30) days, during any year hereafter.

SECTION 2. The tax herein levied shall be paid to and collected by the County Clerk of Weakley County, who shall collect this tax at the same time he collects the state privilege tax levied upon the operation of a motor-driven vehicle over the public highways of this State.

SECTION 3. Payment of the privilege tax imposed hereunder shall be evidenced by a receipt, issued in duplicate by the Clerk, the original of which shall be kept by the owner of the motor-driven vehicle, and by a decal or emblem also issued by the Clerk, which shall be displayed by affixing the same on and to the lower right-hand side of the windshield of the motor-driven vehicle for which the same was issued. (Provided, however, that the privilege tax decal for motorcycles, motor-driven bicycles and scooters shall be placed on the top portion of the gasoline tank, but if such tank is not visible then the decal shall be placed on any prominent and visible portion of said vehicle).

SECTION 4. The design of the decal or emblem shall be determined by the County Clerk; provided, however, that the decal or emblem for motorcycles, motor-driven bicycles and scooters shall be of different color than the decal or emblem issued for other motor-driven vehicles). The expense incident to the purchase of such decal and emblems herein required, as well as the expense of obtaining proper receipts and other records necessary for the performance of the duties herein incumbent upon the clerk shall be paid from the General Fund of the county.

SECTION 5. The privilege tax or wheel tax herein levied, when paid together with full, complete, and explicit performance of and compliance with all provisions of this resolution, by the owner, shall entitle the owner of the motor-driven vehicle for which said tax was paid and on which the decal or emblem has been affixed as herein provided, 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 privilege tax by Section 59-404 of the Tennessee Code.

In the event the wheel tax decal is sold by the clerk for a period of more or less than a calendar year, the fee imposed shall be proportionate to the annual fee fixed for the vehicle and modified in no other manner, except that the proportional fee shall be rounded off to the nearest quarter of a dollar.

SECTION 6. In the event any motor-driven vehicle for which the wheel tax has been paid and the emblem or decal issued and placed thereon, becomes unable or is destroyed or damaged to the extent that it can no longer be operated over the public roads, streets or highways of said county; or in the event that the owner transfers the title to such vehicle, and completely removes therefrom and destroys the decal or emblem issued for and placed thereon, and the owner makes proper application to the Clerk for the issuance of a duplicate decal or emblem to be used by him on another vehicle for the unexpired term for which the original decal or emblem was issued, and the Clerk is satisfied that the applicant is entitled to the issuance of such a duplicate decal or emblem, and the owner pays into the hands of the Clerk the sum of Cents (\$ 0) the Clerk will then issue to such owner a duplicate receipt, cancelling the original receipt delivered to him by the owner, and will deliver to the owner a duplicate decal or emblem, which shall be affixed to the motor-driven vehicle

RESOLUTION NO. 20 CONTINUED:

for which it is issued, as herein provided, and such duplicate decal or emblem shall entitle the owner to operate or allow to be operated the vehicle upon the streets, roads, and highways of said county for the remainder of the period for which the original decal or emblem was issued. Likewise, in the event a decal or emblem becomes obliterated, erased, or defaced, or is destroyed under the provisions of this Resolution, and is therefore illegible and unusable by the owner, upon proper application made by the owner, and filed with the Clerk, showing such circumstances and facts to be true, than the Clerk, upon receipt from the owner of _____ Cents (\$ _____ 0) may issue and deliver to the owner, a duplicate decal or emblem.

SECTION 7. This Resolution shall have no effect unless it is approved by a majority of the number of qualified voters of Weakley County voting in an election on the question of whether or not the tax should be approved. The county election commission is hereby directed to call a special election for the purpose of approving or rejecting the tax levy contained in this resolution, and to hold the election during the time required by Section 2-310 of Tennessee Code Annotated. The county election commissionis hereby directed to place the question on the ballot.

The ballots used in the election shall have printed on them the substance of this Resolution and voters shall vote for or against its approval. The votes cast on the question shall be canvassed and the results proclaimed by the county election commissioners and certified by them to the Secretary of State as provided by law in the case of general elections. The qualifications of voters voting on the question shall be the same as those required for participation in general elections. All laws applicable to general elections shall apply to the determination of the approval or rejection of this Resolution. The cost of the election shall be paid by Weakley County.

SECTION 8. 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 Board of County Commissioners of Weakley County, the public welfare requiring it. For all other purposes, this Resolution shall take effect upon approval as provided in Section 7.

SECTION 9. Should this resolution be approved by the Board of County Commissioners, the Clerk is directed to immediately send a copy of this resolution to the Weakley County Election Commission.

Pursuant to the rules of the Board of Commissioners, the foregoing and hereto attached Resolution is sponsored by the following Commissioners:

/S/ Jack Dunning

/S/ George Broussard

APPROVED:

/S/ James Porter

CHAIRMAN, HIGHWAY COMMITTEE

APPROVED FOR FUND AVAILABILITY:

CHAIRMAN, FINANCE COMMITTEE

This the 5th day of March, 1979.

APPROVED:

/S/ James H. Westbrook, Jr.
JAMES H. WESTBROOK, JR.
 CHAIRMAN PRO TEMPORE

ATTESTED TO:

/S/ James T. Omer
JAMES T. OMER, COUNTY CLERK

There being no further business this meeting was adjourned: