

## ORDINANCE LEVYING TAX ON GROSS RECEIPTS DERIVED FROM RETAIL SHORT-TERM LEASES OR RENTAL OF MOTOR VEHICLES

WHEREAS, the North Carolina General Assembly has ratified Senate Bill 1076, signed into law as Session Law 2000-2 (S.L. 2000-2) and effective for taxable years beginning on or after July 1, 2000; and

WHEREAS, this Act repealed the property tax on certain vehicles leased or rented under retail short-term leases or rentals and through N.C.G.S. 153A-156 authorized counties to replace the lost tax revenue through enactment of a local tax on gross receipts derived from retail short-term leases or rentals.

NOW, THEREFORE BE IT RESOLVED, by the Pitt County Board of Commissioners that the following Ordinance is enacted:

### **Section 1. Tax on Gross Receipts Derived from Retail Short-Term Motor Vehicle Leases or Rentals**

The County of Pitt hereby imposes and levies a tax of one and one half percent (1½%) of the gross receipts from the short-term lease or rental of vehicles at retail to the general public, as defined by N.C.G.S. 105-187.1.

### **Section 2. Administration**

The County will administer and collect from operators of leasing and rental establishments the taxes levied hereby and the County may promulgate additional rules and regulations necessary for implementation of the taxes according to Chapter 105 of N.C.G.S.

### **Section 3. Payment of Taxes and Filing Returns**

The taxes levied hereby are due and payable to the County in monthly installments on or before the fifteenth (15<sup>th</sup>) day of the month following the month in which the tax accrues. Every taxable establishment required to collect the tax shall, on or before the fifteenth (15<sup>th</sup>) day of each month, prepare and render a return with payment of the taxes to the County. Report must be filed each month even though no taxes are due. The County shall design, print, and furnish to all taxable establishments the necessary forms for filing returns and instructions to insure full compliance and collection of the tax. A return filed for this purpose is not a public record as defined by Section 132-1 of the North Carolina General Statutes and may not be disclosed except as required by law.

### **Section 4. Penalties**

In case of failure or refusal to file a return or pay the tax for a period of thirty (30) days after the time required for filing the return or paying the tax, there shall be added additional taxes, as penalties as set out in N.C.G.S. 105-236.

- A. Five percent (5%) of the tax due, for failure to file a return when due; an additional tax of five percent (5%) for each additional month or fraction thereof that the tax is not paid, until the tax is paid in full; and
- B. Ten percent (10%) of the tax due, for failure to pay the tax when due.

These tax penalties are in addition to the enforcement remedies of levy and attachment and garnishment or any other remedies provided by North Carolina law.

The County Board of Commissioners for good cause shown, may compromise or forgive any penalty or additional tax imposed hereunder. The reasons for the reduction or waiver must be stated in the Board minutes.

**Section 5. Misdemeanor for Willful Violation**

Any person, firm, corporation or association who willfully attempts in any manner to evade a tax imposed herein or who willfully fails to pay the tax or make and file a return, shall, in addition to the penalties provided by law and herein, be guilty of a misdemeanor punishable as provided by law.

**Section 6. Effective Date**

The tax levied herein shall become effective July 1, 2000.

Duly adopted this the 5th day of June, 2000.