

**ORDINANCE AMENDING CHAPTER 18 “FINANCE AND TAXATION” OF
THE CHRISTIANSBURG TOWN CODE IN REGARDS TO PROVISION OF A
ONE-TIME REDUCTION IN PENALTY AND INTEREST OF TRANSIENT LODGING
TAX AND MEALS TAX FOR CUSTOMERS IN GOOD STANDING
AND PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the Council of Town of Christiansburg, Virginia has considered amendments to Chapter 18 “Finance and Taxation” of the Christiansburg Town Code in regards to the provision of a one-time reduction in penalty and interest on transient lodging tax and meals tax for customers in good standing; and,

WHEREAS, the Town desires to provide a one-time reduction of penalty and interest of transient lodging tax and meals tax for customers in good standing; and,

WHEREAS, Code of Virginia § 58.1-3916 authorizes the Town to establish rates for penalties and interest on delinquent taxes owed to the Town;

NOW THEREFORE, BE IT HEREBY ORDAINED by the Council of the Town of Christiansburg that Chapter 18, “Finance and Taxation” is hereby amended and reenacted as follows:

Chapter 18 – FINANCE AND TAXATION

ARTICLE VII. TRANSIENT LODGING TAX.

Sec. 18-204. Penalty and interest for nonremittance.

- (a) If any person shall fail or refuse to report and remit to the treasurer the tax required to be collected and paid under this article within the time and in the amount as provided for in this article, there shall be added to such tax by the treasurer a penalty in the amount of ten percent thereof and interest thereon at the rate of ten percent per annum, which shall be computed upon the tax and penalty from the date such taxes were due and payable. **Upon written request, the treasurer may reduce the rate of penalty and interest to zero percent for customers who (a) do not have any past due accounts or bills with the town, and (b) have gone 12 consecutive months with no delinquent payments to the town, provided such reduction shall continue for no more than one month.**
- (b) Any failure to timely file and pay the transient lodging tax when due shall constitute a Class 1 misdemeanor.

ARTICLE VIII. MEALS TAX

Sec. 18-233. Penalty and interest.

- (a) If any person whose duty it is to do so shall fail or refuse to make the report required by this article within the time required, there shall be added to the tax by the treasurer a penalty in the amount of ten percent of the tax, or \$10.00, whichever is greater; provided, however, that the penalty shall, in no case, exceed the amount of the tax assessable.

- (b) In the case of delinquent remittance of meals tax a penalty shall be imposed of ten percent for the first month the taxes are past due, and five percent for each month thereafter, up to a maximum of 25 percent of the taxes collected but not remitted; or \$10.00, whichever is greater, provided, however, that the penalty shall, in no case, exceed the amount of the tax assessable.
- (c) The assessment of such penalty shall not be deemed a defense to any criminal prosecution for failing to make the report required by this article. Penalty for failure to file the report may be assessed on the day after such report is due; penalty for failure to pay any tax may be assessed on the day after the first installment is due. Any such penalty, when so assessed, shall become a part of the tax.
- (d) Interest shall also be imposed upon the delinquent tax and penalty at a rate of ten percent per annum and computed from the date such were due and payable.
- (e) **Upon written request, the treasurer may reduce the rate of penalty and interest to zero percent for customers who (a) do not have any past due accounts or bills with the town, and (b) have gone 12 consecutive months with no delinquent payments to the town, provided such reduction shall continue for no more than one month.**

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This ordinance shall take effect on July 1, 2020. If any part of this ordinance is deemed unlawful by a court of competent jurisdiction all remaining parts shall be deemed valid. Ordinances or parts of any ordinances of the Town whose provisions are in conflict herewith are hereby repealed.

Upon a call for an aye and nay vote on the foregoing ordinance at a regular meeting of the Council of the Town of Christiansburg, Virginia held August 25, 2020, the members of the Council of the Town of Christiansburg, Virginia, present throughout all deliberations on the foregoing and voting or abstaining, stood as indicated opposite their names as follows:


	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mayor D. Michael Barber*				
Samuel M. Bishop	X			
Johana Hicks	X			
Steve Huppert	X			
Merissa Sachs	X			
Henry D. Showalter	X			
Bradford J. Stipes	X			

*Votes only in the event of a tie vote by Council.

SEAL:



 Michele M. Stipes, Town Clerk



 D. Michael Barber, Mayor