CITY OF GRAND RIVERS, KENTUCKY **ORDINANCE NO. 02-2022**

OCCUPATIONAL LICENSE TAX

LICENSE REQUIREMENT THROUGH THE PAPYMENT OF A PAYROLL TAX BY EMPLOYEES. AN ORDINANCE RELATING TO IMPOSITION AND ADMINISTRATION OF AN OCCUPATIONAL

WHEREAS, the Grand Rivers City Council desires to comply with the requirements of KRS 67-750 to 67.790,

BE IT ORDAINED by the city council of the City of Grand Rivers, Kentucky as follows:

Ordinance No. 02-2022 is hereby enacted and shall read in full as follows:

Sections

- Definitions
- Payroll Tax
- Information to Remain Confidential
- Penalties
- $\leq \leq \leq \leq \equiv$ Use of Payroll Tax
 - Severability
- Effective Date

DEFINITIONS

- charitable purposes. associations organized and operated for the exclusive and sole purpose of religious or conducted. trust, professional service organization, or other legal entity through which business is liability partnership, sole proprietorship, association, joint stock company, receivership, business development corporation, partnership, limited partnership, registered I imited "Business entity" means each separate corporation, limited liability company, "Business entity" shall not include funds, foundations, corporations, or
- 2. "City" means the City of Grand Rivers, Kentucky
- ω which are required to be reported for federal income tax purposes and adjusted as remuneration paid or payable by an employer for services performed by an employee "Compensation" means wages, salaries, commissions, or any other form of
- (a) 403(a), 403 (b), 408, 414(h), or 458 of the Internal Revenue Code; and not limited to, salary reduction arrangements under Section 401(a), 401 (k), 402 (e), purposed under a salary reduction agreement or similar arrangement, including but sharing, or deferred compensation plan, which are deferred for federal income tax Include any amounts contributed by an employee to any to any retirement, profit
- **(b)** Internal Revenue Code Internal Revenue Cde, including but not limited to, Sections 125 and 132 of the which permits employees to elect to reduce federal taxable compensation under the benefit, or other benefit plan made by salary reduction or other payment method Include any amounts contributed by an employee to any welfare benefit, fringe
- 4 any agency or instrumentality of any one (1) or more of the above. A person classified entity for compensation, including an officer of a corporation and any officer, employee, or elected official of the United States, a state, or any political subdivision of a state, or *Employee* means any person who renders services to another person or business"

an employee. as an independent contractor under the Internal Revenue Code shall not be considered

- Ċυ service, of whatever nature, as the employee of such person or entity. "Employer" means any person or entity for which an individual perfors or performed any
- èυ computed. "Taxable year" means the calendar year upon the basis of which gross receipts is

II. PAYROLL TAX

PAYROLL TAX REQUIRED

rendered in the city by an employee. compensation paid or payable in the city for work done or services performed or The payroll tax shall be measured by one percent (1%) of all wages and

2. EMPLOYER TO WITHHOLD

withhold upon the payment of the compensation the payroll tax required by this tax required pursuant to this ordinance, the employee shall pay over to the city in ordinance. Amounts withheld shall be paid to the city in accordance with subsection accordance with subsection (3.) immediately below the payroll tax due (3.) immediately below. If an employee's employer does not withhold the payroll Every employer making payments of compensation to an employee shall deduct and

3. RETURNS REQUIRED

ordinance shall submit a payroll tax return on a quarterly basis. Every employer required to deduct and withhold payroll tax pursuant to this

- 4 LIABILITY OF EMPLOYER FOR FAILURE TO WITHHOLD OR PAY PAYROLL TAX
- ₽ individually liable to the city for any sum not withheld or required to be required by this ordinance to be withheld and paid shall be personally and Every employer who fails to withhold or pay to the city any sums of payroll tax
- œ commence at the time the liability of the employer is assessed by the city. required to be paid to the city. If the employer fails to withhold, the lien shall withheld, the lien shall commence as of the date the amounts withheld were ordinance. If the employer withholds but fails to pay to the city the amounts withhold or pay over to the city sums required to be withheld under this The city shall have a lien upon all the property of any employer who fails to

5. REPORTING REQUIREMENTS

- \triangleright detailed employee listing indicating the amount of compensation paid to each ordinance shall annually, on or before February 28 of each year, submit a Every employer required to deduct and withhold payroll tax pursuant to this
- w from the employee's compensation and paid to the city for the preceding 31 of each year showing the amount of payroll tax deducted by the employer Every employer shall furnish each employee a statement on or before January

III. INFORMATION TO REMAIN CONFIDENTIAL

required to be filed with the city, or any information produced by a hearing or of any person, or information regarding the tax schedules, returns, or reports authorization inspect or divulge any information acquired by him or her of the affairs No present or former employee of the city shall intentionally and without

of the tax laws, or in any way made a matter of public record, nor does it preclude information respecting his or her own return. Further, this prohibition does not furnishing any taxpayer or the taxpayer's properly authorized agent with investigation, insofar as the information may have to do with the affairs of the tax law or in any action challenging a city tax law. as evidence returns or reports filed with the city, in an action for violation of a city prosecutions for making false reports or returns for taxation, or any other infraction person's business. This prohibition does not extend to information required in preclude any employee of the city from testifying in any court, or from introducing

IV. PENALTIES

- ٠ Any business entity that fails to file a business license tax return or pay the pursuant to this subsection shall not be less than twenty-five dollars (\$25.00). fiver percent (5%) of the business license tax due. The total penalty levied required business license tax by April 15 shall be subject to a penalty equal to
- 2. twenty-five dollars (\$25.00). If an employer does not withhold payroll tax due pursuant to this ordinance, and the employee is therefore responsible for to five percent (5%) of the payroll tax due for each delinquent's quarterly period. before the quarterly due dates shall be subject to a penalty in an amount equal described herein. payment of the payroll tax, the employee shall be subject to the penalty The total penalty levied pursuant to this subsection shall not be less than Every employer who fails to file a payroll tax return or pay the payroll tax on or
- ώ percent (12%) per annum simple interest shall accrue on any delinquent business In addition to the penalties prescribed in this section, an amount equal to twelve license tax or payroll tax. A fraction of a month is counted as an entire month.
- 4 incurred by the city in enforcing any provision of this ordinance. The city shall be entitled to recover all costs and reasonable attorney's fees
- 5 employment with the city shall be immediately terminated. longer than six (6) months, or both. If such violator is a city employee, such shall be fined not more than five hundred dollars (\$500.00) or imprisoned for not intentional inspection of confidential taxpayer information without authorization Any person who violated the provisions of section (V.) of this ordinance by
- 9 immediately terminated. both. If such violator is a city employee, such employment with the city shall be thousand dollars (\$1,000.00) or imprisoned for not longer than one (1) year, or divulging confidential taxpayer information shall be fined not more than one Any person who violates the provisions of section (V.) of this ordinance by

V. USE OF PAYROLL TAX

to the credit of the City's general revenue fund. All money derived from the payroll taxes herein shall be paid to the City and placed

VI. SEVERABILITY

independently of the rest. provision, section, paragraph, sentence, and part hereof separately and remainder of this ordinance, it being the legislative intent to ordain and enact each unconstitutional or invalid for any reason, such holding shall not affect or impair the thereof to any person, licensee, class or group is held by a court of law to be if any provision, section, paragraph, sentence or part thereof, or the application Each section and each provision of each section of this ordinance are severable, and

VII. EFFECTIVE DATE

This ordinance shall be effective immediately upon its publication.

Date of First Reading:

November 8, 2022

Date of Second Reading:

December 13, 2022

Tom Moodie, Mayor

Attest:

Gayla J Smith, City Clerk

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6/10/2024

Rivers Kentucky. To all Business Owners and Contractors operating in Livingston County and the City Limits of Grand

Grand Rivers Kentucky. Any person or business earning income within the County, or the City shall be registered and assigned a County and a City Occupational Account number. It has come to our attention that you are earning income in Livingston Co. And in the City Limits of

to Grand Rivers City Hall as soon as possible. You may mail the application back to City of Grand Rivers po box 265 Grand Rivers Kentucky 42045 or you may email it to <mark>clerk@grandriverswireless.com</mark> . City of Grand Rivers Occupational License. Please fill this application out in its entirety and remit it back Anyone or business must complete an application for the Livingston County Occupational License and a

Administrator at PO Box 48, 321 Court Street, Smithland Kentucky 42081 of call 270-928-3361 For reporting to Livingston County Occupational tax please contact Kayla Curry Occupational tax

Thank You for your cooperation;

Sincerely;

Mayor, Tom Moodie

City of Grand Rivers Kentucky

270-362-8272

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CITY OF GRAND RIVERS		(A							4							1					
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Name of Business Reporting	Marinas LLC	Resort	Settlement	T Lawsons Grill	Groceries	& Grill	lnn	Cabin Pizza	Bows & Cleats	Service	Lakes B&B	Dream	Boutique	Cabin rental	First KY Bank		Rivers	Antiques	Wave	playhouse	
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FOURTH QUARTER REPORTING,	-		_	-		-			-			-		-			-				
October, November & December (2023)	-	-		-		_			-	-		-	-	_	_	-		_			
October, November & December (2023)	-						-					_				-	-			-	
Name of Business Reporting	Green Turtle Bay Grove Point Marinas LLC	Lighthouse Landing Marina Resort	Patties 1880 Settlement	T Lawsons Grill		LBL Tap House & Grill	Grand Rivers	Cabin Pizza	Bows & Cleats	US Postal Service	Rose of The Lakes B&B	Craigs Dairy Dream	Sara Jayne Boutique	The Out Post Cabin rental	First KY Bank	Liteside Bakery	City of Grand Rivers	Grand Rivers Antiques	Wooden Wave	Minihan Productions Badgett playhouse	
Total Earnings paid all Employees																					
Wages earned outside City limits																					
Taxable earnings (Line #1 - Line #2)																					
Withholding Amount due (Line #3 Multiples by 1.0%)																					
Penalty, (5% of the total due for each calendar month																					
that tax's are delinquent) MINIMUM PENALTY \$25.00																					
Interest (12% per-unnum, 1% per month or partical month)																					
TOTAL (Add lines 4, 5 & 6)	\$.	\$ -	\$ -	\$.	s .	\$ -	\$ -	\$ -	5 -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$.	\$ -	\$ -	5 -	\$ -	
																	QUARTERLY	TOTAL AMOUN	T OF TAX COLL	ECTED	\$
Name of Contractor Business Reporting	Charlie Nelson Excavation	Mitchel Contracting	Williams Landscaping	Israel Sanders Construction	M&P Remodeling	Airtite Insulation	L&L Painting	Anthony Sheehan Painting	Paschall Electric	Reliable Electric	Mike Milo Milos Landscaping										
Total Earnings paid all Employees																					
Wages earned outside City limits																					
Taxable earnings (Line #1 - Line #2)																					
Withholding Amount due (Line #3 Multiples by 1.0%)																					
Penalty, (5% of the total due for each calendar month that tax's are delinquent) MINIMUM PENALTY \$25.00																					
Interest (12% per-annum, 1% per month or partical month)																					
TOTAL (Add lines 4, 5 & 6)	\$.	5 -	\$.	\$.	5 -	\$ -	5 -	5 -	5 -	\$ -	\$ -	\$ -	\$.	s .							
																	QUARTERLY	TOTAL AMOUN	IT OF TAX COLU	ECTED	\$
																	VEADLY TOTAL	AMOUNT OF TA	Y COLLECTED		\$
The state of the s																	LICARLY TOTAL	ALTOURI OF IA	N COLLECTED		-