



State of Alabama Department of Revenue

(www.revenue.alabama.gov)
50 North Ripley Street
Montgomery, Alabama 36132

January 3, 2018

TO: ALL PERSONS, FIRMS, AND CORPORATIONS making sales at retail and/or purchasing tangible personal property for use, storage, or other consumption in the **City of Greenville**, Alabama (located in Butler County).

Sections 11-51-200, et seq., Code of Alabama 1975, authorize and empower municipalities to levy a true sales and use tax identical to the State Sales and Use Tax Laws except for the rates of tax and require the Alabama Department of Revenue upon request of the municipality to collect the tax.

On December 18, 2017, the governing body of the City of Greenville adopted Ordinance No. 2017-05 levying a sales and use tax **effective February 1, 2018**. The tax levied by this ordinance is an amendment to the sales and use tax levied by Ordinance No. 2017-02.

Sales & Use Tax Rates:	<u>Old Rates</u>	<u>New Rates</u>
General Rate	4.5%	4.5%
Admissions to places of amusement and entertainment	4.5%	4.5%
Retail selling price of food for human consumption sold through vending machines	4.5%	4.5%
Net difference paid for machines, machinery, and equipment used in planting, cultivating, and harvesting farm products	1.5%	1%
Machines, parts, and attachments for machines used in manufacturing tangible personal property	2%	2%
Net difference paid for all automotive vehicles, truck trailers, semi-trailers, and house trailers	1.5%	1%
Withdrawal fee for automotive vehicle dealers only.....	\$15.00	\$15.00

The Law requires that the City of Greenville sales and use taxes be collected, reported and remitted in the same manner as the State sales and use taxes. When you file and pay electronically, the City of Greenville sales and use taxes are to be included on the electronic city/county tax return assigned to you (City and County Tax Return, form 9501). Simply enter the gross amounts and deductions, and all calculations will be done automatically for you. You may file these taxes through My Alabama Taxes (MAT) at <https://myalabamataxes.alabama.gov>. Please direct all questions regarding the City of Greenville sales and use taxes to this office:

Alabama Department of Revenue
Sales and Use Tax Division
Post Office Box 327710
Montgomery, Alabama 36132-7710 (334-242-1490 or 1-866-576-6531)

ORDINANCE 2017-05

AN ORDINANCE TO DECREASE CERTAIN TAXES BY ONE HALF OF ONE PERCENT IN THE CITY OF GREENVILLE, ALABAMA, CHAPTER 19 – TAXATION ARTICLE III - PRIVILEGE, LICENSE OR EXCISE TAX.

WHEREAS, Ordinance 1986-4, adopted on March 3, 1986, pertaining to sales and use tax regulations was repealed in its entirety by the adoption of Ordinance 1996-6, on July 1, 1996, and

WHEREAS, Ordinance 1996-6, effective September 1, 1996, was incorporated therein the *Code of Ordinances of the City of Greenville, Alabama*, Chapter 19 – Taxation, Article III – Privilege, License or Excise Tax, Section 19-36 through Section 19-43, and

WHEREAS, Ordinance 2017-02, effective September 1, 2017, was incorporated therein the *Code of Ordinances of the City of Greenville, Alabama*, Chapter 19 – Taxation, Article III – Privilege, License or Excise Tax, Sections 19-37 and 19-39, and

WHEREAS, the City Council finds it necessary to repeal and substitute certain portions of the *Code of Ordinances of the City of Greenville, Alabama*, Chapter 19 – Taxation, Article III – Privilege, License or Excise Tax, Sections 19-37 and 19-39, effective February 1, 2018.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE, ALABAMA, as follows:

I. *The Code of Ordinances of the City of Greenville, Alabama*, Chapter 19 – Taxation, Article III – Privilege, License of Excise Tax; Sections 19-37 and 19-39 are hereby deleted in their entirety, effective on January 31, 2018, and the following substituted therefor:

"Sec. 19-37. Levy of Privilege or License Tax.

There is hereby levied, pursuant to the provisions of Article 3 of Chapter 51 of Title 11 of the Code of Alabama of 1975, as amended, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

(1) Upon every person, firm, or corporation (including the State of Alabama, the University of Alabama, Auburn University and all other institutions of higher learning in the State, whether such institutions be denominational, state, county or municipal institutions, and any association or other agency or instrumentality of such institutions), engaged, or continuing within the City in business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidences of debts or stocks, nor sale or sales of material and supplies to any person for use in fulfilling a contract for the painting, repair or reconditioning of vessels, barges, ships and other watercraft of over fifty tons burden), an amount equal to four and one-half percent (4.5%) of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer on the gross sales of the business.

(2) Upon every person, firm or corporation engaged, or continuing within the City, in the business of conducting or operating, places of amusement or entertainment, billiard and pool rooms,

bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudevilles, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests, conducted by or under the auspices of any educational institution within the *City* or any athletic association thereof, or other association whether such institution or association be a denominational, a state, or county or city school, or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description within the City, an amount equal to four and one-half percent (4.5%) of the gross receipts of any such business.

(3) Upon every person, firm or corporation engaged or continuing within the city in the business of selling at retail machines in mining, quarrying, compounding, processing and manufacturing of tangible personal property, an amount equal to two (2) percent of the gross proceeds of the sale of such machines; provided that the term "machines," as herein used, shall include machinery which is used for mining, quarrying, compounding, processing and manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(4) Upon every person, firm or corporation engaged or continuing within the City in the business of selling at retail any automotive vehicle or truck trailer, semi-trailer or house trailer, an amount equal to **one (1) percent** of the gross proceeds of sale of said automotive vehicle or truck trailer, semi-trailer or house trailer. Provided, however, where a person subject to the tax provided for in this subsection withdraws from his stock in trade any automotive vehicle or truck trailer, semi-trailer or house trailer for use by him or by his employee or agent in the operation of such business, there shall be paid, in lieu of the tax levied herein, **a fee of \$15.00 per year** or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person. Each such year or part thereof shall begin with the day or anniversary date, as the case may be, of such withdrawal and shall run for the twelve (12) succeeding months or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person.

Where any used automotive vehicle or truck trailer, semi-trailer or house trailer is taken in trade or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

(5) Upon every person, firm or corporation engaged or continuing within the city in the business of selling at retail any machine, machinery or equipment which is used in planting, cultivating and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock or poultry on farms, and the parts of such machines, machinery or equipment, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machine, machinery or equipment, and which are necessary to and customarily used in the operation of such machine, machinery or equipment, an amount equal to **one (1) percent** of the gross proceeds of the sale thereof; provided, however, the one and one-half percent rate herein prescribed with respect to parts, attachments and replacements shall not apply to any automotive vehicle or trailer designed primarily for public highway use, except farm trailers used primarily in the production and harvesting of agricultural commodities.

Where any used machine, machinery or equipment which is used in planting, cultivating and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock and poultry on farms is taken in trade or in a series of trades as a credit or part payment on a sale of a new or used machine, machinery or equipment, the tax levied herein shall be paid on the net difference; that is the price of the new or used machine, machinery or equipment sold, less the credit for the used machine, machinery or equipment taken in trade.

(6) Upon every person, firm or corporation engaged or continuing within the City in the business of selling through coin-operated dispensing machines, food and food products for human consumption, not including beverages other than coffee, milk, milk products and substitutes therefor, there is hereby levied a tax equal to four and one-half percent (4.5%) of the cost of such food, food products and beverages sold through such machines, which cost for the purpose of this subsection shall be the gross proceeds of sale of such business.

Sec. 19-39. Levy of excise tax.

(a) An excise tax is hereby imposed on the storage, use or other consumption in the City of tangible personal property (not including materials and supplies bought for use in fulfilling a contract for the painting, repairing, or reconditioning of vessels, barges, ships and other watercraft of more than fifty (50) tons' burden) purchased at retail on or after the effective date of this article for storage, use or other consumption in the City except as provided in subsections (b), (c), and (d), at the rate of four and one-half percent (4.5%) of the sales price of such property within the corporate limits of the City.

(b) An excise tax is hereby imposed on the storage, use or other consumption in the city of any machines used in mining, quarrying, compounding, processing, and manufacturing of tangible personal property purchased at retail on or after the effective date of this article [September 1, 1996] at the rate of two (2) percent of the sales price of any such machine within the corporate limits of the city; provided, that the term "machine," as herein used, shall include machinery which is used for mining, quarrying, compounding, processing, or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(c) An excise tax is hereby imposed on the storage, use or other consumption in the city of any automotive vehicle or truck trailer, semi-trailer or house trailer purchased at retail on or after the effective date of this article [September 1, 1996] for storage, use or other consumption in the city at the rate of one (1) percent of the sales price of such automotive vehicle, truck trailer, semi-trailer or house trailer within the corporate limits of the city. Where any used automotive vehicle, truck trailer, semi-trailer or house trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference; that is, the price of the net or used vehicle sold less the credit for the used vehicle taken in trade.

(d) An excise tax is hereby imposed on the storage, use or other consumption in the city of any machine, machinery or equipment which is used in planting, cultivating and harvesting farm products, or used in the connection with production of agricultural produce or products, livestock or poultry on farms, and the parts of such machines, machinery or equipment, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machine, machinery or equipment, and which are necessary to and customarily used in the operation of such machine, machinery or equipment, which is purchased at retail after the effective date of this article [September 1, 1996], for the storage, use or consumption in the city at the rate of one (1) percent of the sales price of such property within the corporate limits of the city, regardless of whether the retailer is or is not engaged in the business in the city; provided, however, the one percent rate herein prescribed with respect to parts, attachments and replacements shall not apply to any automotive vehicle or trailer designed primarily for public highway use, except farm trailers used primarily in the production and harvesting of agricultural commodities. Where any used machine, machinery or equipment which is used in planting, cultivating, and harvesting farm products, or used in connecting with the production of agricultural produce or products, livestock and poultry on farms is taken in trade or in a series of trades as a credit or part payment on a sale of a new or used machine, machinery or equipment, the tax levied herein shall be paid on the net difference; that is, the price of the new or used machine, machinery or equipment sold, less the credit for the used machine, machinery or equipment taken in trade.
(Ord. No. 1996-6 § 4, 7-1-96; Ord. No. 2003-10, § I, 6-23-03)

II. *Effective Date.* This ordinance shall become effective on the first day of February, 2018, and the first payment of taxes hereunder shall be due and payable on the twentieth day of March, 2018. This ordinance shall be incorporated in the *Code of Ordinances of the City of Greenville, Alabama* as stated herein and remain in full force and effect until amended by formal act of the City Council of Greenville, Alabama.

ADOPTED AND APPROVED by the City Council of Greenville, Alabama this 18th day of December, 2017.


Dexter McLendon, Mayor

ATTEST:


Dee Blackmon
City Clerk-Treasurer

STATE OF ALABAMA)

BUTLER COUNTY)

CITY OF GREENVILLE)

CERTIFICATE OF CITY CLERK

I, Dee H. Blackmon, the duly appointed City Clerk-Treasurer of the City of Greenville, Alabama, do hereby certify that the forgoing is a true and correct copy of Ordinance 2017-05 authorizing a ½ cent reduction of the farm and manufacturing sales tax passed and adopted by the City Council of the City of Greenville, Alabama at its regular meeting held December 18, 2017 and that such Ordinance and minutes are on file in the office of the City Clerk.

IN WITNESS WHEREOF, I hereunto set my hand and affix the official corporate seal of the City of Greenville, Alabama, on this 18th day of December 2017.

SEAL:


Dee H. Blackmon, City Clerk-Treasurer
City of Greenville, Alabama