

**ORRVILLE**  
Posted 4/27/17

The Town of Orrville has notified the Alabama Department of Revenue of a change in tax administrators for the collection of their sales and use taxes effective May 1, 2017. They have also levied sales, use and rental taxes as shown below:

**Effective May 1, 2017.**

<b>Sales Taxes:</b>	<b><u>OLD</u> <u>RATES</u></b>	<b><u>NEW</u> <u>RATES</u></b>
General Rate .....	2.000	2.000
Admissions to places of amusement and entertainment .....	1.000	1.000
Retail Selling Price of food for human consumption sold through vending machines .....		2.000
Net difference paid for machines, machinery, and equipment used in planting, cultivating and harvesting farm products .....		.250
Machines and parts and attachments for machines used in manufacturing tangible personal property .....		.250
Net difference paid for all automotive vehicles, truck trailers, semi-trailers and house trailers .....	.250	.250
Withdrawal fee for automotive vehicle dealers only .....		5.00
 <b>Use Taxes:</b>	 <b><u>NEW</u> <u>RATES</u></b>	
General Rate .....	2.000	
Net difference paid for machines, machinery, and equipment used in planting, cultivating and harvesting farm products .....	.250	
Machines and parts and attachments for machines used in manufacturing tangible personal property .....	.250	
Net difference paid for all automotive vehicles, truck trailers, semi-trailers and house trailers .....	.250	

If sales of tangible personal property are made or delivered, or if purchases of tangible personal property are stored, used or consumed, outside the corporate limits of the city but within the police jurisdiction of the city, the rates of tax are one-half of those stated above.

**Effective April 1, 2017.**

<b>Rental Taxes:</b>	<b><u>NEW</u> <u>RATES</u></b>
General Rate .....	4.000
Auto .....	1.500
Linen .....	4.000

If leasing or renting of tangible personal property is made outside the corporate limits of the city but within the police jurisdiction, the rates of rental tax are one-half of those stated above.

Your Orrville sales, use and rental taxes may be remitted online through the Alabama Department of Revenue's online filing system My Alabama Taxes (MAT), the 'One Spot' to file: <http://revenue.alabama.gov/salestax/efiling.html>. If you have any questions about your Orrville taxes, please contact:

RDS  
P. O. Box 830725  
Birmingham, AL 35283-0725  
1-800-556-7274

If you have any questions regarding this notice, please contact this office:

ALABAMA DEPARTMENT OF REVENUE  
Sales & Use Tax Division  
P.O. Box 327710  
Montgomery, Alabama 36132-7710  
(334) 242-1490

**Town of Orrville Resolution**

Resolution No. 4-2017

Whereas, Town of Orrville, Alabama desires to begin self-collection and administration of Town Sales/Use and Rental effective beginning the period of April 1, 2017 (with the first collection to be received on or before May 20, 2017); and

Whereas, Town of Orrville, Alabama has been presented a proposal by RDS of Birmingham dated February 6, 2017 whereby RDS will perform the services necessary to administer and collect the taxes for the Town and the Town desires to accept such proposal.

NOW THEREFORE BE IT RESOLVED by the Town of Orrville Council that the Town agrees to begin collecting Town sales/use, gas tax effective beginning with the period of April 1, 2017 and the Mayor is instructed to notify the State of Alabama Department of Revenue immediately of the decision of this Council; and

BE IT FURTHER RESOLVED that the proposal presented by RDS dated February 6, 2017, whereby RDS will perform the services necessary to administer and collect the taxes for the Town, be accepted and the Mayor is hereby authorized and directed to enter a contract with RDS which conforms to such proposal.

THEREFORE, Serry Phillips, a Council member, made the motion and William Lumpkin, a Council member, seconded the motion that said resolution be approved, and said resolution passed by majority vote of the Council, and the Mayor declared the Resolution so passed.

ADOPTED this 7 day of March, 2017.

Lorenia Lumpkin  
Mayor

ATTEST:

\* Gwen Rolat  
TOWN CLERK / ADMINISTRATOR

*Change of administration  
from self to RDS*

*Revised  
1/2/17*

*effective  
1-1-17*

Ordinance # 2017-4

For the purpose of levying a rental / lease tax within the Town limits and police jurisdiction of the Town of Orrville.

Section 1. Definitions

For purposes of this ordinance, the following terms shall have the respective meanings ascribed by this section:

(1) BUSINESS. All activities engaged in, or caused to be engaged in, by any person with the object of gain, profit, benefit, or advantage, either direct or indirect to such person.

(2) DESIGNEE. The administrative agent as designee for the Town of Orrville

(3) GROSS PROCEEDS. The value proceeding or accruing from the leasing or rental of tangible personal property, without any deduction on account of the cost of the property so leased or rented, the cost of materials used, labor or service cost, interest paid, or any other expense whatsoever, and without any deductions on account of loss, and shall also include on the part of any person claiming exemption under subdivision (4) of Section 40-12-223 an amount equal to the amount of rental paid on any tangible personal property acquired under such exemption and thereafter diverted to the use of such person.

(4) LEASING or RENTAL. A transaction whereunder the person who owns or controls the possession of tangible personal property permits another person to have the possession or use thereof for a consideration and for the duration of a definite or indefinite period of time without transfer of the title to such property. The detention by the user thereof of freight cars, oxygen and acetylene tanks, and similar property, in respect of which detention a demurrage or per diem charge is made against the user of such property, shall not be deemed to constitute a transaction whereunder property is leased or rented to another within the meaning of this article.

(5) PERSON. Any natural person, firm, partnership, association, corporation, receiver, trust, estate, or other entity, or any other group or combination of any thereof acting as a unit.

(6) TANGIBLE PERSONAL PROPERTY. Personal property which may be seen, weighed, measured, felt or touched, or is in any other manner perceptible to the senses. The term "tangible personal property" shall not include stocks, bonds, notes, insurance or other contracts, or securities.

Section 2. License Required

Any person who shall engage in or continue in any business for which a privilege tax is imposed by Section 3 of this ordinance as a condition precedent to engaging or continuing in such business shall apply for and obtain from the Town a license to engage in and to conduct such business for the correct tax year upon the condition that such person pay the taxes accruing to the Town under the provisions of this ordinance. No such license shall be issued under the provisions of this ordinance to any person who has not complied with the provisions of this ordinance, and no provision of this ordinance shall be construed as relieving any person from the payment of any license or privilege tax now or hereafter imposed by law.

Section 3. Levy of tax; rate

In addition to all other taxes now imposed by law, there is hereby levied and shall be collected as herein provided a privilege or license tax on each person engaging or continuing within the Town of Orrville in the business of leasing or renting tangible personal property at the rate of four percent (4%) of the gross proceeds derived by the lessor from the lease or rental of tangible personal property, provided, that the said privilege or license tax on each person engaging or continuing within the Town of Orrville in the business of leasing or renting any automotive vehicle or truck trailer, semitrailer or house trailer shall be at the rate of one and one half percent (1.5%) of the gross proceeds derived by the lessor from the lease or rental of such automotive vehicle or truck trailer, semitrailer or house trailer; provided further, that the privilege or license tax on each person

*Gen 4.0%*  
*Auto 1.5%*  
*Truck 4.0%*

or firm engaging or continuing within the Town of Orrville in the business of the leasing and rental of linens and garments shall be at the rate of four percent (4%) of the gross proceeds derived by the lessor from the lease or rental of such linens and garments. Amounts levied and imposed in the police jurisdiction shall be at one-half the rates set out above for businesses within the Town.

Section 4. Exemptions from tax

There are exempted from the provisions of this ordinance and from the computation of the amount of the tax levied, assessed or payable under this ordinance the gross proceeds derived by the lessor from the lease or rental of tangible personal property which are exempted from taxation under the provisions of Article 4, Chapter 12, Title 40, Code of Alabama 1975, as amended, as the same is now or hereafter may be amended, including any leasing or rental, as lessor, by the State of Alabama, or any county or municipality in the State of Alabama, or any public corporation organized under the provisions of Sections 11-54-80 through 11-54-101 of the Code of Alabama.

Section 5. Collection of Tax

The provisions of this ordinance shall be administered and the tax herein collected in the same manner as other gross receipts privilege license taxes in the Town. The Town may contract with an independent contractor to administer and collect this tax.

Section 6. Proceeds of Tax

The proceeds derived from the privilege license tax herein levied shall be placed in the general fund of the Town, subject to appropriation by the Town council for any lawful purpose of the Town.

Section 7. Severability

The provisions of this ordinance are severable. If any part hereof is declared invalid or unconstitutional by a court of competent jurisdiction, such declaration shall not affect the part which remains.

Section 8. Effective Date

This Ordinance shall become effective on the first day of April 2017, following its passage and adoption by the Town Council of the Town of Orrville, Alabama and posting as required by law.

ADOPTED AND APPROVED THIS 7 DAY OF March, 2017.

ATTEST:

Gloria Robert  
Town Clerk

Town of Orrville, Alabama

Lawrence Lumpkin  
Mayor

**Town of Orrville, Alabama**

**Ordinance No. 2017-3**

*Sales  
+  
use*

*Private levy  
deducted 61-59  
may have been  
a gross receipt  
levy  
this ordinance  
5-1-17*

PURSUANT TO THE PROVISIONS OF CODE OF ALABAMA 1975 SECTIONS 11-51-200 THROUGH 11-51-207 THIS ORDINANCE LEVIES A PRIVILEGE, LICENSE OR EXCISE TAX AGAINST PERSONS, FIRMS, OR CORPORATIONS STORING, USING, OTHERWISE CONSUMING OR ENGAGED IN THE BUSINESS OF SELLING AT RETAIL TANGIBLE PERSONAL PROPERTY OR CONDUCTING PLACES OF AMUSEMENT IN THE TOWN OF ORRVILLE, ALABAMA, PROVIDES FOR THE COLLECTION OF THE SAID TAXES; PROVIDES PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

Pursuant to the provisions of Code of Alabama 1975 Sections 11-51-200 through 11-51-207, be it ordained by the Town Council of the Town of Orrville, in the State of Alabama as follows:

Section 1. There is hereby levied, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege, license or excise tax against persons, firms, or corporations storing, using, otherwise consuming or engaged in the business of selling at retail tangible personal property or conducting places of amusement within Town of Orrville and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

(a) 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, any association or other agency or instrumentality of such institutions) engaged or continuing within Town of Orrville in the 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 sales of material and supplies to any person for use in fulfilling a contract for the painting, repair, or reconditioning of vessels, barges, ships, other watercraft and commercial fishing vessels of over five tons load displacement as register with the US Coast Guard and licensed by the state of Alabama Department of Conservation and Natural Resources), an amount equal to **two percent (2%)** of the gross proceeds of sales of each business. 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 a retailer, on the gross sales of the business.

(b) Upon every person, firm, or corporation engaged or continuing within Town of Orrville in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera house, 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 Town of Orrville, or any athletic association thereof, or other association whether such institution or association be a denominational, a state, or county, or municipal institution, association or

*General  
2 010*

*Amusement  
196*

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 Town of Orrville, an amount equal to **one percent (1%)** of the gross proceeds of sales of the business. Provided, however, notwithstanding any language to the contrary in the prior portion of this subdivision, the tax provisions so specified shall not apply to any athletic event conducted by a public primary or secondary school. The tax amount which would have been collected pursuant to this subdivision shall continue to be collected by said public primary or secondary school but shall be retained by the school which collected it and shall be used by said school for school purposes.

(c) Upon every person, firm or corporation engaged or continuing within Town of Orrville in the business of selling at retail machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property an amount equal to a **quarter percent (.250%)** of the sale of such machines; 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.

Mfg  
12.5%

(d) Upon every person, firm or corporation engaged or continuing within Town of Orrville in the business of selling at retail any automotive vehicle or truck trailer, semi-trailer or house trailer, or mobile home set-up materials and supplies including but not limited to steps, blocks, anchoring, cable pipes and any other materials pertaining thereto an amount equal to a **quarter percent (.250%)** of the gross proceeds of sales of said automotive vehicle or truck trailer, semi-trailer or house trailer, or mobile home set-up materials and supplies, provided, however where a person subject to the tax provided for in this subdivision 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 \$5.00 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 12 succeeding months or part thereof during which such automotive vehicle, truck trailer, semitrailer or house trailer shall remain the property of such person.

Auto  
25%  
\$5.00

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 partial 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.

(e) Upon every person, firm or corporation engaged or continuing within Town of Orrville 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 replacement therefore 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 a **quarter percent (.250%)** of the gross proceeds of sales thereof. Provided, however, the rates herein prescribed with respect to parts, attachments, and replacement shall not apply to any automotive vehicle or trailer designed primarily for public

Farm  
25%

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 partial 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.

*Hand 2%*  
(f) Upon every person, firm or corporation engaged or continuing within Town of Orrville 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 therefore, there is hereby levied an amount equal to **two percent (2%)** on 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 sales of such business.

## Section 2.

*Use Gov 2%*  
(a) An excise tax is hereby levied on the storage, use or other consumption within Town of Orrville of tangible personal property (not including materials and supplies bought for use in fulfilling a contract for the painting, repair, or reconditioning of vessels, barges, ships, other watercraft and commercial fishing vessels of over five tons load displacement as register with the US Coast Guard and licensed by the state of Alabama Department of Conservation and Natural Resources) purchased at retail on or after the effective date of this resolution for storage, use or other consumption in Town of Orrville, except as provided in subsections (b), (c), and (d) at the rate of **two percent (2%)** of the sales price of such property within Town of Orrville.

*Use MFG .25%*  
(b) An excise tax is hereby levied on the storage, use or other consumption within Town of Orrville 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 resolution at the rate of a **quarter percent (.250%)** of the sales price of any such machine; 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.

*Use Auto .25%*  
(c) An excise tax is hereby levied on the storage, use or other consumption within Town of Orrville of any automotive vehicle or truck trailer, semi-trailer, house trailer or mobile home set-up materials and supplies including but not limited to steps, blocks, anchoring, cable pipes and any other materials pertaining thereto purchased at retail on or after the effective date of this ordinance for storage, use or other consumption in Town of Orrville at the rate of **quarter percent (.250%)** of the sales price of such automotive vehicle or truck trailer, semi-trailer, house trailer or mobile home set-up materials and supplies within Town of Orrville.

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 partial 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.

4/12  
FORM  
12590

(d) An excise tax is hereby levied and imposed on the storage, use or other consumption within Town of Orrville of 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 replacement therefore 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 on or after the effective date of this resolution, for the storage, use or other consumption in Town of Orrville at the rate of a quarter percent (.250%) of the sales price of such property within Town of Orrville; provided, however, that the rates herein prescribed with respect to parts, attachments, and replacement 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 partial 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.

### Section 3 Levy of the Tax in the Police Jurisdiction

PJ  
12/2/21

Upon every person, firm or corporation engaged in the doing of any act, or who shall do any act, or continuing in the doing of any act, or engaged in the operation of any business, or who shall engage in the operation of any business, within the police jurisdiction of the Town but beyond the corporate limits of said Town, for which or upon which a privilege or license tax is in this article levied or required within the corporate limits of the Town, there is hereby levied, in addition to all other taxes of every kind now imposed by law or by municipal ordinance, to be collected as herein provided for the privilege or license taxes herein levied within the corporate limits of the Town, a privilege or license tax equal to one-half of that provided, levied or required in this article for doing of such act, or the engaging or continuing therein, or the engaging or continuing in the operation of such business within the corporate limits of the Town. Provided further, that except for the amount of the privilege or license tax herein levied within the police jurisdiction of the Town but without the corporate limits thereof, all the provisions of this article extend and apply to all the area within the police jurisdiction of the Town.

### Section 4.

The taxes levied by Section 1 and Section 2 of this ordinance shall be subject to all definitions, exceptions, exemptions, proceedings, requirements, rules, regulations, provisions, discounts, penalties, fines, punishments and deductions that are applicable to the sales and use taxes levied by the State sales and use tax statutes, except where inapplicable or where herein otherwise provided, including all provisions of the State sales and use tax statutes for enforcement and collections of taxes.

### Section 5.

This resolution shall not be construed to repeal or replace any of the provisions of other taxes of every kind, but shall be held to be cumulative, and the amounts of taxes herein levied shall be in addition to the amount of all other license, privilege or excise taxes imposed by Town of Orrville.

Section 6.

Severability. Each and every provision of this resolution is hereby declared to be an independent provision and the holding of any provision hereof to be void and invalid for any reason, shall not affect any other provision hereof, and it is hereby declared that the other provisions of this resolution would have been enacted regardless of any provision which might have been held invalid.

Section 7.

Interest. Interest will be calculated for delinquent tax, overpayment of tax and refund of tax pursuant to 40-1-44.

Section 8

The tax levied by Sections 1 and 2 hereof may be collected by the State Department of Revenue, or a private firm under contract with the Town of Orrville. The private firm shall have and exercise the same powers, duties, and obligations with respect to the tax levied hereunder that are imposed on the commissioner and department by the state sales and use tax statutes.

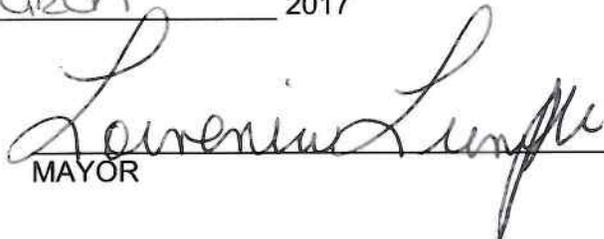
Section 9

The net proceeds of the taxes levied herein shall be paid into the general fund of the Town of Orrville.

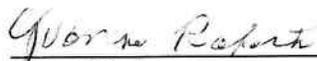
Section 10

The taxes levied herein shall become effective on the first day of May 2017, and the first payment of taxes hereunder shall be due and payable on the twentieth day of June 2017.

ADOPTED this 7 day of March 2017

  
MAYOR

ATTEST:

  
Town Clerk