

SKYLINE

Statutory Effective Date: August 1, 2024
Received by the Department: May 14, 2024

The Town of Skyline has increased their use taxes only as shown below:

Use Taxes:	<u>OLD</u> <u>RATES</u>	<u>NEW</u> <u>RATES</u>
General Rate	2.000	3.000
Food/Grocery Rate	2.000	2.000
Net difference paid for machines, machinery, and equipment used in planting, cultivating and harvesting farm products	0.500	3.000
Machines and parts and attachments for machines used in manufacturing tangible personal property	0.500	3.000
Net difference paid for all automotive vehicles, truck trailers, semi-trailers and house trailers	0.500	3.000

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.

Your Town of Skyline sales and use taxes may be remitted online through the 'Local Tax' account in the Alabama Department of Revenue's online filing system, My Alabama Taxes (MAT), the 'ONE SPOT' to file: <https://myalabamataxes.alabama.gov>. If you have any questions about your Skyline taxes, please contact:

Avenu Insights & Analytics
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

MAY 14 2024

Local Tax Section

ORDINANCE NUMBER 2024- 01

AMENDING ORDINANCE NUMBER 2023-03

AN ORDINANCE LEVYING A PRIVILEGE OR LICENSE TAX AGAINST PERSONS, FIRMS, OR CORPORATIONS ENGAGED IN THE BUSINESS OF SELLING TANGIBLE PERSONAL PROPERTY AT RETAIL OR CONDUCTING PLACES OF AMUSEMENT IN THE TOWN OF SKYLINE, ALABAMA, OR WITHIN ITS POLICE JURISDICTION; PROVIDING FOR THE COLLECTION OF THE SAID TAXES; AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE

WHEREAS, The Town of Skyline, Alabama, has authority to levy taxes and raise the same for the benefit of its residents to provide for the safety, preserve the health, promote the prosperity, and improve the morals, order, comfort, and convenience of the inhabitants of the Town;

WHEREAS, Ordinance No. 2023-03 was passed by the governing body of the Town of Skyline and now said Ordinance is hereby amended;

WHEREAS, that the purpose of this ordinance is to include a grocery sales tax and a use tax, to amend the tax rate within the police jurisdiction, and to amend the effective date of ordinance number 2023-03 contained in Section 8 herein;

NOW THEREFORE, Be it ordained by the Town Council of Skyline, Alabama as follows:

Section 1: For the privilege of engaging or continuing within the city in the business activities hereinafter referred to, 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 or license tax against the person on account of the business activities and in the amounts to be determined by the application of rates against gross proceeds of sales, or gross receipts, as the case may be, as follows:

(a) Upon every person, firm or corporation engaged or continuing with the Town of Skyline, 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 evidence of debt or stocks, nor sale or sales of material and supplies to any person for use in fulfilling a contract for painting, repair, or reconditioning of vessels, barges, ships and other watercraft of over fifty tons burden), an amount equal to three percent (3%) of the gross proceeds of sales of the business except where a different amount is expressly provided herein; provided, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax amount measured by 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 as a retailer the tax measured by the gross sales of the business.

(b) Upon every person, firm or corporation engaged or continuing within the Town of Skyline, 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 Town of Skyline or any athletic association thereof, or other association whether such institution or association be a denominational, state, county, or municipal institution or association of a state, 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 three percent (3%) of the gross receipts of any such business.

(c) Upon every person, firm or corporation engaged or continuing within the Town of

Skyline, in the business of selling at retail machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, an amount equal to two and half percent (2.5%) of the gross proceeds of the sales of such machines; provided, that the terms "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.

(d) Upon every person, firm or corporation engaged or continuing within the Town of Skyline, in the business of selling at retail any machine, machinery, or equipment which is used in planting, cultivating, and harvesting farm products, or that which is 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 and a one half percent (1.5%) of the gross proceeds of the sale thereof. The one and one half percent (1.5%) 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, or 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.

(e) Upon every person, firm or corporation engaged or continuing within the Town of Skyline, in the business of selling at retail any automotive vehicle, truck trailer, semi-trailer or house trailer, an amount equal to one and one half percent (1.5%) of the gross proceeds of sales of the said automotive vehicle, truck trailer, semi-trailer or house trailer; provided, that when 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 new or used vehicle sold less the credit for the used vehicle taken in trade; and provided, further, that when a taxpayer subject to the tax provided for in this subsection (e) withdraws from his stock in trade any automotive vehicle or truck trailer, semi-trailer or house trailer for use by such taxpayer or by an employee or agent of such taxpayer in the operation of such business, the tax of such taxpayer hereunder shall be measured with respect to the item so withdrawn by him by the sum of \$2.50 for each year or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer so withdrawn shall remain the property of such taxpayer, each such year or part thereof shall begin with the day or the anniversary date, as the case may be, of such withdrawal and shall run for the twelve succeeding months or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer so withdrawn shall remain the property of such taxpayer.

(f) Upon every person, firm or corporation engaged or continuing within the Town of Skyline, 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 three percent (3%) 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 sales of such business.

(g) Upon every person, firm, or corporation engaged or continuing within the City/Town in the business of selling food, there is hereby levied a tax equal to two percent (2.00%) of the gross proceeds of the sale of food within the corporate limits of the Town of Skyline and the rate within the portion of the police jurisdiction which lies outside of the corporate limits shall be one-half of the corporate limit rates. For purposes of this subsection, the term food shall have the same meaning as defined in 7 U.S.C. Section 2011, for the purposes of the federal Supplemental Nutrition Assistance Program regardless of where or by what means food is sold.

Section 2: Levy of the Tax in Police Jurisdiction.

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 of Skyline but beyond the corporate limits of said Town, for which or upon which a privilege or license tax is in this ordinance 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 (1/2) of that provided, levied or required in this ordinance for the 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 said Town, but without the corporate limits thereof, all the provisions of this ordinance extend and apply to all the area within the police jurisdiction of the Town.

Section 3: Provisions of State Sales Tax Statutes Applicable to this Ordinance and Taxes herein Levied.

This ordinance and the taxes herein levied shall be subject to all definitions, exceptions, exemptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, punishments, and deductions that are applicable to the taxes levied by the state sales tax statutes, except where inapplicable or where herein otherwise provided, Including all provisions of the state sales tax statutes for enforcement and collection of taxes.

Section 4: Adding Amount of Tax to Price.

Any person on whom the taxes levied by this ordinance are imposed may add the tax herein levied to the sales price of the goods sold or to the admission price to a place of amusement and may collect the amount so added from the purchaser, or person paying the admission price, but this section is not mandatory.

Section 5: This Ordinance Cumulative to General License Code or Ordinance.

This ordinance shall not be construed to repeal any of the provisions of the general license code or ordinance of the city but shall be held to be cumulative, and the amounts of the taxes herein levied shall be in addition to the amounts of all other license taxes imposed by the Town by its general license code or ordinance.

Section 6: Provisions of State Use Tax Statutes Applicable to this Ordinance and Taxes Herein Levied; Use Tax Rates Amended. This ordinance and the taxes levied herein shall be subject to all definitions, exceptions, exemptions, proceedings, requirements, provisions, rules and regulations promulgated under the Alabama Administrative Procedure Act, direct pay permit and drive-out certificate procedures, statute of limitation, discounts, penalties, fines, punishments, and deductions that are applicable to the taxes levied by the State Use Tax statutes, except where inapplicable or where herein otherwise provided, including all provisions of the State Use Tax statutes for enforcement and collection of taxes.

Section 6:

(a) An excise tax is hereby imposed on the storage, use or other consumption in the City/Town 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 and commercial fishing vessels of over five (5) tons load displacement as registered with the U. S. 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 ordinance for storage, use or other consumption in the City/Town, except as provided in subsections (b), (c), (d) and (e) at the rate of three percent (3%) of the sales price of such property.

(b) An excise tax is hereby imposed on the storage, use, or other consumption in the City/Town 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 ordinance at the rate of three percent (3%) 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.

(c) An excise tax is hereby imposed on the storage, use, or other consumption in the City/Town on any automotive vehicle, truck trailer, semitrailer, 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 the City/Town at the rate of three percent (3%) of the sales price of such automotive vehicle, truck trailer, semitrailer, house trailer or mobile home set-

City/Town of food, at the rate two percent (2%) of the sales price of such food. For purposes of this subsection, the term food shall have the same meaning as defined in 7 U.S.C. Section 2011, for the purposes of the federal Supplemental Nutrition Assistance Program regardless of where or by what means food is sold.

(f) An excise tax is hereby imposed on tangible personal property at one-half the rates specified in subsections (a), (b), (c), (d), and (e) of this section on the storage, use or other consumption of such tangible personal property outside the corporate limits of the City/Town, but within the police jurisdiction.

Section 7: Severability.

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

Section 8: Effective Date.

This ordinance shall become effective on the first day of the first month allowable by Alabama state law, and the first payment of taxes hereunder shall be due and payable on the twentieth day after the effective day. This ordinance shall remain in full force and effect and shall apply to each month of the year 2024, after its effective date, and to each month of each calendar year thereafter from year to year.

ADOPTED AND APPROVED THIS 9th DAY OF May, 2024.

BY: Caleb Skipper
CALEB SKIPPER, MAYOR FOR THE
TOWN OF SKYLINE

ATTEST: Benny Bink
TOWN CLERK