Goodwater

Statutory Effective Date: October 1, 2024 Received by the Department: July 24, 2024

The Town of Goodwater has increased their sales taxes only as shown below:

OLD <u>RATES</u>	NEW <u>RATES</u>
3.000	4.000
3.000	3.000
3.000	4.000
3.000	4.000
1.000	2.000
2.000	3.000
1.000	2.000
2.00	100.00
	3.000 3.000 3.000 3.000 1.000 2.000 1.000

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.

Your Town of Goodwater 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 Goodwater 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



AMENDING ORDINANCE NO. 2023-04

Alabama Dept of Revenue

Local Tax Section

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, OR OTHERWISE CONSUMING OR ENGAGED IN THE BUSINESS OF SELLING AT RETAIL TANGIBLE PERSONAL PROPERTY OR CONDUCTING PLACES OF AMUSEMENT IN THE CITY OF GOODWATER, ALABAMA, AND ITS POLICE JURISDICTION; PROVIDES FOR PENALTIES FOR THE VIOLATION OF THIS ORDINANCE; AND REPEALS A PRIOR ORDINANCE LEVYING SIMILAR TAXES.

Pursuant to the provisions of Code of Alabama 1975, Sections 11-51-200 through 11-51-207, be it ordained by the City Council of the City of Goodwater, in the State of Alabama, that Ordinance 2023-03 is amended to read in its entirety 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 or license tax against the person on account of the business activities 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, and any association or other agency or instrumentality of such institutions) engaged or continuing within the City of Goodwater 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 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 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), an amount equal to Four Percent (4%) 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 or her books are kept so as to show separately the gross proceeds of sales of each business. and when his or her books are not kept, he or she 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 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 the institution or association be a denominational, a state, or county, or a municipal institution, or association or a state, county, 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 and public dance halls of every kind and description within the City, an amount equal to Four Percent (4%) of the gross receipts of any such business. Provided, however, notwithstanding any language to the contrary in the prior portion of this subsection, the tax provisions so specified shall not apply to any athletic event conducted by a public or private primary or secondary school. The tax amount, which would have been collected pursuant to this subsection, shall continue to be collected by the public or private primary or secondary school, but shall be retained by the school that collected it and shall be used by the school for school purposes.

- (c) Upon every person, firm, or corporation engaged or continuing within the City in the business of selling at retail machines used in mining, quarrying, compounding, processing, and manufacturing of tangible personal property, an amount equal to Three Percent (3%) 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, or manufacturing tangible personal property, and the parts of the 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 City in the business of selling at retail any automotive vehicle or truck trailer, semitrailer, 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 Two Percent (2 %) of the gross proceeds of sale of the automotive vehicle or truck trailer, semitrailer, or house trailer. or mobile home set-up materials and supplies provided, however, where a person subject to the tax provided for in this subsection withdraws from his or her stock in trade any automotive vehicle or truck trailer, semitrailer, or house trailer for use by him or her or by his or her employee or agent in the operation of the business, there shall be paid, in lieu of the tax levied herein, a fee of \$100.00 per year or part thereof during which such automotive vehicle, truck trailer, semitrailer, or house trailer shall remain the property of the person. Each 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 succeeding months or part thereof during which the automotive vehicle, truck trailer, semi-trailer, or house trailer shall remain the property of the person. Where any used automotive vehicle or huck trailer, semitrailer, 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.
- (e) Upon every person, firm, or corporation engaged or continuing within the City in the business of selling at retail any machine, machinery or equipment that 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 Two Percent (2%) of the gross proceeds of the sale thereof. Provided, however, the Two Percent (2%) 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.

- (f) 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 Percent (4%) of the retail selling price of the food, food products, and beverages sold through the machines.
- (g) Upon every person, firm, or corporation engaged or continuing within the City in the business of selling food, there is hereby levied a tax equal to Three Percent (3%) of the gross proceeds of the sale of 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.

Section 2. Levy of the Tax in Police Jurisdiction. Upon every person, firm, or corporation engaged or continuing in the operation of any business, or who shall engage in the operation of any business, within the police jurisdiction of the City but beyond the corporate limits of said City for which or upon which a privilege or license tax is in this ordinance levied or required within the corporate limits of the City, 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 City a privilege or license tax equal to one-half of that provided, levied, or required in this ordinance for engaging or continuing in the operation of such business within the corporate limits of the City. Provided further, that except for the amount of the privilege or license tax herein levied within the police jurisdiction of said City but outside the corporate limits thereof, all the provisions of this ordinance extend and apply to all the area within the police jurisdiction of the City.

Section 3. <u>Provisions of State Sales Tax Statutes Applicable to this Ordinance and Taxes herein levied</u>. 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, drive-out certificate procedures, statute of limitation, discounts, 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. (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 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 Two percent (2%) 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 One percent (1%) of the sales price of such automotive vehicle, truck trailer, semitrailer, house trailer or mobile home set-up materials and supplies. Where any used automotive vehicle or truck trailer, semitrailer, 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.
- (d) An excise tax is hereby levied and imposed on the storage, use or other consumption in the City/Town of any machine, machinery or equipment that 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, which is purchased at retail after the effective date of this ordinance, for the storage, use or other consumption in the City/Town at the rate of One percent (1%) of the sales price of such property, regardless of whether the retailer is or is not engaged in the business in this City/Town. Provided, however, the One percent (1%) 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.

- (e) An excise tax is hereby imposed on the storage, use, or other consumption in the City/Town of food, at the rate of Three percent (3%) 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 5. Provisions of State Use Tax Statutes Applicable to this Ordinance and Taxes Herein Levied. 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. <u>Use of Proceeds</u>. The proceeds from the tax herein levied remaining after payment of the costs of collecting said tax, including all charges of the administration for such collection and paid over to and received by the City shall be distributed to the for such collection and paid over to and received by the City shall be distributed to the City of Goodwater so the City of Goodwater can provide the matching funds necessary to fund projects and continue to offer the same level of services to its citizens.
- Section 7. <u>Administration and Collection</u>. The City Council may, by Resolution, provide for the engagement of third-party professional services to assist the city with respect to the administration and collection of the tax provided for by this Ordinance.
- Section 8. <u>Notification to Alabama Department of Revenue</u>. The Mayor and City Clerk/Treasurer shall provide the Alabama Department of Revenue with a copy of this Ordinance, pursuant to § 11-51-210 of the *Code of Alabama*.
- Section 9. <u>Severability</u>. Each and every provision of this ordinance is hereby declared to be an independent provision and the holding of any pro vision 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 ordinance would have been enacted regardless of any provision which might have been held invalid.

Section 10. <u>Effective Date</u>. This ordinance shall become effective on the first day of October 2024, and the first payment of taxes hereunder shall be due payable on the twentieth day of November 2024. This initiates a schedule that is in accordance with § 40-23-7(a) of the *Code of Alabama*.

ADOPTED AND APPROVED this 19th day of August 2024.

Lonnie Caldwell, Mayor

City of Goodwater, Alabama

ATTEST:

Tina Lauderdale, City Clerk
City of Goodwater, Alabama

Mayor
Lonnie Caldwell Sr.

City of Goodwater

<u>City Clerk</u> Tina Lauderdale State of Alabama
Post Office Box 45
Goodwater, AL 35072

City Council
Gregory J. Crayton
Louis Childs
Mary Graham
John Kelley
James Whetstone

(256) 839-6301

September 24, 2024

CERTIFICATION OF PUCLICATION OF ORDINANCE NO. 2023-04

I, Tina Lauderdale, as Town Clerk for the Town of Goodwater, hereby certify that Ordinance No. 2023-04 was adopted by the Mayor and Town Council Goodwater, Alabama on the 19th day of August 2024. I further certify that three (3) copies of Ordinance No. 2023-04 were posted for a period of thirty (30) days in the following three (3) public places within the Town limits of Goodwater, Alabama in accordance with Section 11-45-8(b) of the Code of Alabama 1975, said posting beginning on August 31, 2024:

- 1. Goodwater City Hall bulletin board at the entryway
- 2. Goodwater Public Library
- 3. Goodwater Post Office

ATTEST: Tina Lauderdale, Town Clerk

Date: September 24, 2024

Alabama Dept of Revenue

JUL 2 4 2024

ORDINANCE NO. 2023-02

Local Tax Section

PURSUANT TO THE PROVISIONS OF CODE OF ALABAMA 1975, SECTIONS 11-51-200 THROUGH 11-51-207, THIS ORDINANCE AMENDS ORDINANCE 2023-02 LEVYING A PRIVILEGE, LICENSE OR EXCISE TAX AGAINST PERSONS, FIRMS, OR CORPORATIONS STORING, USING, OR OTHERWISE CONSUMING OR ENGAGED IN THE BUSINESS OF SELLING AT RETAIL TANGIBLE PERSONAL PROPERTY OR CONDUCTING PLACES OF AMUSEMENT IN THE CITY OF GOODWATER, ALABAMA, AND ITS POLICE JURISDICTION; PROVIDES FOR 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 City Council of the City of Goodwater, in the State of Alabama, that Ordinance 407 is amended to read in its entirety 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 or license tax against the person on account of the business activities 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; and any association or other agency or instrumentality of such institutions) engaged or continuing within the City of Goodwater 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 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 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), an amount equal to Two Percent (2 %) plus an additional one cent (\$0.01) 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 or her books are kept so as to show separately the gross proceeds of sales of each business, and when his or her books are not kept, he or she 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 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

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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 the institution or association be a denominational, a state, or county, or a municipal institution, or association or a state, county, 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 and public dance halls of every kind and description within the City, an amount equal to Two Percent (2%) plus an additional one cent (\$0.01) of the gross receipts of any such business. Provided, however, notwithstanding any language to the contrary in the prior portion of this subsection, the tax provisions so specified shall not apply to any athletic event conducted by a public or private primary or secondary school. The tax amount, which would have been collected pursuant to this subsection, shall continue to be collected by the public or private primary or secondary school, but shall be retained by the school that collected it and shall be used by the school for school purposes.

- (c) Upon every person, firm, or corporation engaged or continuing within the City/City 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 Percent (2%) plus an additional one cent (\$0.01) 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, or manufacturing tangible personal property, and the parts of the 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 City in the business of selling at retail any automotive vehicle or truck trailer, semitrailer, 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 Two Percent (2 %) plus an additional one cent (\$0.01) of the gross proceeds of sale of the automotive vehicle or truck trailer, semitrailer, or house trailer, or mobile home set-up materials and supplies provided, however, where a person subject to the tax provided for in this subsection withdraws from his or her stock in trade any automotive vehicle or truck trailer, semitrailer, or house trailer for use by him or her or by his or her employee or agent in the operation of the business, there shall be paid, in lieu of the tax levied herein, a fee of \$100.00 per year or part thereof during which such automotive vehicle, truck trailer, semitrailer, or house trailer shall remain the property of the person. Each 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 succeeding months or part thereof during which the automotive vehicle, truck trailer, semi-trailer, or house trailer shall remain the property of the person. Where any used automotive vehicle or huck trailer, semitrailer, 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.
- (e) Upon every person, firm, or corporation engaged or continuing within the City in the business of selling at retail any machine, machinery or equipment that 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 Two Percent (2%) plus an additional one cent (\$0.01) of the gross proceeds of the sale thereof. Provided, however, the Two Percent (2%) plus an additional one cent (\$0.01) 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 herem 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.

- (f) 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 Two Percent (2%) plus an additional one cent (\$0.01) of the retail selling price of the food, food products, and beverages sold through the machines.
- (g) Upon every person, firm, or corporation engaged or continuing within the City in the business of selling food, there is hereby levied a tax equal to Two Percent (2%) plus an additional one cent (\$0.01) of the gross proceeds of the sale of 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.
- Section 2. Levy of the Tax in Police Jurisdiction. Upon every person, firm, or corporation engaged or continuing in the operation of any business, or who shall engage in the operation of any business, within the police jurisdiction of the City but beyond the corporate limits of said City for which or upon which a privilege or license tax is in this ordinance levied or required within the corporate limits of the City, 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 City a privilege or license tax equal to one-half of that provided, levied, or required in this ordinance for engaging or continuing in the operation of such business within the corporate limits of the City. Provided further, that except for the amount of the privilege or license tax herein levied within the police jurisdiction of said City but outside the corporate limits thereof, all the provisions of this ordinance extend and apply to all the area within the police jurisdiction of the City.
- Section 3. <u>Provisions of State Sales Tax Statutes Applicable to this Ordinance and Taxes herein levied</u>. 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, drive-out certificate procedures, statute of limitation, discounts, 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. Provisions of State Use Tax Statutes Applicable to this Ordinance and Taxes Herein Levied. 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 5. Use of Proceeds. The proceeds from the tax herein levied remaining after payment of the costs of collecting said tax, including all charges of the administration for such collection and paid over to and received by the City shall be distributed to the for such collection and paid over to and received by the City shall be distributed to the City of Goodwater so the City of Goodwater can provide the matching funds necessary to fund projects and continue to offer the same level of services to its citizens.
- Section 6. <u>Administration and Collection</u>. The City Council may, by Resolution, provide for the engagement of third-party professional services to assist the City with respect to the administration and collection of the tax provided for by this Ordinance.
- Section 7. Notification to Alabama Department of Revenue. The Mayor and City Clerk/Treasurer shall provide the Alabama Department of Revenue with a copy of this Ordinance, pursuant to § 11-51-210 of the Code of Alabama.
- Section 8. Severability: Each and every provision of the sordinance 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 ordinance would have been enacted regardless of any provision which might have been held invalid.
- Section 9. Effective Date. This ordinance shall become effective on the first day of October 2022, and the first payment of taxes hereunder shall be due payable on the twentieth day of November, 2024. This initiates a schedule that is in accordance with § 40-23-7(a) of the Code of Alabama.

ADOPTED AND APPROVED this 16 day of april , 2024.

Lonnie Caldwell, Mayor City of Goodwater, Alabama

ATTEST:

Tina Lauderdale, City Clerk City of Goodwater, Alabama