

**CITY OF YACHATS
ORDINANCE NO. 331**

**AN ORDINANCE AMENDING, IN PART YACHATS MUNICIPAL CODE CHAPTER 3.14,
SECTION 3.14.60**

WHEREAS, the City desires to make the penalties charged for late submittal of tax returns and tax revenue consistent for all taxes collected within the City,

NOW, THEREFORE, THE CITY OF YACHATS ORDAINS MUNICIPAL CODE SECTION 3.14.60 SHALL BE AMENDED TO READ AS FOLLOWS:

3.14.60 Penalties and interest

A. Any seller who fails to remit any portion of any tax imposed by Chapter 3.14 within the time required must pay a penalty of 10 percent of the amount of the tax, in addition to the amount of the tax.

B. If any seller fails to remit any delinquent remittance on or before a period of 60 days following the date on which the remittance first became delinquent, the seller must pay a second delinquency penalty of ~~10~~ 15 percent of the amount of the tax in addition to the amount of the tax and the penalty first imposed.

C. If the City Recorder determines that the nonpayment of any remittance due under Chapter 3.14 is due to fraud, a penalty of 25 percent of the amount of the tax will be added thereto in addition to the penalties stated in Chapter 3.14.060(A) and Chapter 3.14.060(B).

D. In addition to the penalties imposed, any seller who fails to remit any tax imposed by Chapter 3.14 must pay interest at the rate one percent per month or fraction thereof on the amount of the tax, exclusive of penalties, from the date on which the remittance first became delinquent until paid.

E. Every penalty imposed, and any interest as accrues under the provisions of 3.14.060, becomes a part of the tax required to be paid.

F. All sums collected pursuant to the penalty provisions in 3.14.060(A) and 3.14.060(C) will be distributed to the City's general fund.

G. Penalties for certain late tax payments may be waived or reduced pursuant to policies and processes adopted by the City Council. However, the City Council is not required to create a penalty waiver or reduction policy. If the City Council does not create a policy for waivers or reductions, no waivers or reductions are allowed.

Passed and adopted by the City Council of the City of Yachats on this _____ day of _____.

Ayes: _____ Nays: _____ Abstentions: _____ Absent: _____

Approved by the Mayor this ____ day of _____.

Attest:

Ronald L Brean, Mayor

Nancy Batchelder, City Recorder