

ORDINANCE IMPOSING A PENALTY FOR FAILURE TO FILE TANGIBLE
PERSONAL PROPERTY, MACHINERY AND TOOLS, MERCHANT'S CAPITAL,
AND MOBILE HOME REPORTING FORM BY MAY 1 OF ANY YEAR

An Ordinance to impose a penalty for tangible personal property, machinery and tools, merchant's capital, and mobile home reporting forms which are not filed by the May 1st deadline in any year, pursuant to Section 58.1-3916 of the Code of Virginia, 1950 as amended, at a rate of ten percent (10%) of the tax assessed or ten dollars (\$10.00), whichever is greater.

Section 1. Requirement to file returns. As provided in Section 58.1-3900, any person having taxable personal property, machinery and tools, or merchant's capital on January 1 or any year shall file a return thereof with the Commissioner of the Revenue of Richmond County in accordance with Section 58.1-3518. Such returns shall be filed by May 1st of each year, except as otherwise provided by ordinance adopted under Section 58.1-3916.

Section 2. Penalty for failure to file by May 1st of any year. As provided in Section 58.1-3916 of the Code of Virginia, a penalty shall be assessed for any tangible personal property, machinery and tools, merchant's capital, or mobile home reporting return filed after the deadline of May 1st of any year. The penalty shall total ten percent (10%) of the tax assessed or ten dollars (\$10.00), whichever is greater. Any such penalty when so assessed shall become part of the tax.

Section 3. Exceptions to the assessment of a penalty. Penalty for failure to file a return shall not be imposed if such failure was not the fault of the taxpayer. The responsibility to make the determination of fault shall be delegated by the Commissioner of the Revenue.

Section 4. Extensions of time for filing may be granted by the Board of Supervisors. The Board of Supervisors may provide, pursuant to Section 58.1-3916, for a reasonable extension of time, not to exceed ninety days, for filing returns on tangible personal property, machinery and tools, merchant's capital, and mobile homes whenever good cause exists. A record of every such extension shall be maintained. If any taxpayer who has been granted an extension of time for filing his return fails to file his return with the extended time, his case shall be treated the same as if no extension has been granted.

Section 5. Effective date of this ordinance. The effective date of this ordinance shall be December 8, 1988.

W. D. Gray
Chairman, Richmond County Board of Supervisors