

ORDINANCE NO. 1709

AN ORDINANCE to amend and reordain Section 36-35, subsections (b) and (c) of Section 36-41, and Section 36-44, all of Article VI, Chapter 36 of The Code of the City of Alexandria, Virginia, 1963, as amended; which Chapter 36 relates to TAXATION, which Article VI relates to TAX ON PERSONS PURCHASING CERTAIN UTILITY SERVICES, which Section 36-35 relates to TAX RATE AND LEVY, which Section 36-41 relates to APPLICABILITY TO RESIDENTIAL USERS OF GAS AND ELECTRICITY SERVICE, which subsection (b) thereof relates to LIMIT OF ELECTRICAL SERVICE CHARGE SUBJECT TO TAX, which subsection (c) thereof relates to APPLICABILITY OF LIMITATIONS ON TAX IN THE CASE OF BI-MONTHLY AND QUARTERLY BILLING, and which Section 36-44 relates to EFFECTIVE DATE OF LEVY.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 36-35, Article VI, Chapter 36 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 36-35. Tax rate and levy.

There is hereby imposed and levied, subject to the provisions of section 36-41 of this Code, by the city, upon every purchaser of a utility service, a tax for general purposes in the following amounts: * Fifteen per centum for water service, sixteen per centum for gas service, sixteen per centum for electric service and twenty-five per centum for telephone service. The above mentioned tax rates shall be computed as a per centum of the charge (exclusive of any federal or state tax thereon) made by the seller against the purchaser with respect to each utility service, which tax in every case shall be collected by the seller from the purchaser and shall be paid by the purchaser unto the seller for the use of the city at the time that the purchase price or such charge shall become due and payable under the agreement between the purchaser and the seller; provided, that in case any monthly bill submitted by any seller for service to a commercial or industrial user shall exceed one hundred and fifty dollars, there shall be no tax computed on so much of such bill as shall exceed one hundred and fifty dollars. Bills shall be considered monthly bills, for the purpose of this article, if submitted twelve times per year for periods of approximately one month each. Accordingly, there shall be no tax computed on so much of a bill for services submitted to a commercial or industrial user in excess of * three hundred dollars where such billing is made on a bi-monthly basis, that is, every other month, and there shall be no tax computed on so much of a bill for services submitted to a commercial or industrial user in excess of * four hundred and fifty dollars where such billing is made quarterly.

Section 2. That subsections (b) and (c) of Section 36-41, Article VI, Chapter 36 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby are amended and reordained to read as follows:

(b) There is excluded from the tax imposed by this article so much of the charge (exclusive of any federal or state tax thereon) made by a seller of electricity service against any residential user as is in excess of * fifteen dollars for any month or portion of a month; provided, that in the case of any apartment house or other multiple family dwelling wherein such electricity service is furnished by or through master meters, such sum of * fifteen dollars shall be multiplied by the number of dwelling units served by or through such master meters.

(c) In the case of bi-monthly billing, the ten dollar and * fifteen dollar limitations set forth in subsections (a) and (b) respectively of this section shall be multiplied by two; accordingly, if there should be quarterly billing, the limitations shall be multiplied by three.

Section 3. That Section 36-44, Article VI, Chapter 36 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 36-44. Effective date of levy.

The tax levied and imposed under this article with respect to the purchase of any utility service shall apply to charges first appearing on bills rendered on and after July 1, 1971, and thereafter, unless otherwise changed; except, that as to electricity and gas service, the tax shall apply to billings based on meter readings on and after July 1, 1971.

Section 4. That this ordinance shall be published in a newspaper of general circulation in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The clerk of the council shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective July 1, 1971.

Charles E. Beatley, Jr.
Mayor

Final Passage: June 8, 1971