

ORDINANCE NO. 2470

AN ORDINANCE to repeal Article II, Chapter 36 of The Code of the City of Alexandria, Virginia, 1963, as amended; to amend Chapter 36 by adding a new article numbered II-A; which Chapter 36 relates to TAXATION, which Article II formerly related to BANK STOCK and which new Article II-A relates to BANK FRANCHISE TAX.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Article II, Chapter 36 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is repealed.

Section 2. That Chapter 36 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new article numbered II-A to read as follows:

Article II-A. Bank Franchise Tax.

Sec. 36-20.1. Definitions.

For the purpose of this article, the following words shall be defined as follows:

(a) Bank. As defined in section 58-485.01, Code of Virginia.

(b) Net capital. A bank's net capital computed pursuant to section 58-485.07, Code of Virginia.

Sec. 36-20.2. Imposition of city bank franchise tax.

(a) Pursuant to the provisions of chapter 10.01 of title 58, Code of Virginia, there is hereby imposed upon each bank located within the boundaries of the City of Alexandria a tax on net capital equaling eighty percent (80%) of the state rate of franchise tax set forth in section 58-485.06, Code of Virginia.

(b) In the event that any bank located within the boundaries of the City of Alexandria has offices that are located outside the city limits, the tax shall be apportioned as provided by section 58-485.012, Code of Virginia.

Sec. 36-20.3. Filing of return and payment of tax.

(a) On or after the first day of January of each year, but not later than March 1 of any such year, all banks whose principal offices are located within the boundaries of the City of Alexandria shall prepare and file with the director of finance a return as provided by section 58-485.013 of the Code of Virginia, in duplicate, which shall set forth the tax on net capital computed pursuant to chapter 10.01, title 58, Code of Virginia. The director of finance shall certify a copy of such filing of the bank's return and schedule and shall forthwith transmit such certified copy to the Virginia Department of Taxation.

(b) In the event that the principal office of a bank is located outside the city limits of the City of Alexandria and such bank has branch offices located within the city limits of the City of Alexandria, in addition to the filing requirements

set forth in subsection (a), any bank conducting such branch business shall file with the director of finance a copy of the real estate deduction schedule, apportionment and other items which are required by sections 58-485.012, 58-485.013 and 58-485.014, Code of Virginia.

(c) Each bank, on or before the first day of June of each year, shall pay into the treasurer's office, all taxes imposed pursuant to this article.

Sec. 36-20.4. Penalty upon bank for failure to comply with article.

Any bank which shall fail or neglect to comply with any provision of this article shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), which fine shall be recovered upon motion, after five (5) days' notice in the Circuit Court of the City of Alexandria. The motion shall be in the name of the Commonwealth and shall be presented by the attorney for the Commonwealth of the City of Alexandria, Virginia.

Section 3. This ordinance shall become effective January 1, 1980. In the event the provisions of this article are held unconstitutional for tax year 1980, then the provisions of Section 1 of this ordinance repealing Article II of Chapter 36 shall not be effective until on and after January 1, 1981.

Section 4. That the title of and an informal memorandum explaining this ordinance shall be published in a newspaper of general circulation published 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 city clerk shall have the full text of this ordinance printed in sufficient numbers to supply copies to meet request. The city clerk 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.

CHARLES E. BEATLEY, JR.  
Mayor

Final Passage: May 21, 1980