

**AN ORDINANCE TO AMEND AND RE-ENACT SECTION 18 OF CHAPTER THREE,
ARTICLE 745 OF THE CODIFIED ORDINANCES OF THE TOWN OF NUTTER FORT, WV**

It is hereby ordained by the Council of the Town of Nutter Fort, Harrison County, West Virginia to adopt the following changes and additions to §745.18 regarding Business and Occupational Tax Exemptions.

§ 745.18 (a). The following exemption is hereby granted in computing business and occupational (B&O) tax due pursuant to this article by any person or taxpayer: retail liquor sales by a Class A freestanding liquor retail outlet. Any individual or entity holding a Class A Retail license and operating a freestanding liquor retail outlet within the town limits pursuant to W.Va. Code §60-3A-1 et seq. shall be granted a \$2,000.00 annual exemption of B&O tax on retail liquor sales within town limits.

§ 745.18 (b). Notwithstanding any other provision of this article, any new business locating within a permanent structure inside the corporate limits of the Town after the effective date of this section shall be granted a credit and exemption from the imposition of the business and occupational tax imposed by this article as follows:

- (1) A fifty percent (50%) credit against the business and occupational tax liability for a period of one (1) year from the commencement of such new business.

Provided, however, the claim for such exemption shall be made by such new business prior to the date the payment of such tax would otherwise be due and such claim shall be made to the Treasurer in writing upon forms prepared by the Treasurer or his/her designee. The provisions of this exemption shall not relieve any taxpayer from the obligation to file business and occupational tax returns as required by this article. Quarterly business and occupational returns filed after due date will result in a forfeiture of exemption. It is further the legislative intent of this section that the credit granted herein is for the purpose of providing an incentive for new business to locate within the Town.

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(2) A twenty-five percent (25%) credit against the business and occupational tax liability for the second year of business.

Provided, however, the claim for such exemption shall be made by such new business prior to the date the payment of such tax would otherwise be due and such claim shall be made to the Treasurer in writing upon forms prepared by the Treasurer or his/her designee. The provisions of this exemption shall not relieve any taxpayer from the obligation to file business and occupational tax returns as required by this article. Quarterly business and occupational returns filed after due date will result in a forfeiture of exemption. It is further the legislative intent of this section that the credit granted herein is for the purpose of providing an incentive for new business to locate within the Town.

This Ordinance shall be effective upon passage. Passed by Council of the Town of Nutter Fort on FIRST READING on this ____ day of _____, 2022.

Passed by Council of the Town of Nutter Fort on SECOND READING on this ____ day of _____, 2022.

MAYOR

ATTEST:

TOWN RECORDER