

**TOWN OF CHARLOTTE COURT HOUSE
REVISED ELECTRIC CONSUMERS UTILITY TAX ORDINANCE**

Notwithstanding any other ordinance or other enactment heretofore adopted and currently in force in this jurisdiction, the following is hereby adopted and ordained to be effective as set forth herein below:

A. DEFINITIONS

Consumer means every person who, individually or through agents, employees, officers, representatives or permittees, makes a taxable purchase of electricity in this jurisdiction.

Kilowatt hours (kWh) delivered means 1000 watts of electricity delivered in a one-hour period by an electric provider to an actual consumer, except that in the case of eligible customer-generators (sometimes called cogenerators) as defined in Virginia Code §56-594, it means kWh supplied from the electric grid to such customer-generators, minus the kWh generated and fed back to the electric grid by such customer-generators.

Person means any individual, corporation, company or other entity.

Service provider means the person who delivers electricity to a consumer.

Used primarily relates to the larger portion of the use for which electric utility service is furnished.

B. ELECTRIC UTILITY CONSUMER TAX

- (a) In accordance with Virginia Code §58.1-3814, effective with the first bill for electric service with a meter reading on or after January 1, 2001 and thereafter until superseded, there is hereby imposed and levied a monthly tax on each purchase of electricity delivered to consumers by a service provider, classified as determined by such provider, as follows:

(1) Residential consumers: such tax shall be \$1.40 plus the rate of \$0.015217 on each kWh delivered monthly to residential consumers by a service provider, not to exceed \$2.50 per month.

(2) Non-residential consumers: such tax on non-residential consumers shall be at the rates per month for the classes of non-residential consumers as set forth below:

(i) Commercial consumers – such tax shall be \$2.29 plus the rate of \$0.016347 on the first 166 kWhs delivered monthly to commercial consumers by a service provider and \$0.001184 on all remaining kWhs.

(ii) Industrial consumers – such tax shall be \$2.29 plus the rate of \$0.016347 on on the first 166 kWhs delivered monthly to industrial consumers by a service provider and \$0.001184 on all remaining kWhs.

(3) The conversion of tax pursuant to this ordinance to monthly kWh delivered shall not be effective before the first meter reading after December 31, 2000, prior to which time the tax previously imposed by this jurisdiction shall be in effect.

(b) Exemptions: The following consumers of electricity are exempt from the tax imposed by this ordinance.

(i) Any church or religious body entitled to exemption pursuant to Article 4 of Chapter 36 of Title 58.1 of the Code of Virginia (§58.1-3650 et seq.)

(ii) The United States of America, the Commonwealth and the political subdivisions thereof, including this jurisdiction.

(c) Billing, collection and remittance of tax. The service provider shall bill the electricity consumer tax to all users who are subject to the tax and to whom it delivers electricity and shall remit the same to this jurisdiction on a monthly basis. Such taxes shall be paid by the service provider to this jurisdiction in accordance with Virginia Code §58.1-3814, paragraphs F. and G., and Virginia Code §58.1-2901. If any consumer receives and pays for electricity but refuses to pay the tax imposed by this section, the service provider shall notify this jurisdiction of the name and address of such consumer. If any consumer fails to pay a bill issued by a service provider, including the tax imposed by this section, the service provider must follow its normal collection procedures and upon collection of the bill or any part thereof must apportion the net amount collected between the charge for electric service and the tax and remit the tax portion to this jurisdiction.

Any tax paid by the consumer to the service provider shall be deemed to be held in trust by such provider until remitted to this jurisdiction.

(d) Computation of bills not on monthly basis. Bills shall be considered as monthly bills for the purposes of this ordinance if submitted 12 times per year of approximately one month each. Accordingly, the tax for a bi-monthly bill (approximately 60 days) shall be determined as follows: (i) the kWh will be divided by 2; (ii) a monthly tax will be calculated using the rates set forth above; (iii) the tax determined by (ii) shall be multiplied by 2; (iv) the tax in (iii) may not exceed twice the monthly "maximum tax".

DATE PASSED: 10/16/00

ATTEST:

Ramona D. West
Ramona D. West, Clerk of Council

Debra P. Andrews
Debra P. Andrews, Mayor