

ORDINANCE #: 126

**AN ORDINANCE INCREASING THE NOT TO EXCEED
AMOUNT ON CONSUMER UTILITY TAXES**

WHEREAS, the Town of New Market, Virginia (the "Town") has proposed Amendments to Chapter 54, *Taxation*, Article III., *Consumer Utility Taxes*, Section 54-57, *Levied*, of the Code of Laws of the Town of New Market, Virginia, increasing the monthly not to exceed tax amount imposed upon the residential consumer for electric service from \$1.50 to \$3.00, the nonresidential consumer for electric service from \$10.00 to \$50.00, increasing the monthly not to exceed tax amount imposed upon the residential consumer for gas service from \$1.50 to \$3.00 and the nonresidential consumer for gas service from \$10.00 to \$50.00;

WHEREAS, Code of Virginia § 58.1-3814 allows the Town to impose and levy a monthly tax on each purchase of electricity delivered to consumers by electric suppliers, classified as determined by such provider;

WHEREAS, Code of Virginia § 58.1-3814 allows the Town to impose and levy a monthly tax on each purchase of natural gas delivered to consumers by pipeline distribution companies and gas utilities classified by "class of consumers" as such term is defined in Virginia Code §58.1-3814(J);

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEW MARKET, VIRGINIA THAT CHAPTER 54, TAXATION, ARTICLE III, CONSUMER UTILITY TAXES, SECTION 54-57, IS REPEALED AND REORDAINED TO READ AS FOLLOWS:

There is hereby imposed and levied by the Town of New Market, Virginia, a tax upon each and every purchase of utility service in the following manner and in the following amounts:

- (1) *Residential consumer of telephone service*: Tax shall be ten percent on the first \$15.00 per month charged (exclusive of any federal tax) made by the service provider against the consumer with respect to telephone service. On the amount charged in excess of \$15.00 there shall be no tax computed.
- (2) *Residential consumer of electric service*: Tax shall be ten percent times the minimum monthly charge (exclusive of any federal tax) imposed upon the consumer plus the rate of \$0.007582 on each small kWh delivered monthly to residential consumers by the service provider, not to exceed \$3.00 monthly.
- (3) *Residential consumer of gas service*: Tax shall be ten percent times the monthly minimum charge (exclusive of any federal tax) imposed upon the consumer plus the rate of \$0.11426 per CCF delivered monthly to residential consumers, not to exceed \$3.00 per month.
- (4) *Non-residential consumers of telephone service*: Commercial and industrial consumers. The tax shall be ten percent on the first \$100.00 of the charge (exclusive of any federal tax) made by the service provider against the

consumer with respect to telephone service. On the amount of charge in excess of \$100.00 there shall be no tax computed.

(5) *Non-residential consumers of electric service:* Commercial and industrial consumers. Such tax shall be ten percent times the minimum monthly charge (exclusive of any federal tax) imposed upon the consumer plus the rate of \$0.007115 on each kilowatt hour delivered monthly, not to exceed \$50.00 per month.

(6) *Non-residential consumers of gas service:* Commercial and industrial consumers. The tax shall be ten percent times the minimum monthly charge (exclusive of any federal tax) imposed upon the consumer plus the rate of \$0.10555 on each CCF delivered monthly to commercial/industrial consumers, not to exceed \$50.00 per month.

The passage of this Ordinance shall be effective July 1, 2023.

Adopted by the Town Council of the Town of New Market, Virginia, on this 20th day of June, 2023.

CERTIFICATE

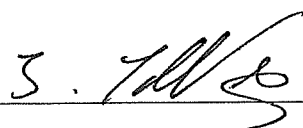
The undersigned Mayor and Clerk of the Town Council of the Town of New Market, Virginia hereby certify that the foregoing constitutes a true and correct copy of an Ordinance Increasing the Not to Exceed Amount on Consumer Utility Taxes adopted by the Town Council at a meeting held on June 20, 2023. A record of the roll-call vote by the Town Council is as follows:

<u>NAME</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Larry Bompiani, Mayor*				
Janice Hannah				✓
Peggy Harkness	✓			
Peter Hughes	✓			
Bob King	✓			
Daryl Watkins				✓
Scott Wymer				✓

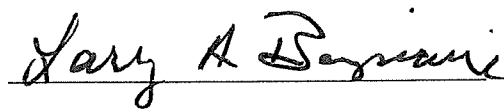
*Votes only in the event of a tie.

Date: June 20, 2023

ATTEST:



Clerk, Town Council of the
Town of New Market



Mayor, Town of New Market, Virginia