



## City Clerk's Rule Cancellation of Penalties

Pursuant to the authority in EMC 3.19.160, the City Clerk makes the following rule:

There may be situations where a business or individual contacts the office of the clerk to request cancellation of penalties for delinquent taxes due.

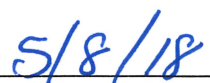
EMC 3.19.120 provides that the Director may cancel the penalties imposed pursuant to EMC 3.19.110(A) and (B) on two occasions:

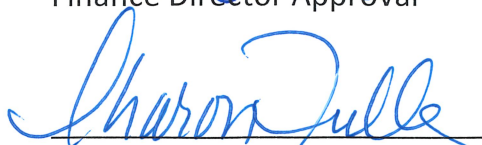
- A. Pursuant to EMC 3.19.120.A, the director may cancel penalties if the taxpayer shows that its failure to timely file or pay the tax was due to **reasonable cause** and not willful neglect as further described by the ordinance, and
- B. Pursuant to EMC 3.19.120.C, the director may cancel the penalties **one time** if a person:
  - 1. is not currently licensed and filing returns;
  - 2. was unaware of its responsibility to file and pay tax;
  - 3. obtained business licenses and filed past due tax returns within 30 days after being notified by the department; and
  - 4. owes no tax for the delinquent tax periods.

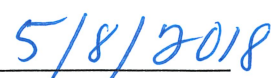
Under either occasion, an individual or business must request, in writing, a cancellation of penalties within 30 days after the date the director mails the notice that the penalties are due.

The director shall not cancel any interest charged upon amounts due.

  
Finance Director Approval

  
Date

  
City Clerk's Approval

  
Date