

(B)(1) This section applies to the following:

(a) Any return required to be filed under applicable law for taxable years beginning on or after January 1, 2016;

(b) Income tax, estimated income tax, and withholding tax required to be paid or remitted to the Municipality on or after January 1, 2016.

(2) This section does not apply to returns required to be filed or payments required to be made before January 1, 2016, regardless of the filing or payment date. Returns required to be filed or payments required to be made before January 1, 2016, but filed or paid after that date shall be subject to the ordinances or rules and regulations, as adopted before January 1, 2016, of the Municipality to which the return is to be filed or the payment is to be made.

(C) Should any taxpayer, employer, agent of the employer, or other payer for any reason fail, in whole or in part, to make timely and full payment or remittance of income tax, estimated income tax, or withholding tax or to file timely with the Municipality any return required to be filed, the following penalties and interest shall apply:

(1) Interest shall be imposed at the rate described in division (A) of this section, per annum, on all unpaid income tax, unpaid estimated income tax, and unpaid withholding tax.

(2)(a) With respect to unpaid income tax and unpaid estimated income tax, the Municipality may impose a penalty equal to fifteen percent (15%) of the amount not timely paid.

(b) With respect to any unpaid withholding tax, the Municipality may impose a penalty equal to fifty percent (50%) of the amount not timely paid.

(3) With respect to returns other than estimated income tax returns, the Municipality may impose a penalty of twenty-five dollars (\$25.00) for each failure to timely file each return, regardless of the liability shown thereon for each month, or any fraction thereof, during which the return remains unfiled regardless of the liability shown thereon. The penalty shall not exceed one hundred and fifty dollars (\$150.00) for each failure.

(D) Nothing in this section requires the Municipality to refund or credit any penalty, amount of interest, charges, or additional fees that the Municipality has properly imposed or collected before January 1, 2016.

(E) Nothing in this section limits the authority of the Municipality to abate or partially abate penalties or interest imposed under this section when the Tax Administrator determines, in the Tax Administrator's sole discretion, that such abatement is appropriate. However, the Tax Administrator is only authorized to abate interest up to one hundred dollars (\$100.00) and penalties up to one thousand dollars (\$1,000.00). Any interest exceeding one hundred dollars (\$100.00) and any penalties exceeding one thousand dollars (\$1,000.00) may only be abated with good cause, upon approval of the Board of Tax Review.

(F) By the 31st day of October of each year the Municipality shall publish the rate described in division (A) of this section applicable to the next succeeding calendar year.