



Village of Madison

Mayor
Sam Britton Jr.

Council Members
Daniel L. Donaldson
Duane H. Frager
John R. Hamercheck
Gregory W. Mabe
Kenneth D. Takacs
Mark V. Vest

Village Administrator
Dwayne Bailey

Law Director
Joseph P. Szeman

Chief of Police
Dawn C. Shannon

Fiscal Officer
Kristie M. Crockett

Engineer
Eric Haibach

126 W. Main Street
Madison, Ohio
44057

Phone: 440-428-7526
Fax: 440-428-6703

Website:
www.madisonvillage.org

To: All Contractors

From: Kristie Crockett, Fiscal Officer

RE: Madison Village Local Income Tax
Registration for Village Work

All contractors working within the limits of Madison Village for at least 20 days in a calendar year are subject to the local Village Income Tax under Madison Village Administrative Code, Chapter 181 (Municipal Income Tax), Section 181.052(B1-D3). Enclosed is the registration form, along with the portion of Madison Village's Tax Code referenced above. Should you wish to read our Municipal Income Tax Code in its entirety, it is available on our website at www.madisonvillage.org.

Please complete the registration form and return it to Madison Village. The tax is 1%, which is levied on all wages and net profits. This information will be forwarded to the Central Collections Agency (CCA), our tax collection administrator, who will forward the appropriate reporting documents. (NOTE: Being a public utility does not exempt you from these registration/reporting/withholding requirements.)

If you have any questions, you may contact us at 440-428-7526, or you may contact CCA directly at 1-800-223-6317.

Thank you.

Chapter to be tax required to be withheld and remitted for the purposes of this section.
 (R.C. § 718.03).

181.052 COLLECTION AT SOURCE; OCCASIONAL ENTRANT.

- (A) The following terms as used in this section:
- (1) "Employer" includes a person that is a related member to or of an employer.
 - (2) "Professional athlete" means an athlete who performs services in a professional athletic event for wages or other remuneration.
 - (3) "Professional entertainer" means a person who performs services in the professional performing arts for wages or other remuneration on a per-event basis.
 - (4) "Public figure" means a person of prominence who performs services at discrete events, such as speeches, public appearances, or similar events, for wages or other remuneration on a per-event basis.
 - (5) "Fixed location" means a permanent place of doing business in this state, such as an office, warehouse, storefront, or similar location owned or controlled by an employer.
 - (6) "Worksite location" means a construction site or other temporary worksite in this state at which the employer provides services for more than twenty days during the calendar year. "Worksite location" does not include the home of an employee.
 - (7) "Principal place of work" means the fixed location to which an employee is required to report for employment duties on a regular and ordinary basis. If the employee is not required to report for employment duties on a regular and ordinary basis to a fixed location, "principal place of work" means the worksite location in this state to which the employee is required to report for employment duties on a regular and ordinary basis. If the employee is not required to report for employment duties on a regular and ordinary basis to a fixed location or worksite location, "principal place of work" means the location in this state at which the employee spends the greatest number of days in a calendar year performing services for or on behalf of the employee's employer.

If there is not a single municipal corporation in which the employee spent the "greatest number of days in a calendar year" performing services for or on behalf of the employer, but instead there are two or more municipal corporations in which the employee spent an identical number of days that is greater than the number of days the employee spent in any other municipal corporation, the employer shall allocate any of the employee's qualifying wages subject to division (B)(1)(a) of this section among those two or more municipal corporations. The allocation shall be made using any fair and reasonable method, including, but not limited to, an equal allocation among such municipal corporations or an allocation based upon the time spent or sales made by the employee in each such municipal corporation. A municipal corporation to which qualifying wages are allocated under this division shall be the employee's "principal place of work" with respect to those qualifying wages for the purposes of this section.

For the purposes of this division, the location at which an employee spends a particular day shall be deemed in accordance with division (B)(2) of this section, except that "location" shall be substituted for "municipal corporation" wherever "municipal corporation" appears in that division.

- (B) (1) Subject to divisions (C), (E), (F), and (G) of this section, an employer is not required to withhold municipal income tax on qualifying wages paid to an

employee for the performance of personal services in the Village if the employee performed such services in the Village on twenty or fewer days in a calendar year, unless one of the following conditions applies:

- (a) The employee's principal place of work is located in the Village.
 - (b) The employee performed services at one or more presumed worksite locations in the Village. For the purposes of this division, "presumed worksite location" means a construction site or other temporary worksite in this state at which the employer provides services that can reasonably be expected by the employer to last more than twenty days in a calendar year. Services can "reasonably be expected by the employer to last more than twenty days" if either of the following applies at the time the services commence:
 - (i) The nature of the services are such that it will require more than twenty days of actual services to complete the services;
 - (ii) The agreement between the employer and its customer to perform services at a location requires the employer to perform actual services at the location for more than twenty days.
 - (c) The employee is a resident of the Village and has requested that the employer withhold tax from the employee's qualifying wages as provided in § 181.051 of this Chapter.
 - (d) The employee is a professional athlete, professional entertainer, or public figure, and the qualifying wages are paid for the performance of services in the employee's capacity as a professional athlete, professional entertainer, or public figure.
- (2) For the purposes of division (B)(1) of this section, an employee shall be considered to have spent a day performing services in a municipal corporation only if the employee spent more time performing services for or on behalf of the employer in that municipal corporation than in any other municipal corporation on that day. For the purposes of determining the amount of time an employee spent in a particular location, the time spent performing one or more of the following activities shall be considered to have been spent at the employee's principal place of work:
- (a) Traveling to the location at which the employee will first perform services for the employer for the day;
 - (b) Traveling from a location at which the employee was performing services for the employer to any other location;
 - (c) Traveling from any location to another location in order to pick up or load, for the purpose of transportation or delivery, property that has been purchased, sold, assembled, fabricated, repaired, refurbished, processed, remanufactured, or improved by the employee's employer;
 - (d) Transporting or delivering property described in division (B)(2)(c) of this section, provided that, upon delivery of the property, the employee does not temporarily or permanently affix the property to real estate owned, used, or controlled by a person other than the employee's employer;
 - (e) Traveling from the location at which the employee makes the employee's final delivery or pick-up for the day to either the employee's principal place of work or a location at which the employee will not perform services for the employer.

(C) If the principal place of work of an employee is located in the Village, the exception from withholding requirements described in division (B)(1) of this section shall apply only if, with respect to the employee's qualifying wages described in that division, the employer

withholds and remits tax on such qualifying wages to the Village.

- (D) (1) Except as provided in division (D)(2) of this section, if, during a calendar year, the number of days an employee spends performing personal services in the Village exceeds the twenty-day threshold described in division (B)(1) of this section, the employer shall withhold and remit tax to the Village for any subsequent days in that calendar year on which the employer pays qualifying wages to the employee for personal services performed in the Village.
- (2) An employer required to begin withholding tax for the Village under division (D)(1) of this section may elect to withhold tax for the Village for the first twenty days on which the employer paid qualifying wages to the employee for personal services performed in the Village.
- (3) If an employer makes the election described in division (D)(2) of this section, the taxes withheld and paid by such an employer during those first twenty days to the Village are refundable to the employee.

(E) Without regard to the number of days in a calendar year on which an employee performs personal services in any municipal corporation, an employer shall withhold municipal income tax on all of the employee's qualifying wages for a taxable year and remit that tax only to the municipal corporation in which the employer's fixed location is located if the employer qualifies as a small employer as defined in § 181.03 of this Chapter. To determine whether an employer qualifies as a small employer for a taxable year, the Tax Administrator may require the employer to provide the Tax Administrator with the employer's federal income tax return for the preceding taxable year.

(F) Divisions (B)(1) and (D) of this section shall not apply to the extent that the Tax Administrator and an employer enter into an agreement regarding the manner in which the employer shall comply with the requirements of § 181.051 of this Chapter.

(G) In the case of a person performing personal services at a petroleum refinery located in the Village, an employer is not required to withhold municipal income tax on the qualifying wages of such a person if the person performs those services on twelve or fewer days in a calendar year, unless the principal place of work of the employer is located in another municipal corporation in this state that imposes a tax applying to compensation paid to the person for services performed on those days and the person is not liable to that other municipal corporation for tax on the compensation paid for such services. For the purposes of this division, a petroleum refinery is a facility with a standard industrial classification code facility classification of 2911, petroleum refining.

Notwithstanding division (D) of this section, if, during a calendar year, the number of days an individual performs personal services at a petroleum refinery exceeds twelve, the employer shall withhold tax for the Village for the first twelve days for which the employer paid qualifying wages to the individual and for all subsequent days in the calendar year on which the individual performed services at the refinery.
(R.C. § 718.011).

181.053 [RESERVED].



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Construction Work Registration Form

Madison Village Municipal Income Tax

Name of Business _____

Address _____

Phone Number _____ Fax _____

Federal Tax ID # _____

Name of Contact _____

Start Date _____ End Date _____

Please also provide (on a separate sheet of paper):

- Names, Addresses, Tax ID #'s for all independent contractors/subcontractors to be used on the project.
- Certificate from the State of Ohio Bureau of Worker's Compensation
- Statement that all employees, subcontractors that are sole proprietorships or partnerships, have the legal right to work in the Unites States.
- Certificate of Insurance.

(Revised 01/2016)

