

ARLINGTON COUNTY CODE

Chapter 32

BANK FRANCHISE TAX

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§ 32-1. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:

“Bank” is as defined in § 58.1-1201 of the Code of Virginia.

“Net capital” means a bank's net capital computed pursuant to § 58.1-1205 of the Code of Virginia. (1-1-80; Ord. No. 09-08, 4-28-09)

§ 32-2. Imposition of County Bank Franchise Tax.

A. Pursuant to the provisions of Chapter 12 of Title 58.1 of the Code of Virginia and subject to such provisions, there is hereby imposed upon each bank located within this County a tax on net capital equaling eighty percentum (80%) of the State rate of franchise tax set forth in § 58.1-1204 of the Code of Virginia; provided, however, in no event shall the tax imposed hereunder be less than the minimum amount specified in § 58.1-1210.

B. In the event that any bank located within the boundaries of this County is not the principal office but is a branch extension or affiliate of the principal office, the tax upon such branch shall be apportioned as provided by § 58.1-1211 of the Code of Virginia. (1-1-80; Ord. No. 09-08, 4-28-09)

§ 32-3. Filing of Return and Payment of Tax.

A. On or after the first day of January of each year, but not later than March 1 of any such year or within fifteen (15) days of adoption of this section, whichever is later, all banks whose principal offices are located within this County shall prepare and file with the Commissioner of the Revenue a return as provided by § 58.1-1207 of the Code of Virginia in duplicate which shall set forth the tax on net capital computed pursuant to Chapter 12 of Title 58.1 of the Code of Virginia. The Commissioner of the Revenue shall certify a copy of such filing of the bank's return and schedules and shall forthwith transmit such certified copy to the State Department of Taxation.

B. In the event that the principal office of a bank is located outside the boundaries of this County and such bank has branch offices located within this County, in addition to the filing requirements set forth in subsection A hereof, any bank conducting such branch business shall file with the Commissioner of the Revenue of this County a copy of the real estate deduction schedule, apportionment and other items which are required by §§ 58.1-1207, 58.1-1211 or 58.1-1212 of the Code of Virginia.

C. Each bank, on or before the first day of June of each year or within fifteen (15) days of the adoption of this section, whichever is later, shall pay into the Treasurer's Office of this County all taxes imposed pursuant to this chapter.

(1-1-80; Ord. No. 09-08, 4-28-09)

§ 32-4. Effective Date of Chapter.

The provisions of this chapter shall be effective for the year beginning January 1, 2009.
(1-1-80; Ord. No. 09-08, 4-28-09)

§ 32-5. Penalty upon Bank for Failure to Comply with Chapter.

Any bank which fails to file a return or pay the tax required by this article or fails to comply with any provision of this article shall be subject to a penalty of five percent (5%) of the tax due. If the Commissioner of the Revenue is satisfied that such failure is due to providential or other good cause, such return and payment of tax shall be accepted exclusive of such penalty, but with interest determined in accordance with § 58.1-15 of the Code of Virginia.

(1-1-80; Ord. No. 09-08, 4-28-09)