

TITLE 5

REVENUE AND FINANCE

Chapters:

- 5.10 Sales Tax.
- 5.50 Use Tax.
- 5.60 Lodging Tax

CHAPTER 5.10

Sales Tax.

Sections:

- 5.10.010 Sales Tax Imposed.
- 5.10.020 Collection, Administration and Enforcement.
- 5.10.030 Amount of Tax.
- 5.10.040 Use and Distribution of Revenues.
- 5.10.050 Capital Improvement Fund.
- 5.10.060 Penalty for Violations.

5.10.010 Sales Tax Imposed. In accordance with Section 29-2-105, C.R.S., as amended, there is hereby imposed a tax on the sale of tangible personal property at retail and the furnishing of services. Said Tax shall be levied and collected on the same tangible personal property and services taxable pursuant to the Colorado Sales Tax, Section 39-26-104, C.R.S., as amended, and subject to the same exemptions as those specified in Section 39-26-114, C.R.S., as amended.

(Ord. 191 §2, 1982)

5.10.020 Collection, Administration and Enforcement. The collection, administration and enforcement of the Town Sales Tax adopted by this Chapter shall be performed by the State Department of Revenue in the same manner as the collection, administration and enforcement of the State Sales Tax. The provisions of Article 26 of Title 39, C.R.S., as amended, and any amendments thereto, heretofore or hereafter enacted, shall govern the collection, administration and enforcement of sales taxes authorized by this Chapter.

(Ord. 117 §4, 1977)

5.10.030 Amount of Tax. The amount of tax imposed by this Chapter shall be three and three quarters percent (3-3/4%) of the amount of sale, figured according to the schedule, and in accordance with the rules and regulations, of the Colorado Department of Revenue.

(Ord. 118 §5, 1977; Amended Ord. 347 §2, 1994)

5.10.040 Use and Distribution of Revenues. The revenues derived from the first one percent (1%) of the Sales Tax shall be deposited to the Town's Capital Improvement Fund and used solely for the purposes for which the Fund may be used. The remainder of the revenues derived from said sales tax shall be deposited to the Town's general fund for use as directed by the Board of Trustees.

(Ord. 191 §4, 1982)

5.10.050 Capital Improvement Fund. There is hereby established a special fund of the Town to be known as the "Parachute Capital Improvement Fund." The revenues specified in Section 5.10.040 herein shall be credited to said Fund and used solely for the purpose of providing capital improvements for the Town of Parachute or paying debt service on bonds or other obligations of the Town issued to provide capital improvements pursuant to Section 29-2-111, C.R.S., as amended. Monies credited to such Fund shall not be available to be pledged or expended by interfund transfer or otherwise for any general purposes of the Town.

(Ord. 191 §4, 1982)

5.10.060 Penalty for Violations. It is unlawful for any retailer to fail or refuse to make any return required to be made to the State Department of Revenue, or to make any false return, or to fail or refuse to make payment to the State Director of Revenue of any taxes collected or due under the provisions of this Chapter, or in any manner to evade the collection of the payment of the tax, or any part thereof, in accordance with this Chapter, or for any purchaser or purchasers to fail or refuse to pay such tax or to evade the payment thereof or to aid or abet another in any attempt to evade the payment of tax. Any person violating any provision of this Section is guilty of a Class B municipal offense and shall be subject to a fine of not more than five hundred dollars (\$500.00) or imprisonment not to exceed six (6) months, or by both such fine and imprisonment.

(Ord. 117 §6, 1977)

CHAPTER 5.50

Use Tax.

Sections:

- 5.50.010 Purpose.
- 5.50.020 Definitions.
- 5.50.030 Distribution of Revenues.
- 5.50.040 Use Tax Imposed.
- 5.50.050 Exemptions from Use Tax.
- 5.50.060 Building Materials and Supplies.
- 5.50.070 Interest and Penalties for Deficiencies.
- 5.50.080 Delinquency - Lien on Property.
- 5.50.090 Deficiency Notice - Alternative Dispute Resolution.
- 5.50.100 Amendments.
- 5.50.110 Effective Date.
- 5.50.120 Violations - Penalties.

5.50.010 Purpose. It is hereby declared to be the legislative intent of the Board of Trustees that for the purposes of this Ordinance every person who stores, uses, or consumes in the Town any construction and building materials, purchased at retail, is exercising a taxable privilege.

The purpose of this Ordinance is to raise revenue and to provide a complementary tax to the Town sales tax. The taxes imposed in this Ordinance are a use tax on building and construction materials which are purchased outside the Town for use, storage or consumption within the Town.

(Ord. 530 §1, 2005)

5.50.020 Definitions. For the purposes of this Chapter, the terms set out herein shall be as defined in Article 2, Title 29, C.R.S.

(Ord. 530 §1, 2005)

5.50.030 Distribution of Revenues.

A. All revenues derived from the municipal use tax created herein shall be deposited in the Town's Capital Improvement Fund and used solely for the purpose for which the Fund may be used.

B. There is hereby established a special fund of the Town of Parachute to be known as the "Parachute Capital Improvement Fund". The revenues specified in subsection (A) of this Section shall be credited to said Fund and used solely for the purpose of providing capital improvements or paying debt service on bonds or other obligations of the Town issued to provide capital improvements pursuant to Section 29-2-111, C.R.S. as amended. Monies credited to such

Fund shall not be available to be pledged or expended, by interfund transfer or otherwise, for any general purposes of the Town.

(Ord. 530 §1, 2005)

5.50.040 Use Tax Imposed. There is hereby imposed, which shall be paid and collected, a use tax on the privilege of using or consuming within the Town of Parachute construction and building materials of every kind and form purchased outside the Town of Parachute at retail for the purpose of use or consumption within the Town, in the amount of three and three-quarters percent (3-3/4%) of the retail purchase price of said construction and building materials.

(Ord. 530 §1, 2005)

5.50.050 Exemptions from Use Tax. In no event shall the use tax apply:

A. To the storage, use or consumption of any tangible personal property the sale of which is subject to a retail sales tax imposed by the Town of Parachute;

B. To the storage, use, or consumption of any tangible personal property purchased for resale in the Town of Parachute, either in its original form or as an ingredient of a manufactured or compounded product, in the regular course of business;

C. To the storage, use, or consumption of tangible personal property brought into the Town of Parachute by a non-resident thereof for his own storage, use, or consumption while temporarily within the Town of Parachute; however this exemption does not apply to the storage, use, or consumption of tangible personal property brought into this State by a non-resident to be used in the conduct of business in this State;

D. To the storage, use, or consumption of tangible personal property by the United States government, or the State of Colorado, or its institutions, or its political subdivisions in their governmental capacities only, or by religious or charitable corporations in the conduct of their or charitable functions;

E. To the storage, use, or consumption of tangible personal property by a person engaged in the business of manufacturing or compounding for sale, profit, or use any article, substance or commodity, which tangible personal property enters into the processing of or becomes an ingredient or component part of the product or service which is manufactured, compounded, or furnished and the container, label, or the furnished shipping case thereof;

F. To the storage, use, or consumption of any article of tangible personal property, the sale or use of which has already been subjected to a legally imposed sales or use tax of another statutory or home rule town, city, or city and county equal to or in excess of the use tax imposed herein. A credit shall be granted against the use tax with respect to a person's storage, use or consumption in the Town of Parachute of tangible personal property purchased by him in a previous statutory or home rule town, city, or city and county. The amount of the credit shall be equal to the tax paid by him by reason of the imposition of a sales or use tax of the previous statutory or home

rule town, city, or city and county on his purchase or use of the property. The amount of the credit shall not exceed the amount of the use tax imposed herein;

G. To the storage, use or consumption of tangible personal property and household effects acquired outside of the Town of Parachute and brought into it by a nonresident acquiring residency;

H. To the storage, use, or consumption of any construction and building materials if a written contract for the purchase thereof was entered into prior to the effective date of the use tax imposed herein;

I. To the storage, use, or consumption of any construction and building materials required or made necessary in the performance of any construction contract bid, let or entered into at any time prior to the effective date of the use tax imposed herein; and

J. To the storage of construction and building materials.

(Ord. 530 §1, 2005)

5.50.060 Building Materials and Supplies.

A. Any person required to pay use tax upon building materials or supplies shall keep and preserve all invoices and statements showing all purchases, made both inside and outside the Town, for necessary lumber, materials, fixtures or other supplies. It shall be the duty of any such person and his or her contractors and subcontractors to furnish the Town Treasurer with such information as he or she may require to assess such purchases. The Town Treasurer may request the Building Official to assist him or her in determining the amount of the use tax due.

B. The full amount of the use tax due shall be, until paid, a lien upon the real property benefitted by such improvement, and the Town Treasurer is authorized to file, when appropriate, a notice of such lien with the County Clerk and Recorder.

C. No final inspection shall be performed for any building erected or altered until evidence of payment of all use taxes due and owing is supplied to the Building Official.

D. Upon issuance of a building permit, a certificate shall be issued to the building permit applicant by the Building Official. The certificate shall state in part that no statutory or home rule city, town or city and county shall apply any sales tax to the sale of construction and building materials designed for the use, construction or alteration of property located in the Town.

E. The estimated valuation figure on which the use tax is determined shall be established by a formula in accordance with the annually updated "Building Valuation Data" established by the International Code Council ("ICC") and published in *Building Safety*; provided, however, that the Building Official may modify the valuation data based upon a review of local conditions, which modification is subject to the prior approval of the Town Administrator; and further provided that the Building Official's discretion to modify the ICC's valuation shall be reasonable and shall be

limited to plus or minus ten percent (10%) of the ICC's annually published regional modifier.

F. The assessed use tax is imposed and assessed at the time of the building permit issuance, and a deposit in the estimated amount of the use tax shall be paid prior to the issuance of the building permit. This use tax is the first tax imposed on construction and building materials designed for use in the Town, and no other public entity may subsequently impose any sales or use tax on the subject construction and building materials. The estimated amount of construction and building materials shall be forty-two percent (42%) of the building valuation established in subsection (E) above. The estimated amount of use tax assessed shall be calculated multiplying the forty-two percent (42%) figure by the current use tax percentage rate

G. Any person or entity paying the use tax who disagrees with the amount of the estimated tax as calculated herein shall have the right, upon completion of the project, to dispute the use tax assessment through presenting a final itemized cost breakdown, with invoices of purchases of construction and building materials, to the Town Treasurer, and must prove that the assessed tax and amount deposited with the Town Treasurer at building permit issuance is inconsistent with the amount of use tax deposited with the Town. The decision of the Town Treasurer shall be final and appealable to a court of competent jurisdiction. Any request for the Town Treasurer to review the amount of the tax must include a final itemized cost breakdown and supporting invoices and documentation, and must be made within thirty (30) days of final inspection, or the amount assessed and deposited upon the issuance of the building permit shall be conclusively determined to be the use tax due, and the deposit shall be retained by the Town; provided, however, that nothing contained herein shall prohibit the Town from performing an audit pursuant to this Chapter to determine if the amount of use tax deposited with the Town upon the issuance of the building permit is consistent with the amount of actual use tax due the Town.

H. Fraudulent misuse of the use tax certificate shall be a Class A Municipal Offence crime punishable in accordance with Section 11.01.030 of the Parachute Municipal Code.

(Ord. 530 §1, 2005)

5.50.070 Interest and Penalties for Deficiencies. If any amount of the use tax is not paid on or before the last date prescribed for payment, interest on such amount at the rate of interest established by the State Commissioner of Banking pursuant to Section 39-12-110.5, C.R.S., shall be paid for the period from such last date to the date paid. The last date prescribed for payment shall be determined without regard to any extension of time for payment granted and shall be determined without regard to any notice and demand for payment issued. In the case of tax in which the last date for payment is not otherwise prescribed, the last date for payment shall be deemed to be the date the liability for the tax arises, and in no event shall be later than the date notice and demand for the taxes made by the Town Treasurer. Interest shall be paid upon notice and demand and shall be assessed, collected, and paid in the same manner as the tax to which it is applicable.

B. If any portion of the tax is satisfied by credit of an overpayment, then no interest shall be imposed under this Section on the portion of the tax so satisfied for any period during which, if the credit had not been made, interest would have been allowed with respect to such overpayment.

C. If any part of a deficiency is due to negligence, but without intent to defraud, there shall be added ten percent (10%) of the total amount of the deficiency from the time the addition becomes due and payable and following ten (10) days after written notice and demand is issued by the Town Treasurer.

D. If any part of a deficiency is due to the intent by the taxpayer to evade the tax, or fraud, then there shall be added fifty percent (50%) of the total amount of the deficiency, and in such case the whole amount of the tax unpaid, including the additions, shall become due and payable ten (10) days after written notice and demand is issued by the Town Treasurer, and an additional one percent (1%) per month on said amount shall be added from the date the tax was due until paid.

E. If a person neglects or refuses to make a return in payment of the use tax or to pay any use tax as required, the Town Treasurer shall make an estimate, based upon such information as may be available, of the amount of taxes due for the period for which the taxpayer is delinquent and shall add thereto interest on such delinquent taxes at the rate prescribed under this Section plus the penalties prescribed under this Section.

(Ord. 530 §1, 2005)

5.50.080 Delinquency - Lien on Property. If any tax imposed by this Chapter is not paid within ten (10) days after it is due, the Town Treasurer shall issue a notice setting forth the name of the taxpayer, the amount of the tax, the date of the accrual thereof, and that the Town claims a first and prior lien therefor on real and personal property of the taxpayer, except as to pre-existing liens of a bonafide mortgagee, pledgee, judgment creditor, or purchaser whose right has attached prior to the filing of the notice as hereafter provided. This notice shall be on forms prepared by the Town Treasurer, and, when filed in the office of the Clerk and Recorder of any county in this State in which the taxpayer owns real or personal property, such notice shall create a lien as aforesaid on such property in that county and constitutes notice thereof.

(Ord. 530 §1, 2005)

5.50.090 Deficiency Notice - Alternative Dispute Resolution. Any taxpayer subject to the use tax pursuant to this Chapter may elect to have a State hearing on the Town of Parachute's final decision on a deficiency notice or claim for refund pursuant to the procedure set forth in this Section.

A. As used in this Section, "State hearing" means a hearing before the Executive Director of the Department of Revenue or delegate thereof as provided in-Section 29-2-106.1, C.R.S.

B. When the Town of Parachute asserts that use taxes are due in an amount greater than the amount paid by a taxpayer, the Town Treasurer shall mail a deficiency notice to the taxpayer by certified mail. The deficiency notice shall state the additional use taxes due. The deficiency notice shall contain notification, in clear and conspicuous type, that the taxpayer has the right to elect a State hearing on the deficiency pursuant to Section 29-1- 106.1, C.R.S. The taxpayer shall also have the right to elect a State hearing upon the Town's denial of such taxpayer's claim for a refund of use

5.50.110 Effective Date. This Chapter shall become effective at 12:01 a.m. on January 1, 2006.

(Ord. 530 §1, 2005)

5.50.120 Violations - Penalty.

A. It shall be unlawful for any person to make any false or fraudulent return or false statement on any return, or for any person to fail or refuse to pay the use tax as set forth in this Chapter, or evade the payment thereof, or to aid or abet another in any attempt to evade the payment of such tax.

B. Any person who knowingly violates any provision of this Chapter or who knowingly fails to perform an act required by any provision of this Chapter, commits a Class A municipal offense punishable according to Section 11.01.030 of the Parachute Municipal Code.

C. Each and every twenty-four (24) hour continuation of any violation shall constitute a distinct and separate offense.

(Ord. 530 §1, 2005)

CHAPTER 5.60

Lodging Tax.

Sections:

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5.60.020	Definitions.
5.60.030	Tax Imposed.
5.60.040	Collection, Administration and Enforcement.
5.60.050	Use of Revenues.
5.60.060	Confidentiality.
5.60.070	Lien on Property.
5.60.080	Tax Returns Due.
5.60.090	Exemptions.
5.60.100	Enforcement and Penalties
5.60.110	Recovery of Unpaid Tax
5.60.120	Status of Unpaid Tax in Bankruptcy and Receivership
5.60.130	Statute of Limitation

5.60.010 Purpose. The purpose of this Chapter is to impose a 5.5% tax on the purchase price paid for short-term lodging.

(Ord. 570 §1, 2007)

5.60.020 Definitions.

A. For the purpose of this Chapter, “short-term lodging” means lodging for a period of time less than thirty (30) consecutive days, and includes lodging contracted for a period of more than thirty (30) days by an individual or company which then subrents or subleases the lodging accommodations, with or without additional consideration, for less than thirty (30) days to individual tenants.

B. For the purpose of this Chapter, the term “lodging” includes leasing or rental of any hotel room, motel room, lodging or inn room, motor hotel, guest house, mobile home, bed and breakfast, or any other place that furnishes sleeping accommodations.

(Ord. 570 §1, 2007)

5.60.030 Tax Imposed. There is imposed on all short-term lodging a tax equal to 5.5% of the purchase price paid for such lodging.

(Ord. 570 §1, 2007)

5.60.040 Collection, Administration and Enforcement. The collection, administration and enforcement of this lodging tax shall be performed by the treasurer or finance director of the Town of Parachute as directed by the Town Administrator. The treasurer or finance director is hereby authorized to adopt and promulgate rules and regulations to govern the collection, administration and enforcement of the lodging tax imposed by this Chapter.

(Ord. 570 §1, 2007)

5.60.050 Use of Revenues. The revenues derived from this lodging tax shall be placed in the general fund.

(Ord. 570 §1, 2007)

5.60.060 Confidentiality. The treasurer or finance director and other employees of the Town shall use their best efforts to prevent the dissemination of confidential information regarding individual taxpayers to any person not an official or employee of the Town which identifies or permits the identification of the amount of lodging tax collected or paid by any individual taxpayer.

(Ord. 570 §1, 2007)

5.60.070 Lien on Property. If any person fails to pay the lodging tax when due, in addition to any penalties, interest and late fees that may be imposed, the Town may issue a notice setting forth the name of the taxpayer, the amount of the lodging tax owed, the date of the accrual thereof, and that the Town claims a first and prior lien therefor on the real property of the taxpayer, except as to preexisting liens of a bona fide mortgagee, pledgee, judgment creditor, or purchaser, which right has attached prior to the filing of the notice as hereinafter provided. The notice shall be on forms prepared by the Town treasurer or finance director, and when filed in the office of the

clerk and recorder of any county in this State in which the taxpayer owns real property, such notice shall create a lien as aforesaid on such property in that county and constitute a notice thereof.

(Ord. 570 §1, 2007)

5.60.080 Tax Returns Due. The tax will be due and payable to the Town of Parachute each calendar month no later than twenty (20) days after the last day of said month and each payment shall be accompanied by a report for said month on such forms as the Town Clerk may prescribe.

(Ord. 579, §1, 2007)

5.60.090 Exemptions. The following transactions are exempt from the tax:

A. Charges for other services, such as food and/or telephone charges, furnished by a person providing lodging;

B. Deposits placed by any purchaser with a request to hold a room for such purchaser for a future date until such time as said deposit has been credited against the purchase or sale;

C. All sales to the United States Government, the State of Colorado, its departments and institutions, the political subdivisions of the State;

D. All sales to those charitable, religious and eleemosynary organizations which have received from the Federal Internal Revenue Services status under Section 501 (c)(3) of the Internal Revenue code as a tax exempt organization, while in the conduct of their regular charitable, religious or eleemosynary functions and activities.

(Ord. 579, §1, 2007)

5.60.100 Enforcement and Penalties.

A. It shall be unlawful for any person to intentionally, knowingly, or recklessly fail to pay the tax imposed by this Chapter, or to make any false or fraudulent return, or for any person to otherwise violate any provisions of this Chapter. Any person convicted of a violation of this Chapter shall be deemed guilty of a Class A municipal offense. Each day, or portion thereof, that any violation of this Chapter continues shall constitute a separate offense.

B. A penalty in the amount of ten percent (10%) of the tax due or the sum of ten dollars (\$10.00), whichever is greater, shall be imposed upon the vendor and become due in the event the tax is not remitted by the twentieth day of the month as required by this Chapter, or such other date as prescribed by the Town Clerk, and one and one-half percent (1.5%) interest shall accrue each month on the unpaid balance. The Town Clerk is hereby authorized to waive, for good cause shown, any penalty assessed.

C. If any part of a deficiency is due to negligence or intentional disregard of regulations, but without intent to defraud, there shall be added ten percent (10%) of the total amount of the deficiency, and interest, from the vendor required to file a return. If any part of the deficiency is

due to fraud with the intent to evade the tax, then there shall be added fifty percent (50%) of the total amount of the deficiency together with interest and in such case, the whole amount of the unpaid tax, including the additions, shall become due and payable ten (10) days after written note and demand by the Town Clerk.

D. If any vendor fails to make a return and pay the tax imposed by this Chapter, the Town may make an estimate, based upon available information of the amount of tax due and add the penalty and interest provided above. The Town shall mail notice of such estimate, by certified mail, to the vendor at his address as indicated in the Town records. Such estimate shall thereupon become an assessment, and such assessment shall be final and due and payable from the taxpayer to the Town Clerk ten (10) days from the date of service of the notice or the date of mailing by certified mail; provided, however, that within the ten (10) day period such delinquent taxpayer may petition the Town Clerk for a revision or modification of such assessment and shall, within such ten (10) day period, furnish the Town Clerk the documents, facts and figures showing the correct amount of such taxes due and owing.

E. Such petition shall be in writing and the facts and figures submitted shall be submitted either in writing or orally, and shall be given by the taxpayer under penalty of perjury. The Town Clerk may modify such assessment in accordance with the facts submitted in order to effectuate the provisions of this Chapter. Such assessment shall be considered the final order of the Town Clerk, and may be reviewed under the Rule 106(a)(4) of the Colorado rules of Civil Procedure, provided that the taxpayer gives written notice to the Town Clerk of such intention within ten (10) days after of the final order of assessment.

(Ord. 579, §1, 2007)

5.60.110 Recovery of Unpaid Tax.

A. The Town Clerk may also treat any such taxes, penalties, costs or interest due and unpaid as a debt due the Town from the taxpayer.

B. In case of failure to pay the taxes, or any portion thereof, or any penalty, costs or interest thereon, when due, the Town Clerk may recover at law the amount of such taxes, penalties, costs, the reasonable value of any attorney's time or the reasonable attorney's fees charged, plus interest, in the Garfield County District or County Court.

C. The return of the taxpayer or the assessment made by the Town Clerk shall be prima facie proof of the amount due.

D. Such actions may be actions in attachment, and writs of attachment may be issued to the Parachute Police or Garfield County Sheriff as the case may be, and in any such proceeding no bond shall be required of the Town Clerk, nor shall any police officer or sheriff require of the Town Clerk an indemnifying bond for executing the writ of attachment or writ of execution upon any judgment entered in such proceedings. The Town Clerk may prosecute appeals in such cases without the necessity of providing bond therefor.

E. It shall be the duty of the Town Attorney, when requested by the Town Clerk, to commence action for the recovery of taxes due under this Chapter and this remedy shall be in addition to all other existing remedies, or remedies provided in this Chapter.

F. The Town may certify the amount of any delinquent tax, plus interest, penalties and the costs of collection, as a charge against the property at which the taxable transaction occurred to the County Treasurer for collection in the same manner as delinquent *ad valorem* taxes as provided by C.R.S. §31-20-106.

(Ord. 579, §1, 2007)

5.60.120 Status of Unpaid Tax in Bankruptcy and Receivership. Whenever the business or property of a taxpayer subject to this Chapter shall be placed in receivership, bankruptcy or assignment for the benefit of creditors, or seized under distraint for taxes, all taxes, penalties and interest imposed by this Chapter and for which the taxpayer is in any way liable under the terms of this Chapter shall be a prior and preferred lien against all the property of the taxpayer, except as to other tax liens which have attached prior to the filing of the notice, and no sheriff, receiver, assignee or other officer shall sell the property of any person subject to this Chapter under process or order of any court, without first ascertaining from the Town Clerk the amount of any taxes due and payable under this Chapter, and if there be any such taxes due, owing and unpaid, it shall be the duty of such officer to first pay the amount of the taxes out of the proceeds of such sale before making payment of any monies to any judgment creditor or other claimants of whatsoever kind or nature, except the costs of the proceedings and other preexisting tax liens as above provided.

(Ord. 579, §1, 2007)

5.60.130 Statute of Limitation.

A. Except as otherwise provided in this Section, the taxes for any period, together with interest thereon and penalties with respect thereto, imposed by this Chapter shall not be assessed, nor shall notice of lien be filed, or distraint warrant be issued, or suit for collection be instituted, or any other action to collect the same be commenced, more than three (3) years after the date on which the tax was or is payable. Nor shall any lien continue after such period, except for taxes assessed before the expiration of such three (3) year period, notice of lien with respect to which has been filed prior to the expiration of such period.

B. In case of a false or fraudulent return with intent to evade taxation, the tax, together with interest and penalties thereon, may be assessed, or proceedings for the collection of such taxes may be commenced at any time.

C. Before the expiration of such period of limitation, the taxpayer and the Town Clerk may agree in writing to an extension thereof, and the period so agreed on may be extended by subsequent agreements in writing.

(Ord. 579, §1, 2007)