

# GENERAL INSTRUCTIONS

## TAXPAYER ASSISTANCE:

**Phone or Email Assistance** - We have a direct phone line (419-929-4461) or email to [nltax@hmcitd.net](mailto:nltax@hmcitd.net) for answering any questions you may have. You can go online and download any tax forms at [www.newlondonohio.com](http://www.newlondonohio.com).

**In Person Office Assistance** - Our tax office staff is available to assist you in completing your city tax return or answer questions every day, Monday through Friday, 8:00 A.M. to 4:00 P.M.

**Every Resident**, 18 years or older WHETHER OR NOT A TAX IS DUE is required to file a tax return. All earnings wherever earned are taxable. If you are retired, unemployed or had no taxable income according to the ordinance, you are still required to file a return indicating your status.

**Every Business Entity, including Pass-Through Entities**, whether a resident or non-resident who conducts a business in New London must file a return and pay any tax on the net profit. If you have a net loss, you are still required to file a return.

**Individuals** employed in New London receiving qualifying wages and whose employers have not withheld city income tax are required to file a tax return with the Village of New London and pay any tax due.

**Partial Year Resident:** If you were a resident of New London for only a portion of the year, you must file and report the income earned during this period of your residency. If filing on a percentage basis, use 8 1/3% for each month you were NOT a resident and enter on Line 3. If pay stub bears year-to-date totals and you moved INTO New London, enter the total of gross wages as shown on last pay stub prior to moving into New London on Line 3. If you moved OUT of New London, deduct total wages as shown on last pay stub prior to moving OUT, from total wages as shown on W-2, and enter the DIFFERENCE on Line 3. SUBMIT COPIES OF W-2's AND PAY STUBS. WAGES EARNED IN NEW LONDON CANNOT BE PRORATED.

**Under Eighteen Years Of Age:** Persons under 18 years of age at December 31 are not subject to New London tax. If you worked in New London and Village tax was withheld, request a refund from the New London Tax Dept. If you worked in a city other than New London, request a refund from that city. A copy of your birth certificate or drivers license and W-2's are required with the refund form. New London residents 18 years old on or before December 31 are subject to New London tax for the portion of the year.

**Where and When To File:** File with the Village of New London, Department of Taxation, 115 East Main Street, New London, Ohio 44851 on or before April 15th following the close of the calendar year. All wage earners must file on a calendar year basis. Fiscal year taxpayers must file 105 days following the close of their fiscal year. In the case of a return for a fractional part of the year, the period for which such return is required to be made. Per ORC 718.05, if the Federal filing date applicable is for a different date, New London will honor the Federal date.

**Extension To File:** Written request for extension of time to file for good cause may be granted. An Extension To File is not an extension to pay. You are required to have paid estimated tax. Extensions may be granted for filing the annual return for not more than 6 months or not more than one calendar month beyond the month of any extension requested of and granted by the Federal IRS Department for the filing of Federal Income Tax Return. A taxpayer who has requested a federal extension may file a copy of that request with the Village and obtain an extension from the Village unless the taxpayer is already in default or paying or filing for a prior year.

**Retirement Plans:** Contributions to Retirement Plans, i.e., IRA, Keogh, Annuities, Deferred Compensation, 401K, etc., are taxable (whether or not your W-2 form shows this income as taxable). Village taxes are paid on gross income (Wages, salaries, profits, and other compensation) when it is earned not when it is received in retirement.

**Taxable Income:** Qualifying wages paid by an employer before any deductions and/or the net profits from the operation of a business, profession or other enterprise or activity including rental property.

**Other Taxable Income:** The term "qualifying wages" includes, but is not limited to: tips, tax shelter plans, gifts of any type for services rendered, vacation and holiday pay, wage continuation benefits, strike benefits, director's fees, jury duty fees, property in lieu of cash, sick or long-term disability pay, bonuses, incentive payments in whatever form, company closing benefits, earnings designated as deferred compensation or compensation paid by an employer in whatever form for services rendered, ordinary income, and a resident partner's or stockholders' distributive share of a non-resident partnership or S-corporation net profits (if received as wages paid). On all income derived from gaming, wagering, lotteries or schemes of chance by residents of New London or by nonresidents of New London when the income from New London sources including ticket purchases in New London. On the net profits attributable to New London, earned by all resident unincorporated businesses, professions and other activities derived from work done or services rendered or performed and business or other activities conducted in the Village of New London. On the net profit attributable to New London of all nonresident unincorporated businesses, professions or other activities conducted in New London, whether or not such business has an office or place of business in New London. On the portion of the distributive share of net profits of a resident individual, partner or owner of a nonresident unincorporated business entity which is located outside of New London. On the net profits earned by all corporations derived from work done or services performed or rendered and business or other activities conducted in the Village of New London. In the absence of separate accounting records which would identify the net profits attributable to New London, the taxpayer may use the allocation formula as set forth at Ohio R.C. 718.02 to determine the portion of the net profits attributable to the Village of New London and in accordance with the rules and regulations adopted by the Council of the Village of New London pursuant to this chapter. (Ord. 97-01. Passed 2-4-97). Net profit means the adjusted Federal Taxable Income, subject to the adjustments provided for in Revised Code Section 718.01.

**Income Not Taxable:** Dividends, interest, pay or allowance of ACTIVE members of the Armed Forces of the United States, insurance proceeds, pensions, annuities when received as retirement, alimony, child support, benefits under a "Section 125" Plan, payments on account of sickness or accident disability, social security, Medicare, (poor relief, unemployment insurance benefits, disability received from Local, State or Federal governments or charitable, religious or educational organizations) gifts, inheritances, scholarships, involuntary conversions, royalties and other revenue from intangible property. The income of religious, fraternal, charitable or other non-profit associations are exempt from the tax if exempt from real estate tax or exempt by enumeration in Section 718.01 of the Ohio Revised Code or section 501 (a) of the Internal Revenue Code.

**Employee Business Expense:** Allowable business expenses are permissible from W-2 income only. Copies of all W-2's and 1099's issued for reimbursement of Business expenses MUST be submitted with your return and/or refund request. If you were a resident of New London for only a portion of the year, and have prorated your income, your business expenses must also be prorated.

**Other Taxable Income (Line 2, Page 1):** If a taxpayer operates a business (including rentals or leasing) which sustains a loss during the taxable year and has no other source of business income which is subject to the tax, the loss may be carried forward for a period of up to five consecutive years subsequent to the year of the loss to be used against future profits generated by a business; **but such business losses shall not be deducted from any individual's "Qualifying Wages" under any circumstances** (Ordinance 181.16 Section (e)).

**Exemptions and Itemized Deductions.** Municipal income tax is based on GROSS EARNINGS before deductions. Exemptions and itemized deductions as available on individual federal income tax returns are NOT ALLOWED.

**Refund or Overpayment:** An overpayment less than \$1.00 shall not be refunded.

**Refunds Received or Receivable:** New London residents who received or are due a refund from another municipality due to allowable adjustments (other than employee business expenses) must reduce the amount of the city tax by the amount of the refund before you compute your credit.

**Penalties and Interest:** Penalties and interest are imposed for failure to file any returns due or pay any tax due.

- (a) All taxes imposed shall bear interest in the amount of one-half (1/2%) percent per month of the amount of unpaid tax.
- (b) In addition to the interest, there is a penalty of \$10.00 per month until paid, or one-half percent per month of the unpaid tax, whichever is greater.
- (c) Any taxpayer who fails to file an annual tax return timely shall be liable for a penalty of fifteen dollars (\$25.00).
- (d) Penalty and interest inapplicable for failure to pay estimated tax if the taxpayer was not a resident on January 1 or if estimated payments made equal 100% of the tax liability for the preceding year.

**DECLARATION OF ESTIMATED INCOME TAX — WHO MUST FILE:**

1. Every resident of New London, 18 years of age or older.
2. Every non-resident who expects to receive taxable income derived within the Village of New London and where no tax has been withheld.
3. Every Incorporated and Unincorporated business, profession, partnership, enterprise or activity subject to the tax.
4. Every person owning rental property located within New London.

**Schedule C:** Profit or loss from Business or Profession: Accounting methods used must be identical to that used for federal reporting. State and City Taxes based upon income are not deductible and must be added back to income. Business income must include Recapture of Depreciation.

**Schedule G:** Income from Rents: All residents of New London owning rental property shall file a return. Non-residents owning rental property located in New London shall file a return on the rental. New London residents owning rental property located outside a taxing district shall file a return on the rental. Owners of farm property are engaged in a business activity when they share in crops or when the rental is based on a percentage of the gross or net receipts derived from the farm.

**Schedule H:** All Other Taxable Income: This schedule is used to list all other taxable income not reported elsewhere on this return. Types of income to be reported here are: Individual distributive share of income from partnerships and corporations.

**Schedule X:** Items not Taxable, Items not Deductible: This schedule is used for the purpose of making adjustments when total included income not taxable and/or items not deductible for city income purposes.

**Line A:** Capital losses from the sale, exchange or other disposition of property shall not be taken into consideration in arriving at net profits earned.

**Line B:** Business expenses related to non-taxable income are added back on Line B. If you have deducted non-taxable income (Line S), expenses attributable to this non-taxable income shall not be allowed as a deduction from the remaining taxable income.

**Line C:** Taxes paid or accrued, based upon income (including school district taxes), are added back. If the Ohio Franchise Tax is paid on net income it must be included in Line C. However, the net worth computation from the same Franchise return is not included in Line C.

**Line N:** Capital gains from the sales, exchange or other disposition of property shall not be taken into consideration in arriving at net profits earned.

**Schedule Y:** Business Allocation: All items of business income and business deductions shall be allocated to this municipality by multiplying the adjusted net profit or loss by a fraction, the numerator of which is the sum of the property factor, the payroll factor and the sales factor and the denominator of which is three, provided that the denominator of three shall be reduced by the number of fractions which has a denominator of zero, resulting in a one or two factor formula (ORC Section 5747.21). However, if the books and records of the taxpayer discloses with reasonable accuracy the net profit or loss attributable to this municipality, then only that portion shall be considered as having a taxable situs in this municipality. Whatever method is used will be subject to review.

**Signature:** Do not fail to sign and date your Return before submitting it to the New London Income Tax Department. A Return is not "filed" within the meaning of the law, until signed by the taxpayer or an agent legally authorized to sign tax returns for such taxpayer. A tax preparer's signature may be by facsimile. By making an election to authorize a preparer to communicate with the New London Tax Department, the taxpayer authorizes the tax department to contact the preparer concerning questions that arise during the processing of the return and contact the tax department for information about the processing of the return or the status of a refund or payments, or to respond to notices the tax department about math errors, offsets, or return preparation which the tax department has received and shown the preparer.

**Generic Forms:** The Village will accept generic form returns, provided that the form discloses all of the information required on the Village's standard form.

**Pass-Through Entities.** Effective for tax year 2003, Pass-Through Entities are required to file their own annual returns and directly pay the applicable tax, rather than through the returns of the owners. "Pass-Through Entity" includes a partnership, limited liability company, S-Corporation, or any class of entity the income or profits of which are given "pass-through" treatment — under the internal Revenue code.