



Department of Taxation and Finance

Important:

The state and local sales and use tax rates and/or reporting code information in this TSB-M are out-of-date.

For the most up-to-date state and local sales and use tax rates, reporting code information, and other information, see the Department of Tax and Finance website: [Find sales tax rates](#).

The TSB-M begins on page 2 below.

New York State Department of Taxation and Finance
Taxpayer Services Division
Technical Services Bureau

TSB-M-91 (9) S
Sales Tax
February 15, 1991

City of Cortland Imposes Sales and Use Tax

Effective March 1, 1991, a 3% sales and use tax is imposed by the city of Cortland on all taxable sales of tangible personal property and services, including sales of residential energy sources and residential energy services that will be reported on the Cortland (city) line of Schedule B, part III. * As a result, all taxable sales made within the city on and after March 1, 1991 will be subject to the Cortland city tax, except as otherwise discussed in this memorandum.

The combined 7% (4% New York State and 3% Cortland County) sales and use tax currently in effect within the city of Cortland is not increased by the tax imposed by the city; rather, the 3% Cortland county tax imposed within the city of Cortland will be decreased by 1 1/2%, resulting only in a change in the distribution of tax collected on sales made within the city (4% New York State, 1 1/2% Cortland County and 1 1/2% city of Cortland).

For proper distribution of state, county and city sales and use tax revenues, new and revised reporting lines for the city of Cortland and Cortland County will be added to all affected returns and schedules that are to be filed for periods beginning on or after March 1, 1991. Taxable sales made in the city of Cortland and Cortland County on and after that date are to be reported using the following tax rates and codes:

<u>Return or Schedule</u>	<u>Locality</u>	<u>Tax Rate</u>	<u>Code</u>
ST-100, 101, 102, 810	Cortland (city)	7%	1112
	Cortland County	7%	1109
Schedule B, Part III	Cortland (city)	3%	1115
	Cortland County	3%	1105
Schedule FR	Cortland (city)	7%	R1112
	Cortland County	7%	R1109
Schedule U	Cortland (city)	3%	L1112
	Cortland County	3%	L1109

* See TSB-M-78(7)S for information on residential energy sources and services.

Transitional Provisions

Layaway Sales

Sales are to be reported on the Cortland (city) line for all layaway sales where the purchaser takes possession of (picks up) the merchandise on or after March 1, 1991 unless:

- the merchandise was purchased under a written agreement that was entered into before November 1, 1990; and
- the merchandise was taken out of inventory and set aside for the customer before November 1, 1990; and
- at least 10% of the sale price was paid before March 1, 1991.

If all three conditions were met, the sale is to be reported on the Cortland county line.

Hotel/Motel Room Bills

When charges for hotel or motel room occupancy are billed on a daily basis, all such charges billed on or after March 1, 1991 are to be reported on the Cortland (city) line.

When charges for hotel and motel room occupancy are billed on other than a daily basis, only the portion of the bill that covers the days falling on or after March 1, 1991 are to be reported on the Cortland (city) line; the portion of the bill that covers the days before March 1, 1991 are to be reported on the Cortland County line.

When the occupant of the hotel or motel room is a permanent resident, (that is occupies the room for 90 or more consecutive days) then there is no tax charged on the rental of the room.

Admission Charges

sales are to be reported on the Cortland (city) line for taxable admissions for any event occurring on or after March 1, 1991, unless the admission tickets were actually sold and delivered to the purchaser before March 1, 1991. This is true whether or not the admission charge was paid before March 1, 1991.

Taxable admissions for events occurring before March 1, 1991 are to be reported on the Cortland County line, as are admission tickets which are sold and delivered before March 1, 1991.

Social and Athletic Club Dues

The dues for membership (including membership renewals) in a social or athletic club are to be reported on the Cortland (city) line if the membership period for which the dues are paid begins on or after March 1, 1991, regardless of when the dues are billed, when they are paid or the payment terms.

The dues paid for memberships that begin before March 1, 1991 are to be reported on the Cortland County line even though payment may actually be made on or after March 1, 1991.

Telephone Bills

Charges for telephone service (other than charges for which a bill was previously issued) that appear on the first bill dated on or after March 1, 1991, are to be reported on the Cortland (city) line unless the charges are for services furnished before the date of the bill. Any charges appearing on such bill that represent charges for services furnished before the date of the first bill dated on or after March 1, 1991 are to be reported on the Cortland County line.

Utility Bills Based on Residential Meter Readings

When a bill is issued based on a meter reading that occurred before March 1, 1991, all such charges are to be reported on Schedule B, Part III on the Cortland County line. When a meter is read on or after March 1, 1991, and more than half the number of days included in the period covered by the bill fall on or after March 1, 1991, all such charges are to be reported on Schedule B, Part III on the Cortland (city) line. Otherwise, charges are to be reported on Schedule B, Part III on the Cortland County line.

Utility Bills Based on Non-Residential Meter Reading

When a bill is issued based on a meter reading that occurred before March 1, 1991, all such charges are to be reported on the Cortland County line on page 2 of the sales and use tax returns (or on page 1 of the limited jurisdiction return). When a meter is read on or after March 1, 1991 and more than half the number of days included in the period covered by the bill fall on or after March 1, 1991, all such charges are to be reported on the Cortland (city) line on page 2 of the sales and use tax returns (or on page one of the limited jurisdiction return), otherwise, charges are to be reported on the Cortland County line on page 2 of the sales and use tax returns (or on page 1 of the limited jurisdiction return).