

CHAPTER 12 – SALES TAX CODE

Sec. 12-571. Jeopardy assessments.

- (a) If the Tax Collector believes that the collection of any assessment or deficiency of any amounts imposed by this Chapter will be jeopardized by delay, he shall deliver to the taxpayer a notice of such finding and demand immediate payment of the tax or deficiency declared to be in jeopardy, including interest, penalties, and additions.
- (b) Jeopardy assessments are immediately due and payable, and the Tax Collector may immediately begin proceedings for collection. The taxpayer, however, may stay collection by filing, within ten (10) days after receipt of notice of jeopardy assessment, or within such additional time as the Tax Collector may allow, by bond or collateral in favor of the City in the amount Tax Collector declared to be in jeopardy in his notice.
- (c) "Bond or Collateral", as required by this Section,
 - (1) shall mean either:
 - (A) a bond issued in favor of the City by a surety company authorized to transact business in this State and approved by the Director of Insurance as to solvency and responsibility, or
 - (B) collateral composed of securities or cash which are deposited with, and kept in the custody of, the Tax Collector.
 - (2) shall be of such form that it may, at any time without notice, be applied to any tax, penalties, or interest due and payable for the purposes of this Chapter. Securities held as collateral by the Tax Collector must be of a nature that they may be sold at public or private sale without notice to the taxpayer.
- (d) If bond or collateral is not filed within the period prescribed by subsection (b) above, the tax collector may treat the assessment as final for purposes of any collection proceedings. The taxpayer nevertheless shall be afforded the appeal rights provided in Sections 12-570 and 12-575. The filing of a petition by the taxpayer under Section 12-570, however, shall not stay the tax collector's rights to pursue any collection proceedings.
- (e) If the taxpayer timely files sufficient bond or collateral, the jeopardy requirements are deemed satisfied, and the taxpayer may avail himself of the provisions of Section 12-570, including requests for additional time to file a petition.

(Code 1977, § 9A-571)

(Ord. 03-17, 4/15/03, renumbered from Chapter 9A) SUPP 2003-2