

2009 ATHENS INSTRUCTIONS

WHO MUST FILE CITY OF ATHENS INCOME TAX RETURN

1. Any resident individual of the city who has Athens Taxable Income whose liability is not met entirely through withholding by an employer must file. A resident of the city must pay Athens City Income Tax on all income except that listed under "Income Not Taxable" below.
2. Any non-resident individual, working more than twelve days in a calendar year, within the City of Athens, whose employer is not withholding must file.
3. All sole proprietorships, regardless of their location, owned by resident individuals must pay tax on the entire net profits of the businesses.
4. All resident businesses must file an income tax return regardless of profit or loss. All other non-resident businesses working within the City may use the business apportionment formula – Section F. Separate accounting based on books and records is no longer permitted. Taxpayers must use the three-factor apportionment formula (O.R.C. 718.02).

5. INCOME NOT TAXABLE

The following income is not taxed by the City of Athens:

Welfare and unemployment benefits; income of charitable, fraternal, scientific, literary, educational or religious organizations, income derived from tax-exempt activities; insurance proceeds; social security benefits; pensions; compensation for damages for personal injuries and like reimbursement, not including damages for loss of profits. Compensation for damage to property by way of insurance or otherwise; capital gains; interest and dividends from intangible property; alimony; patents; copyrights; earnings of individuals under eighteen years of age. Military pay or allowances received as members of the U.S. Armed Forces and their reserve components, including the Ohio National Guard. Compensation (up to \$1,000.00) paid to a precinct election official. Compensation paid to an employee of a transit authority or commission for operating a transit in or through the City, unless the transit operates on a regular route, or the operator is an Athens resident, or the employer is located in the City. The rental allowance paid or rental value furnished, of a home to a member of the clergy, as part of compensation.

Fellowship and scholarship grants, if exempt for federal income tax. Compensation paid for services performed inside the City of Athens, to a non-resident individual, on twelve or fewer days in a calendar year, is not taxable. This 12-day occasional entry provision does not apply to a professional entertainer, a professional athlete, a promoter of, or an employee of, a professional entertainer or professional athlete; or to an individual who is an employee and his/her employer is located in another municipality, and the individual is not liable for tax to the other municipality.

WHAT INCOME TO REPORT ON YOUR RETURN

All qualifying wages, commissions, other compensation, and other taxable income earned/received by residents. All qualifying wages, commissions, other compensation, other taxable income earned/received by non-residents, for work/services performed in City. Profit and/or loss from all businesses and professions, sole proprietors, associations, subchapter s corporations, and corporations; rents; sick pay, stock options, ordinary gains, employer supplemental benefits (SUB) pay and employee and employer contributions to qualified/non-qualified plans; annuities; IRA plans and deferred compensation plans.

Effective for all accounting periods commencing on or after January 1, 2003, an association or a subchapter s corporation is taxed as an entity. A resident who is a member of an association, that is NOT subject to Athens' entity filing, is taxed individually, on his/her share of the association's net profit. A shareholder in a subchapter s corporation is exempt from reporting distributive shares, unless the compensation is wage or self-employment income. This income, as is applicable to the Athens resident's share, must be reported on the subchapter s corporation's return.

CREDITS/DEDUCTIONS

Employee business expenses may be taken if the deductions are permitted on your Federal Forms 2106 or 2106-EZ. Deduct as a credit on Line 3A, Page 1, the amount from Form 2106 or 2106-EZ amount. 2106 expenses must be attributable to income taxed by the City of Athens. Attach Federal Form 2106 or 2106-EZ.

Athens residents only, can receive credit for taxes paid to another city but cannot exceed 1% of compensation earned in each of those cities.

The deduction for "one-half of self-employment tax" may be taken if the deduction is permitted on your Federal Schedule SE. Deduct the allowable Federal Schedule SE amount on line J of Section E, Page 2, but only if the self-employment earnings are subject to Athens tax. Attach Federal Schedule SE.

SECTION A

LINE 1. Enter the total wages from your W-2. If the wages differ in the boxes on your W-2, always enter the highest wages amount. Attach a copy of your W-2. Photostatic copies will be accepted.

LINE 2. OTHER INCOME. Enter other income (i.e., 1099MISC, commissions, lottery winnings, gambling proceeds, etc.). Describe other income on dotted line. Do not report 1099-MISC income that is carried to Federal Schedule C or other Federal Schedules reported elsewhere on this return. Report here any guaranteed payments to you as a partner of a partnership, only if not reported on the "partnership" return.

LINE 3A. Employee business expense deductions are entered here. (See Credits for allowable deductions.) Attach copy of Form 2106 or 2106-EZ.

LINE 3B. Other Adjustments – Deduct any Line 1 income not earned within the Athens City Limits by nonresident individuals. The Refund Request Form For Non-Resident Taxpayers may be requested from the Athens City Income Tax Office by calling (740) 592-3337 or you can find it on our website at www.ci.athens.oh.us. (You do not need to complete the City of Athens Income Tax Return if the ONLY reason for filing is to get a refund of tax withheld by your employer. File the Refund Request Form For Non-Resident Taxpayers.)

LINE 4. Total Lines 3A and 3B.

LINE 5. Enter total income. (Remember not to include interest, dividends, etc.). Add Lines 1,2, and 4.

IF TAXPAYERS ONLY INCOME IS FROM SOURCES LISTED ABOVE, PROCEED TO LINE 8 – DO NOT COMPLETE LINE 6.

LINE 6A. FOR BUSINESSES ONLY – Report here all income and/or loss from: Federal Schedule C (Sole Proprietorship), and/or Federal Schedule F (Farming), and/or Federal Schedule K or K-1 (Partner) and/or Federal Form 1120 (Corporation), and/or Federal Form 1120S (Sub-S Corporation), and/or Federal Form 1065 (Partnership, LLP, LLC or LP), and/or Federal Form 8825 (Partnership or Sub-S Corporation). Be sure the figure you put here is before any operating loss deductions. Also taxable here is any ordinary income from Federal Form 4797. A copy of Federal Schedules must accompany return or Section D must be completed. Business losses may not be deducted from W-2 wages (After fiscal year 2005).

LINE 6A(1). RECONCILIATION WITH FEDERAL RETURN – Reconcile Federal Income as reported here on this return to that which is taxable for Athens City purposes by completing Section E.

LINE 6A(2). BUSINESS APPOINTMENT – An apportionment of less than 100% would commonly occur for non-resident businesses earning income both within and outside the city. A resident owner of any sole proprietorship must pay tax on 100% of his business profits reported on Line 6A(1) regardless of where earned. Section F must be completed for an apportionment of less than 100%.

LINE 6B. RENTAL INCOME IS ENTERED HERE – Report ALL rental and royalty income here regardless of profit or loss. Royalty income is taxable except for income from patents and copyrights. Nonresident individuals should report here only rental and royalty income earned within the City of Athens. Section G, Page 2 must be completed or a copy of federal Schedule E must accompany this return.

Starting tax year 2006 a rental loss may not be deducted from W-2 wages. It may offset any business profits within the same year.

LINE 7. Total Lines 6A or 6A(2) and 6B.

LINE 8. Athens taxable income total Lines 5 and 7. Operating loss cannot offset wages.

LINE 9. Multiply Line 10 by 1.65% (.0165). THIS LINE MUST BE COMPLETED IN ORDER TO COMPLETE YOUR RETURN.

SECTION B

LINE 10A. ATHENS CITY TAX WITHHELD – Put total of Athens City Income Tax withheld per W-2's. If the word "Multiple" appears for locality, check with your employer for the amount remitted to Athens on your behalf.

LINE 10B. INCOME TAX PAID TO OTHER CITIES – This line is to be used by **resident individuals** only. Put here the total of income tax paid to other cities up to a maximum of 1.00% of compensation earned in each of those cities.

LINE 10C. PAYMENTS MADE ON 2009 DECLARATION – Enter amounts paid on quarterly estimates. Contact the Athens City Income Tax Office at (740) 592-3337, if you need assistance.

LINE 10D. OVERPAYMENT FROM 2008. This amount may be verified from your 2008 return, or call (740) 592-3337.

LINE 11. TOTAL CREDITS – Total of Lines 10A, 10B, 10C and 10D.

LINE 12. AMOUNT DUE – If the "Tax Liability" (Line 9) exceeds "Total Credits" (Line 11), enter the difference here. This payment must accompany the return in order for it to be considered filed. Amounts of less than \$5.00 will not be collected.

LINE 13. OVERPAYMENT – If "Total Credits" (Line 11) exceed the "Tax Liability" (Line 9), enter the difference here and indicate the amount to be applied (A) to 2010's declaration (B) and/or refunded. Amounts of less than \$5.00 will not be refunded. Please allow up to 90 days for the processing of the refund requested.

SECTION C

LINE 14. ATHENS ESTIMATED 2010 TAXABLE LIABILITY – Estimate the amount you expect to appear on Line 8 of the 2010 City of Athens Income Tax Return. Without an acceptable explanation, this amount must be at least 80% of Athens Taxable Income for 2009 (Line 9).

LINE 15A. ATHENS CITY TAX TO BE WITHHELD – Estimate the amount of your liability you expect to be met through withholding.

LINE 15B. INCOME TAX TO BE PAID TO OTHER CITIES – This line is to be used by **resident individuals** only. Estimate the amount of your liability you expect to be met through withholding by other cities for compensation earned in those cities. Effective January 1, 2006, the credit here should not exceed **1.00%** of compensation earned in other cities with an income tax.

LINE 16. TOTAL ESTIMATED CREDITS – Total of Lines 15A and 15B.

LINE 17. ESTIMATED ANNUAL AMOUNT DUE – Line 14 minus Line 16. If this amount is less than \$50.00, no quarterly payments are required and you do not need to complete Lines 18, 19 and 20.

LINE 18. QUARTER-PAYMENT AMOUNT – Line 17 divided by 4.

LINE 19. 2009 OVERPAYMENT CREDITED TO 2010 – The amount (if any) from Line 13A of the 2009 City of Athens Income Tax Return.

LINE 20. AMOUNT DUE TOWARD 2010 DECLARATION – Line 18 minus Line 19. If Line 18 exceeds Line 20, payment must accompany the filing of the declaration. If Line 19 exceeds Line 18, no payment need accompany the filing of this declaration. Installments 2,3 and 4 are due July 30, November 1, and February 1 for individual, calendar year taxpayers; June 15, September 15, and December 15 for other than individual, calendar year taxpayers.

LINE 21. PAYMENT DUE – Line 12 plus Line 20.

EXTENSIONS

Extensions must be requested prior to the due date of the return. A copy of the federal filing extension is required. A federal extension does not automatically apply to Athens.

CONFIDENTIAL

All information requested by the Athens City Income Tax Department from tax returns and audits shall be held confidential per the Athens City Code and the State of Ohio Revised Code.



2009 CITY OF ATHENS INCOME TAX RETURN

DUE ON OR BEFORE APRIL 15, 2010
FISCAL YEAR FILERS: FILE BY THE 15TH DAY OF THE 4TH MONTH AFTER YEAR END.

ATHENS CITY INCOME TAX DEPARTMENT
8 EAST WASHINGTON STREET, SUITE 303
ATHENS, OH 45701-2496
PHONE: (740) 592-3337
FAX: (740) 592-6400
WEB SITE: www.ci.athens.oh.us

FEDERAL EXTENSION DOES NOT AUTOMATICALLY APPLY TO ATHENS.

CHECK IF AMENDED RETURN

Date Moved In or Out of Athens in 2009: ___ / ___ / ___

Will you have 2010 income? Yes No

If not, please explain _____

IF NAME OR ADDRESS IS INCORRECT PLEASE MAKE NECESSARY CHANGES

BUSINESS FILING AS: PARTNERSHIP CORPORATION S-CORPORATION SOLE PROPRIETORSHIP LLC LLP LP

SECTION A INCOME

- 1. W-2 Wages, Salaries, Tips and Other Employee Compensation (Highest wage amount on W-2) Attach W-2 1. _____
- 2. Other Income (Commissions, 1099 Misc., Gambling Proceeds, Etc.) – Describe income: 2. _____
- 3. A. Less Employee Business Expense (Form 2106 or 2106-EZ Must Be Attached) 3.A. (_____)
- B. Less Income Not Earned Within Athens City Limits By NON-RESIDENTS 3.B. (_____)

Attach the Refund Request Form For Non-Resident Taxpayers. Please see the instructions.

- 4. Total Adjustments (Total of Lines 3A and 3B)..... 4. (_____)
- 5. Total Income 5. _____

PROCEED TO LINE 8 IF TAXPAYER'S ONLY INCOME IS LISTED ABOVE

- 6. Other Income: (Business Income)
 - A. Profit or Loss from Income other than Wages (Complete Section D, Page 2 or Attach Federal Schedule C, F, K, K-1, Form 1065, 1120S, 1120, 8825, and 4797 as Applicable)..... 6.A. _____
 - (1) Reconciliation with Federal Return: Line 6A (+ or -) Section E, Page 2 \$ _____ Equals (=) 6.A.(1) _____
 - (2) Apportionment _____% of Line 6A (1) (See Section G, Page 2)..... 6.A.(2) _____
 - B. Rental Income (From Section H, Page 2 or Attach Federal Schedule E)..... 6.B. _____
- 7. Total Lines 6A or 6A(2) and 6B 7. _____
- 8. Total Athens Taxable Income (add lines 5 and 7) Operating loss cannot offset wages. 8. _____
- 9. Tax Liability (1.65% of Line 8) 9. _____

SECTION B CREDITS

- 10. Credits
 - A. Athens City Tax Withheld (From W-2's)..... 10.A. _____
 - B. Income Tax Paid to Other Cities (Not to Exceed 1.00%) (DOCUMENTS REQUIRED RESIDENTS ONLY) 10.B. _____
 - C. Payments Made on 2009 Declaration..... 10.C. _____
 - D. Overpayment from 2008 10.D. _____
- 11. Total Credits (Total of Lines 10(A), 10(B), 10(C), and 10(D) 11. (_____)
- 12. AMOUNT DUE (If Line 11 is Less than Line 9, Enter Difference)..... 12. _____
- 13. Overpayment (If Line 11 is Greater than Line 9, Enter Difference) 13. _____
- Amount Of Line 13: A. Credited to 2010 13.A. _____
- B. Refunded 13.B. _____

SECTION C CITY OF ATHENS INCOME TAX DECLARATION – 2010

Calendar Year Taxpayers Must File This Declaration By April 15, 2010.
Fiscal Year Taxpayers Must File by the 15th Day of the 4th Month Following Fiscal Year End.
An Extension to File the 2009 Return is NOT an Extension to pay the 2010 Declaration.

- 14. Athens Estimated 2010 Taxable Liability (Must be at least 80% of 2009's Taxable Liability to Avoid Penalty for Underestimating) 14. _____
- 15. Credits
 - A. Athens City Tax to be Withheld 15.A. (_____)
 - B. Income Tax to be Paid to Other Cities 15.B. (_____)
- 16. Total Estimated Credits (Total of Lines 15(A) and 15(B) 16. (_____)
- 17. Estimated Annual Amount Due (Line 14 Minus Line 16); IF LESS THAN \$50.00, NO QUARTERLY PAYMENTS DUE 17. _____
- 18. Quarterly-Payment Amount (Line 17 ÷ 4)..... 18. _____
- 19. 2009 Overpayment Credited to 2010 (Amount from Line 13(A) Above)..... 19. _____
- 20. AMOUNT DUE Toward 2010 Declaration (Line 18 Minus Line 19)..... 20. _____
- 21. TOTAL PAYMENT DUE (LINE 12 PLUS LINE 20) 21. _____

Make Checks Payable to "City of Athens Income Tax Department"

LATE FILING OF THIS RETURN SUBJECTS YOU TO INTEREST AND PENALTY CHARGES

THE UNDERSIGNED DECLARES THIS RETURN IS TRUE, CORRECT AND COMPLETE FOR THE TAX YEAR 2009.

DATE SIGNATURE OF TAXPAYER OR AGENT PHONE NO. SOCIAL SECURITY OR FED. I.D. NO. SIGNATURE OF PREPARER IF OTHER THAN TAXPAYER

DATE SIGNATURE OF SPOUSE IF JOINT RETURN PHONE NO. SOCIAL SECURITY OR FED.I.D.NO. Check box to grant permission for Tax Office to contact tax preparer.

SECTION D PROFIT OR LOSS FROM BUSINESS (Enter on Line 6A, Page 1)

Business Name _____

1. Total Receipts, Less Allowances, Rebates and Returns..... 1. _____
 2. Less Cost of Labor \$ _____ Material, Supplies and Other Costs 2. _____
 3. Gross Profit from Sales, Etc. (Line 1 Minus Line 2)..... 3. _____
 4. Interest Income \$ _____ Other Business Income (Specify) 4. _____
 5. Total Business Income Before Deductions (Add Lines 3 and 4) 5. _____
- Business Deductions**
6. Advertising and Promotion..... 6. _____
 7. Auto, Truck and Travel..... 7. _____
 8. Interest on Business Loans..... 8. _____
 - 9 a. Taxes Based on Income 9a. _____
 - b. Other Business Taxes 9b. _____
 10. Salaries and Wages..... 10. _____
 11. Depreciation, Amortization 11. _____
 12. Rents (Paid to _____) 12. _____
 13. Other (List if over 10% of Line 14)..... 13. _____
 14. Total Business Deductions (Total of Lines 6 to 13)..... 14. _____
 15. Net Profit (or Loss) from Business or Profession(Line 5 Minus Line 14)..... 15. _____

SECTION E ADJUSTMENTS TO THE FEDERAL TAXABLE INCOME BEFORE NET OPERATING LOSS

ATTACH ALL APPLICABLE SCHEDULES AND FORMS

TAXABLE ITEMS

- A. All Taxes Based on Income..... A. _____
- B. Capital Losses & 1231 Losses..... B. _____
- C. 5% of Intangible Income (5% of Line H) C. _____
- D. Guaranteed Payments to Partners..... D. _____
- E. Payments to Self-Employed Retirement Plans,
Health and Life Insurance Plans for Owners E. _____
- F. Total of A, B, C, D & E..... F. _____

DEDUCTIBLE ITEMS

- G. Intangible Income..... G. _____
 - H. Capital Gains & 1231 Gains H. _____
 - I. One-half of Self-Employment Tax I. _____
 - J. Total of G, H & I..... J. _____
 - K. Line G Minus Line J..... K. _____
- (Carry this Amount to the Blank Insert of Line 6A(1),
Page 1 of Return. If Negative, Enclose in Parentheses.)

SECTION F BUSINESS INCOME OR LOSS

FEDERAL SCHEDULES ATTACH COPIES OF ALL FEDERAL FORMS AND SCHEDULES USED TO COMPUTE YOUR ATHENS RETURN	INCOME/(LOSS) FROM FEDERAL SCHEDULES	APPORTIONMENT PERCENTAGE	TAXABLE INCOME INCOME X %
1. SCHEDULE C-BUSINESS INCOME (A separate allocation schedule is required for each Schedule C).			
2. SCHEDULE E-RENTAL INCOME (Refer to instructions)			
3. SCHEDULE K-1 (Residents enter profit/loss from entities that do not pay Athens tax on entire distributive share)			
4. MISCELLANEOUS INCOME-1099-MISC, W-2G, SCHEDULE F, ETC.			
5. TOTAL INCOME (LOSS) (Combine lines 1 through 4 and enter this amount on Page 1, line 6A)			

SECTION G BUSINESS APPORTIONMENT FORMULA (Enter on Blank Insert of Line 6A(2), Page 1)

Separate accounting based on books and records is NO longer permitted. Taxpayers must use the three-factor apportionment formula (O.R.C. 718.02).	a. Located Everywhere	b. Located in Athens	Percentage (b ÷ a)
STEP 1. A. Original Cost of Real & Tangible Personal Property			
B. Gross Annual Rentals Paid Multiplied by 8			
Total Step 1.A. and Step 1.B.			
STEP 2. Gross Receipts from Sales Made and/or Work or Services Performed			
STEP 3. Wages, Salaries and Other Compensation Paid			
STEP 4. Total Percentages			
STEP 5. Average Percentage (Divide Total Percentages by Number of Percentages Used).			

SECTION H RENTAL INCOME (Enter on Line 6B, Page 1)

Complete Address of Property	Rental Income	Depreciation	Repairs	Other Expenses	Net Income (Or Loss)



**CITY OF ATHENS, OHIO
QUARTERLY PAYMENTS OF ESTIMATED TAX
2ND QUARTER 2010**

DUE DATE

B ACCTS 06-15-2010

R ACCTS 07-30-2010

PAID CHECK WILL BE YOUR RECEIPT DO NOT REMIT CASH BY MAIL

NAME(S) AND ADDRESS:

ACCOUNT

AMOUNT REMITTED: \$

MAKE CHECK OR MONEY ORDER TO:
**CITY OF ATHENS INCOME TAX DEPARTMENT
8 EAST WASHINGTON STREET, SUITE 303
ATHENS, OHIO 45701-2496**
PHONE: (740) 592-3337, FAX: (740) 592-6400
www.ci.athens.oh.us

NOTIFY INCOME TAX DIVISION PROMPTLY OF ANY CHANGE IN OWNERSHIP OR NAME AND ADDRESS SHOWN ABOVE.



**CITY OF ATHENS, OHIO
QUARTERLY PAYMENTS OF ESTIMATED TAX
3RD QUARTER 2010**

DUE DATE

B ACCTS 09-15-2010

R ACCTS 011-1-2010

PAID CHECK WILL BE YOUR RECEIPT DO NOT REMIT CASH BY MAIL

NAME(S) AND ADDRESS:

ACCOUNT

AMOUNT REMITTED: \$

MAKE CHECK OR MONEY ORDER TO:
**CITY OF ATHENS INCOME TAX DEPARTMENT
8 EAST WASHINGTON STREET, SUITE 303
ATHENS, OHIO 45701-2496**
PHONE: (740) 592-3337, FAX: (740) 592-6400
www.ci.athens.oh.us

NOTIFY INCOME TAX DIVISION PROMPTLY OF ANY CHANGE IN OWNERSHIP OR NAME AND ADDRESS SHOWN ABOVE.



**CITY OF ATHENS, OHIO
QUARTERLY PAYMENTS OF ESTIMATED TAX
4TH QUARTER 2010**

DUE DATE

B ACCTS 12-15-2010

R ACCTS 02-01-2011

PAID CHECK WILL BE YOUR RECEIPT DO NOT REMIT CASH BY MAIL

NAME(S) AND ADDRESS:

ACCOUNT

AMOUNT REMITTED: \$

MAKE CHECK OR MONEY ORDER TO:
**CITY OF ATHENS INCOME TAX DEPARTMENT
8 EAST WASHINGTON STREET, SUITE 303
ATHENS, OHIO 45701-2496**
PHONE: (740) 592-3337, FAX: (740) 592-6400
www.ci.athens.oh.us

NOTIFY INCOME TAX DIVISION PROMPTLY OF ANY CHANGE IN OWNERSHIP OR NAME AND ADDRESS SHOWN ABOVE.