



CITY OF PITTSBURGH

LOCAL SERVICES TAX

REGULATIONS

Issued Pursuant to the
City of Pittsburgh
City Code, Title II
Article VII, Chapter 252

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**LOCAL SERVICES TAX
REGULATIONS
ARTICLE I
GENERAL PROVISIONS**

SECTION 101 –DEFINITIONS

The following words and phrases when used in these regulations shall have the meaning ascribed to them in this Section, except where the context clearly indicates a different meaning:

CITY – City of Pittsburgh

CODE – Pittsburgh Code of Ordinances as adopted by the Council of the City and as updated by the amendments to the Local Tax Enabling Act, 53 P. S. § 6924.101, and following.

COMPENSATION – any salaries, wages, commissions, tips, bonuses, fees, including net profits from a business for individuals, partnerships and any other unincorporated taxpayers.

CURRENT YEAR – The calendar year for which the tax is levied.

D.C.E.D – Department of Community and Economic Development (Pennsylvania).

EMPLOYER – a person, partnership, limited partnership, association, unincorporated or otherwise, corporation, institution, trust, governmental body or unit or agency, or any other entity situated or doing business in the City employing one or more persons, including self-employment, for a salary, wage, commission or other compensation. An unincorporated association shall be deemed to be the employer of any partner in the association.

EXEMPT PERSON – a person who files an exemption certificate with his employer affirming that he reasonably expects to receive earned income and net profits from all sources within the City of less than twelve thousand dollars (\$12,000) in the calendar year for which the exemption certificate is filed. See Section 301(h) below, and Section 2 of the Local Tax Enabling Act, 53 P.S. § 6924.301.1, for other exemptions.

INCOME – all earned income and net profits from whatever source derived, including but not limited to salaries, wages, bonuses, commissions and income from self-employment earned in Pittsburgh.

LOCAL SERVICES TAX (LST) – a tax on individuals for the privilege of engaging in an occupation. The Local Services Tax may be levied, assessed and collected by the political subdivision of the taxpayer’s primary place of employment.

OCCUPATION – any livelihood, job, trade, profession, business or enterprise of any kind for which any compensation is received. A person may have more than one occupation. An individual who is an employee, self-employed, or a partner in an unincorporated association carrying on a livelihood, job, trade, profession, business or enterprise of any kind for which compensation is received shall be deemed to have an occupation.

PARTNER – Any partner in a partnership, any member of a limited liability company, any member of a business trust, or other owner of any unincorporated association which is carrying on an occupation, who is also a natural person, shall be deemed to be a partner in an unincorporated association.

PERSON OR INDIVIDUAL – a natural person. Whenever used in any provision prescribing a fine or penalty the word “person” as applied to partnerships, shall mean the partners thereof, and as applied to corporations and unincorporated associations, shall mean the officers thereof.

PERSONS SUBJECT TO LOCAL SERVICES TAX – any person who is an employee, partner in an unincorporated association, or self-employed individual who has compensation or income from within the City, associated with an occupation, shall be subject to the LST, unless he or she is an exempt person.

TAX YEAR – a twelve (12) month period from January 1 to December 31.

TAXPAYER – A person, partnership, limited partnership, association, unincorporated or otherwise, corporation, institution, trust, governmental body, unit or agency or any other entity situated or doing business in the City, liable for tax under Chapter 252 of the City Code.

TREASURER – references to the Treasurer in these regulations refer to the Director and/or the Department of Finance. The Director holds principal responsibility for tax administration in the City. The Deputy Director of Finance serves as City Treasurer. ARTICLE II IMPOSITION OF TAX

SECTION 201 – TIME FRAME

A Local Services Tax has been levied pursuant to the City Code, Title II, Article VII, Chapter 252, for the period January 1 thru December 31 for the purposes of supplementing the funds for (1) Police, Fire and/or Emergency services; (2) road construction and/or maintenance; or (3) reduction of property taxes. This tax was levied for the privilege of engaging in an occupation within the city for each calendar year. It shall be paid over to the Treasurer as set forth in Chapter 252. Each natural person who engages in an occupation shall pay a tax in the amount of \$52 in accordance with the provisions of Chapter 252 of the City Code.

RATE OF TAX –\$52 – A person subject to the Local Services Tax shall be assessed a pro rata share of the tax for each payroll period in which the person is engaging in an occupation. The pro rata share shall be determined by dividing the rate of the Local Services Tax levied for the calendar year by the number of payroll periods established by the employer for the calendar year. Example: \$52/26 pay periods equal \$2 per pay. Employers are required to remit the Local Services Tax thirty days after the end of each quarter of a calendar year. For purposes of this tax, sole proprietors and partners shall be deemed to be employees.

The situs of the Local Services Tax shall be the place of employment, but, in the event a person is engaged in more than one occupation or municipality at the same time, the priority of claim to collect such tax shall be the municipality in which a person is principally employed for the pay periods in question.

Beginning in 2008 a person seeking to claim an exemption from the Local Services Tax may annually file an exemption certificate with his employer. The employee shall attach to the exemption certificate a copy of all the employees last pay stubs or W-2 forms from employment within the political subdivision for the year prior to the calendar year.

Exemption certificates can be downloaded at **www.city.pittsburgh.pa.us/finance**

Beginning in 2008, the following persons are exempt from this tax: (1) any person whose total earned income and net profits from all sources within the City is less than twelve thousand dollars (\$12,000) for the calendar year; (2) any person who served in any war or armed conflict in which the United States was engaged and is honorably discharged or released under honorable circumstances from active service if, as a result of military service, the person is blind, paraplegic or a double or quadruple amputee or has a service connected disability declared by the United States Veteran's Administration or its successor to be a total one hundred percent permanent disability; or (3) any person who serves as a member of a reserve component of the armed forces and is called to active duty at any time during the taxable year. For purposes of this subsection, "reserve component of the armed forces" shall mean the United States Army Reserve, United States Navy Reserve, United States Marine Corps Reserve, United States Coast Guard Reserve, United States Air Force Reserve, The Pennsylvania Army National Guard or the Pennsylvania Air National Guard.

EXAMPLES FOR LOCAL SERVICE TAX (LST)

1. How is the LST deducted from the employee's pay and remitted to the City? Example, employees work full time in the City and all employees earn \$12,000 or more. What is the employer's responsibility?

ANSWER: The employer is required to withhold the pro-rata share of the tax by dividing \$52 by the number of payroll periods established by the employer for the calendar year. The \$52 tax would be collected at \$1 per week for taxpayers paid weekly or at \$4.33 per month for taxpayers paid monthly. When calculating the pro-rata share, employers are required to round down to the nearest one-hundredth of a dollar.

The employer must remit the LST quarterly. The LST form is provided by the City. The tax should be paid the month following the end of each quarter. The LST forms can be downloaded at www.city.pittsburgh.pa.us/finance

2. At the beginning of the year, an employee expects to earn a total of \$10,000 in the City for the entire calendar year. Should the employer withhold the LST?

ANSWER: No. If an employee files an exemption certificate with his employer stating that he will earn less than \$12,000 for the entire year, the employer is **not required** to withhold the LST. The employer is required to have the exemption certificate available for employees to complete.

The exemption certificate can be downloaded at www.city.pittsburgh.pa.us/finance

3. A new hire files an exemption certificate with his employer. The employer and his employee realize with 13 weeks left in the year that he will earn \$12,000 because he is working more hours than anticipated. He is paid weekly. Is his employer responsible for withholding the LST now?

ANSWER: Yes. After the employer realizes that the employee will earn \$12,000 or more, the employer must withhold \$40 (\$39 + \$1) from the next pay to catch-up then \$1.00 a pay for the remaining 12 pays for a grand total of \$52.

4. Employee has two part-time jobs; one located in the City which pays him \$8,000 a year and another in Municipality "A" that pays him \$7,000 a year. Does this person need to pay the LST?

ANSWER: No. The taxpayer should file an exemption certificate with both employers and have no LST deducted. The Taxpayer is not subject to the LST since he did not earn \$12,000 in any single municipality. If the tax was withheld the employee could file a refund claim with each municipality after January 31 of the following year. The refund request form can be downloaded at www.city.pittsburgh.pa.us/finance - the form is listed as LST REFUND FORM.

5. An individual works January thru June in the City and July thru December in Municipality "A". He earns \$10,000 a month at both jobs and is paid once a week. What is his liability to Pittsburgh?

ANSWER: His employer in the City should withhold \$1 a week for 26 pay periods and remit \$26 along with his other employees' deductions to the City. Municipality "A" would be entitled to the LST for the 2nd half of the year. The employee should provide proof of LST paid for the first half of the year to Municipality "A".

6. An individual works July thru December in the City. He did not work January thru June, anywhere. He earns \$10,000 a month. Does he owe the \$52 LST to the City?

ANSWER: Yes. His employer knows that this employee is over the \$12,000 low income exemption level. No exemption certificate has been filed. The \$52 may be prorated for the rest of the year; however the employer should withhold \$52 because that is what the employee owes.

SECOND OPTION: The employer at his option may also deduct a lump sum equal to the prior periods that were missed. This payroll deduction should also include the current payroll deduction that he and his co-workers are liable for. **For example, if he is paid once a week, he would add \$1 to his lump sum prior liability, and this would be deducted from one paycheck.**

7. An employee has 2 jobs and both are part time. Both started at the beginning of January. Job #1 is in the City and pays the employee \$1,000 a month. Job #2 is in Municipality "A" and paid the taxpayer \$500. Where should the tax be paid?

ANSWER: Since both jobs started at the same time, the job that pays the employee the most should be considered his principal job and in this case it would be the City. The LST should be paid to the City. The employee should file an exemption certificate with Municipality "A" or proof that his principal employer is located in the City.

8. On January 1, an employee worked for an employer in Municipality "A" and paid \$10. In June the employee started a new job in the City and will make over \$12,000 at this job. Is the employer required to withhold the LST from the employee?

ANSWER: Yes. The employer must still withhold \$42 (\$52 less \$ 10 previously paid) if the employee provides proof that the \$10 was paid to Municipality "A". Then the employer must pro-rate the \$42 based on the remaining payroll periods.

SECOND OPTION: The employer at his option may also deduct a lump sum equal to the prior periods that were missed. This payroll deduction should also include the current payroll deduction that he and his co-workers are liable for. **For example, if he is paid once a week, he would add \$1 to his lump sum prior liability, and this would be deducted from one paycheck.**

9. An employee files his exemption certificate late. The employer has already withheld \$52. Can the employee apply for a refund?

ANSWER: Yes. The employee should request the refund from the employer. It is permissible and recommended that his employer refund the current year LST and make an adjustment for their next quarterly remittance to the City for the current year.

If the employer does not refund the LST, the employee can apply for a refund from the City after the employer's fourth quarter payment and summary form is filed at the end of January of the following year (see Section 301(j)).

The City is not required to pay interest until 75 days after the fourth quarter or when the taxpayer files for a refund, whichever is later.

10. Employee works 4 months in the City and earns \$20,000. His employer is located outside the Commonwealth of Pennsylvania. Is the employee required to pay the \$52 LST?

ANSWER: Yes.

11. Is a self-employed person or a partner who has an office in the City or who works out of his home located in the City subject to the LST?

ANSWER: Yes. A self-employed person or partner is subject to the \$52 LST. The tax may be prorated and paid quarterly.

ARTICLE III COLLECTION AT SOURCE

SECTION 301 – COLLECTION THROUGH EMPLOYERS

- a. Every employer not registered with the City shall, within 15 days after first becoming an employer, register with the City the employer's name, address and such other information as the City may require.
- b. All employers and self-employed individuals are required to collect the Local Services Tax from all employees engaged in an occupation within the City, unless the employee files an Exemption certificate with the employer. Exemption certificates must indicate a basis for exemption and must be retained for 3 years.
- c. Employers are required to remit the Local Services Tax within thirty (30) days after the end of each quarter of a calendar year. For purposes of this tax, sole proprietors and partners shall be deemed to be employees.

WHEN TO FILE AND PAY – The employer shall file a return of taxes deducted for each three-month period (quarter) on or before the last day of the month following each three-month period.

FIRST QUARTER (03): January 1 thru March 31 (due April 30)

SECOND QUARTER (06): April 1 thru June 30 (due July 31)

THIRD QUARTER (09): July 1 thru September 30 (due October 31)

FOURTH QUARTER (12): October 1 thru December 31 (due January 31)

- d. Any employer, who discontinues business or ceases operation before December 31 of the current tax year, shall within fifteen (15) days after discontinuing business or ceasing operation, file the return hereinabove required and pay the tax to the Treasurer.
- e. The failure of any employer to deduct the tax shall not relieve the employee from the duty to file a return and pay the tax. The employee must first contact the City of Pittsburgh Finance Department at 412-255-2510 then file an LS-3 form. No employer shall be held liable for failure to withhold the Local Services Tax to a political subdivision if the failure to withhold taxes arises from incorrect information submitted by the employee as to the employee's place or places of employment. Any employer who fails to deduct the tax as required by this section, or who fails to pay the tax to the Treasurer, shall be liable for such tax in full.

As to employees who present official receipts evidencing prior payment of the tax either directly or by collection through other employers in Pennsylvania, the employer shall not deduct the tax but shall maintain adequate records concerning the employees.

f. The employer must list on the employee's pay stub how much was withheld **and list the municipality it was paid to**. List PITTSBURGH as "**PGH**".

g. **Upfront Exemption.** Employers are required to discontinue withholding the LST if an employee provides an exemption certificate showing that he has earned income and/or net profits of less than \$12,000. The exemption certificate must verify that the employee reasonably expects to receive earned income and/or net profits of less than \$12,000 from all sources within the City for the calendar year for which the exemption certificate is filed. A copy of the employee's final pay stubs or W-2 forms from employment within Pittsburgh for the year prior to the calendar year for which the employee is requesting an exemption must be attached to the exemption certificate. Employers must make upfront exemption forms readily available to employees at all times and provide new employees with the forms at the time of hiring. Employers are relieved of liability due to incorrect information on the exemption certificate completed by the employee.

Employers are only required to withhold the LST on a payroll period basis for those payroll periods in which the taxpayer is employed. However, when two or more employers employ a taxpayer in a payroll period, an employer is not required to withhold the LST if the taxpayer provides a pay stub from his/her principal employer accompanied by an employee statement of principal employment that the pay stub is from the taxpayer's principal employer and that the taxpayer will notify the employer of any change in employment. Employers are relieved of liability for the tax if they fail to withhold the tax due to incorrect information provided by the taxpayer regarding the taxpayer's principal employer.

h. **Military Exemption.** Employers must exempt from the LST: (1) members of a reserve component of the armed forces called to active duty and (2) honorably discharged veterans who served in any war or armed conflict who are blind, paraplegic, or a double or quadruple amputee as a result of military service or who are 100% disabled from a service-connected disability.

i. **Restoration of Withholding.** Employers must "restart" withholding the LST from an employee who files an exemption certificate in the following circumstances:

- If instructed to do so by the political subdivision levying the LST;
- If notified by the employee that he is no longer eligible for the exemption; or
- If the employer pays the employee \$12,000 or more for the calendar year.

Employers "restart" withholding of the LST by withholding (1) a "catch-up" lump sum equal to the amount of tax that was not withheld from the employee as a result of the exemption; and (2) the same amount per payroll period that is withheld from other employees.

j. The employer must attach a summary on a CD or hard copy with the fourth quarter payment listing the following information:

- Employer's name, address in Pittsburgh, Federal ID number, and the employer's City account number.

- The summary must include an employee's name, Social Security number, wages, address and the amount of Local Service Tax withheld and paid to Pittsburgh for the complete calendaryear.
 - Please see the LST tax form at www.city.pittsburgh.pa.us/finance for the format to use on CD.
 - Concurrent Employment. If a taxpayer has two or more jobs in different political subdivisions during a payroll period, the priority of claim to collect the LST is as follows:
 1. Where the taxpayer maintains his principal office or is principally employed;
 2. Where the taxpayer resides and works; and
 3. Where the taxpayer is employed that is nearest in miles to the taxpayer's home.
- k. If any employer fails or refuses to pay over to the Treasurer any tax required to be withheld under this section by the due date, a penalty of 5% for every month or fraction thereof that the tax remains unpaid shall be added and collected, the penalty is capped at 50%. Interest at the rate of twelve percent (12%) per annum on the amount of tax unpaid for each month or fraction of a month that tax remains unpaid shall be added and collected.

SECTION 302 – DIRECT PAYMENT BY TAXPAYER

Every taxpayer who is self-employed, a partner, or any taxpayer that did not have the tax withheld for any other reason, shall file a LS-3 form and shall pay the tax directly to the Treasurer. The tax is \$52 and should be pro-rated and paid on a quarterly basis. Taxpayers shall file and pay the tax 30 days after the end of each quarter.

SECTION 303 – LIABILITY OF EMPLOYERS AND EMPLOYEES

Any employer required to withhold the tax in accordance with the City Code and with these Regulations shall be personally liable for payment of the tax in the event he fails, refuses or neglects to withhold or transmit the tax or any portion thereof, in addition to the interest and penalties. Any taxes deducted and withheld from employees, plus any penalties and interest thereon, constitute a trust fund for the benefit of the City. The failure to timely remit such funds allows the City to collect such trust funds from the employer, the employer's representative, or any other person receiving such trust funds. 53 P.S. § 6924.705(b)(1).

The failure or omission of any employer to make the correct deductions required by this section shall not relieve any employee from the payment of the tax or the balance determined to be due, together with penalty and interest from the date the tax was due, or from complying with the requirements of the Code relating to the filing of declarations and returns.

ARTICLE IV ADMINISTRATION AND ENFORCEMENT

SECTION 401 – POWERS AND DUTIES OF TREASURER

- a. It shall be the duty of the Treasurer to collect and receive the taxes, fines, and penalties imposed in accordance with the City Code, Title II, Article VII, Chapter 252. It shall also be the duty of the Treasurer to keep a record showing the date of such receipt.
- b. The Treasurer is charged with the administration and enforcement of the provisions of the City Code, and is empowered to prescribe, adopt, promulgate and enforce rules and regulations relating to any matter pertaining to the administration and enforcement of the Code, including provisions for the reexamination and corrections of declarations and returns, and of payments alleged or found to be incorrect, or as to which an overpayment is claimed or found to have occurred, and to prescribe forms necessary for the

administration of the Code.

- c. The Treasurer is authorized to issue a ruling upon written request of a taxpayer.

SECTION 402 – EXAMINATION OF BOOKS AND RECORDS OF TAXPAYERS AND EMPLOYERS

- a. Agents designated by the Treasurer are hereby authorized to examine the books, papers and records of any employer or supposed employer, or of any taxpayer or supposed taxpayer, in order to verify the accuracy of any declaration or return, or if no declaration or return was filed, to ascertain the tax due. Every employer or supposed employer, and every taxpayer or supposed taxpayer, is hereby directed and required to give to the Treasurer, or to any agent designated by him, the means, facilities and opportunity for such examinations and investigations, as are hereby authorized.
- b. If records are not available in the City to support the returns which were filed or which should have been filed, the taxpayer will be required to make them available to the Treasurer either by producing them in a City location or by paying for the expenses incurred by the Treasurer in traveling to the place where the records are regularly kept.
- c. A taxpayer or employer has 30 days from the mailing date to respond to written requests for information from the City or its agents, unless an extension of time is granted in accordance with 53 Pa.C.S. §8424.
- d. Any information gained by the Treasurer, by designated agents, or by any other official or agent of the City, as a result of any declarations, returns, investigations, hearings or verifications required or authorized by the Code, shall be confidential except for official purposes, and shall not be released except in accordance with a proper judicial order, or as otherwise provided by law. 53 Pa.C.S. § 8437.

SECTION 403 – RECORDS TO BE KEPT BY THE EMPLOYER

Employers are required to keep such records, including exemption certificates, which will enable the filing of true and accurate returns of the Local Services Tax (LS-1 and LS-3). Such records shall be preserved for a period of not less than three (3) years from the filing date or due date, whichever is later, in order to enable the Treasurer or any designated agent to verify the correctness of the declarations or returns filed.

SECTION 404 - AUDITS

If, as a result of an examination conducted by the Treasurer, a return is found to be incorrect, the Treasurer is authorized to assess and collect any underpayments of the Local Services Tax. If no return has been filed and a tax is found to be due, the tax actually due may be assessed and collected with or without the formality of obtaining a return from the taxpayer. Deficiency assessments (i.e., where taxpayer has filed a return in good faith but is found to owe additional tax) shall include taxes for three (3) years prior to the date when the deficiency is assessed. Where no return was filed, there shall be no limit to the period of assessment. Any assessment will be issued in accordance with 53 Pa.C.S. § 8427

ARTICLE V

SUITS FOR TAX COLLECTIONS, VIOLATIONS, FINES, INTEREST & PENALTIES

SECTION 501 – REMEDIES NOT MUTUALLY EXCLUSIVE

The remedies provided in Section 502 or Section 505 are not mutually exclusive. The utilization by the Treasurer of one remedy does not preclude utilization of the other. Moreover, use of either or both of the remedies provided in these Sections does not preclude the use by the City of any other legal or administrative procedure which can bring about compliance by the taxpayer with the provisions of Chapter 252 of the Code.

SECTION 502 – SUITS FOR RECOVERY OF UNPAID TAXES

The Treasurer may sue in the name of the City, in law or in equity, for the recovery of those taxes due and unpaid under the provisions of the Local Services Tax, to compel the production of records or to enforce any other provisions of the Code, Title II, Article I, Chapter 211.

Once it has been determined that that a taxpayer owes a tax, the Treasurer will take all actions legally permitted to enforce its claim. Such action may include obtaining additional information, auditing taxpayer records, entering into a settlement of the disputed amount of the tax, or obtaining liens on the taxpayer's property, wage attachments, levies, and seizures and sales of the taxpayer's property in appropriate circumstances. The Treasurer may enter into a written agreement with the taxpayer for payment of the tax in installments if the Treasurer believes that such an agreement will facilitate collection. The Treasurer may also impose interest and applicable penalties on the tax due, and may seek criminal charges in appropriate circumstances. See, Local Tax Enabling Act, 53 P.S. § 6924.702.

SECTION 503 -LIMITATIONS

- a. The following periods of limitations shall apply to suits for collection of taxes.
 - 1. Where a return was filed but no tax paid, any suit brought to recover the tax due and unpaid shall begin within three (3) years after the return was due or filed, whichever is later.
 - 2. In the case of a deficiency assessment, within three (3) years after the assessment has been made.
- b. The limitations set forth in paragraph (a) should not prevent the institution of a suit for the collection of any tax due or determined to be due in the following cases:
 - 1. When no return was filed, there is no limitation.
 - 2. When the return is fraudulent, there is no limitation.
 - 3. When there is an understatement of tax liability of twenty-five percent (25%) or more, and not due to fraud, suit must begin within six (6) years.
- c. Deficiency assessments (i.e., where taxpayer has filed a return in good faith but is found to owe additional tax) shall include taxes for three (3) years prior to the date when the deficiency is assessed. Where no return was filed, there shall be no limit to the period of assessment. A return filed before the due date is deemed to be filed on the due date.

SECTION 504 – PENALTY AND INTEREST

- a. If for any reason the Local Services Tax is not paid when due, interest at the rate of twelve percent (12%) per annum on the amount of tax and an additional penalty of five percent (5%) per month for each month or fraction of a month during the period in which the tax remains unpaid shall be added to the tax. 53 P.S. § 6924.706. The penalty shall not exceed fifty percent (50%). In no event shall the interest rate assessed exceed the maximum rate allowed by the Municipal Claims and Tax Liens Act, 53 P.S. § 7143, or applicable law.
- b. Penalty and Interest on Deficiency Assessment. On any additional tax determined to be due as a result of a deficiency assessment, penalty and interest will be assessed from the day the tax should have been paid to the date of payment. Penalty and interest is calculated as described in paragraph (a) above. Where suit is brought for the recovery of such tax, the person liable therefore shall, in addition, be liable for the costs of collection and the interest and penalties herein imposed. A person's belief that no tax is due and owing, or the failure of any person to receive or obtain the forms required for making the returns required under the City Code, Chapter 211, is not a valid defense to the imposition of penalties herein for violation. Good faith shall not be a defense to the imposition of penalty.

SECTION 505 – FINES AND PENALTIES FOR VIOLATION OF APPLICABLE PROVISIONS OF TITLE TWO, PITTSBURGH CODE

- a. Violations – No person shall:
 1. Fail, neglect, or refuse to make any declaration or file a return required under the City Code;
 2. Refuse to permit the Treasurer or his/her designee to examine the books, records or accounts of any business, taxable or otherwise, to determine liability;
 3. Make any incomplete, false or fraudulent return or attempt to do anything to avoid full disclosure of the amount of tax due to avoid payment in whole or in part, of the Local Services Tax;
 4. Divulge information, which is confidential under Chapter 201.06 of the Code; or
 5. Fail to make any payment when it is due.
- b. Fines
 1. When a person has been adjudged in violation of the applicable provisions by a member of the minor judiciary, the person shall be fined not more than five hundred (\$500.00) dollars and costs for each offense, and in default of payment thereof may be imprisoned for not more than fifty (50) days.
 2. The fines imposed under this Section shall be in addition to any other relief granted to the City of a monetary nature under the provisions of this Article.
 3. Each and every day that the violation continues shall constitute a separate offense for which a fine can be imposed.

SECTION 506 – INSTALLMENT PAYMENT PLAN FOR ANY DEFICIENCY

In the appropriate circumstances, the Treasurer will enter an installment payment plan and defer further collection action, if the taxpayer enters into a written agreement with the Treasurer. The Treasurer will approve installment payment plans only if such a plan is in the best interests of the City. The taxpayer must specifically request the installment payment plan from the Treasurer. For the required terms of any installment plan See, Second Class City Treasurer’s Sale and Collection Act, 53 P.S. § 27207 and Local Taxpayer Bill of Rights, 53 Pa.C.S. § 8436. If the taxpayer fails to abide by the terms of the installment payment plan, the Treasurer may demand immediate payment of tax, penalty and interest.

ARTICLE VI TAXPAYER REMEDIES

SECTION 601 – TREASURER’S HEARING

Any taxpayer aggrieved by an assessment by the Treasurer shall, within ninety (90) days after the date of notice of the assessment, request a Treasurer’s Hearing on a form obtained from the Treasurer for that purpose. 53 Pa.C.S. § 8431. The Treasurer may on his/her own initiative cite a taxpayer for a hearing.

- a. Any taxpayer who fails to request a Treasurer’s Hearing within a timely manner, waives the right to contest any element of the assessment, and that party’s failure to challenge the Treasurer’s adjudication will be construed as an admission by that party as to the propriety of the assessment.
- b. The written petition for reassessment shall contain at minimum:
 - 1. The taxpayer’s name, address, and daytime telephone number.
 - 2. The taxpayer’s account and/or social security number.
 - 3. A copy of the assessment notice the taxpayer received from the Finance Department.
 - 4. A detailed explanation consisting of the reason or reasons the taxpayer disagrees with the assessment and any documentation necessary to support the taxpayer’s claims.
 - 5. Taxpayer’s signature.
- c. The completed petition should be mailed to:

TREASURER HEARINGS
TREASURER – CITY OF PITTSBURGH
414 GRANT ST
PITTSBURGH PA 15219-2476
- d. Any taxpayer may request a Treasurer’s Hearing so that his tax refund request can be reviewed.
- e. The Treasurer will abate any penalties and interest only in accordance with 53 Pa.C.S. § 8428.
- f. The Treasurer will issue its decision within 60 days of the receipt of the taxpayer’s complete and accurate petition form.

SECTION 602 - APPEALS

Any taxpayer aggrieved by the decision of the Treasurer, following a hearing, shall have the right to make an appeal to the Court of Common Pleas of Allegheny County, in accordance with the Taxpayers Bill of Rights. 53 Pa.C.S. § 8434. This appeal must be commenced within thirty (30) days of the date of the Treasurer's decision. If no such appeal is timely filed, the aggrieved party waives his right to contest any element of the Treasurer's adjudication, and that party's failure to challenge the same will be construed as an admission by that party as to the propriety of the Treasurer's decision. No hearing or appeal will operate to suspend the accrual of penalty and interest from the date the tax was due to the date it is actually paid.

SECTION 603 – PAYMENT UNDER PROTEST

The Treasurer will accept payments of disputed tax amounts under protest pending appeals; however, any request for refund of such monies must be filed in accordance with Section 604.

SECTION 604 - REFUNDS

- a. A taxpayer who has overpaid the Local Services Tax, or who is not liable for the Local Services Tax, may file a written request with the Department of Finance for a refund or a credit of the tax. A request for refund or a credit shall be made within three (3) years of the due date for filing the return or one (1) year after actual payment of the tax, whichever is later. If no return is required, the request shall be made within three (3) years after the due date for payment of the tax or within one (1) year after actual payment of the tax, whichever is later. All refunds shall be processed consistently with Section 2 of the Local Tax Enabling Act, 53 P.S. § 6924.301.1(f)(9)(vii) and the Local Taxpayer Bill of Rights, 53 Pa.C.S § 8426.
- b. For amounts paid as a result of a notice assessing or informing a taxpayer of an underpayment, a written request for a refund shall be filed with the Department of Finance within one (1) year of the date of the payment.
- c. Refunds made within seventy-five (75) days of a refund request or seventy-five (75) days after the last day the employer is required to remit the local services tax for the last quarter of the calendar year, whichever is later, shall not be subject to interest.
- d. In general, refunds will not be issued to employers unless the employer provides proof that the overpayment has been refunded to the person from whom the tax was originally withheld. If the employer can demonstrate that it made a computation error on the return and show that the underlying tax was not withheld from any person, the refund can be issued to the employer.

SECTION 605 – SAVINGS CLAUSE AND SEVERABILITY

If a final decision of a court of competent jurisdiction holds any provision of these regulations, or the application of any provision to any circumstances, to be illegal or unconstitutional, the other provisions in these regulations, or the application of such provision to other circumstances, shall remain in full force and effect. The intent of the Treasurer is that the provisions of these regulations shall be severable and that they would have been adopted if any such illegal or unconstitutional provisions had not been included herein.

SECTION 606 – TAXPAYER DISCLOSURE STATEMENT

A copy of the Taxpayer Bill of Rights can be requested in writing at the address below or downloaded at http://apps.pittsburghpa.gov/finance/10_taxpayers_bill_of_rights.pdf

TREASURER, CITY OF PITTSBURGH
AUDIT SECTION
414 GRANT ST RM 206
PITTSBURGH PA 15219-2476