

GENERAL TAX INFORMATION FOR 2020 INDIVIDUAL RETURNS *

IT IS MANDATORY THAT THE FOLLOWING FILE A SIDNEY TAX RETURN, EVEN IF NO TAX IS DUE:

- ALL SIDNEY RESIDENTS and partial year residents ages 18 and over
- ALL SIDNEY RESIDENTS ages 16 and 17 *only* if their tax is not completely withheld for SIDNEY at the rate of 1.65%
- RETIRED RESIDENTS if they have rental, business or other income taxable to Sidney
- EVERY BUSINESS ENTITY that conducts business within the City of Sidney
- EVERY NON-RESIDENT WHO ENGAGES IN BUSINESS or other activity within the City of Sidney, including, but not limited to rental of real and personal property. Non-residents who are employed within the City of Sidney, but whose Sidney City income tax is not fully withheld by their employer, must also file a return.

This form is for use by individual taxpayers only. Partnerships, corporations, s-corporations, etc. who are filing on an entity basis must obtain the "Sidney Business Return" from the Income Tax office or from the city's website.

If you are either *retired or permanently disabled* AND you have no wages, rental, business or other income taxable to Sidney, you may obtain exemption from filing a Sidney tax return. You must complete a one-time Exemption Form (attaching page 1 & 2 and Schedule 1 of your Federal Form 1040, if applicable) so we can approve the exemption and remove you from our ACTIVE ACCO UNT database. This form can be found at www.sidneyoh.com or is available at our office at 201 W. Poplar St, Sidney.

WHEN TO FILE: Individual taxpayers must file their return on or before **April 15, 2021**. **Late filing of this return may result in interest charges and a minimum \$25.00 penalty for each month or fraction of a month the return is late up to \$150.00. MAKE SURE YOU ATTACH PAGE 1 & 2 and Schedule 1 OF YOUR FEDERAL 1040 TAX RETURN.**

REQUEST FOR EXTENSION OF TIME TO FILE: If you are unable to complete and file your return by the April 15, 2021 filing deadline, we would appreciate you sending us a copy of your Federal Extension (form 4868) or a letter stating you want your return due date extended, including the name of the taxpayer(s), address, & Social Security Number by April 15, 2021. **Sidney does not receive copies of federal extensions from the IRS.** An extension is an extension of time to file but is **NOT** an extension of time to pay. Late payment of tax will incur penalty and interest.

TAXABLE INCOME: Includes, but is not limited to: salaries, wages, commissions and other compensation, bonuses, tips, stock options, incentive payments, directors' fees, property in lieu of cash, tips, dismissal or severance pay, vacation and sick pay (employer paid), wage continuation plans, employer supplemental unemployment benefits (SUB pay), **all gambling & lottery winnings**, employee contributions to retirement plans & tax deferred annuity plans (including sec. 401k, 403b, 457b, etc.), pre-retirement distributions from retirement plans, profit sharing, jury duty, union steward fees, executor fees, and scholarship income to the extent that it is reportable on the federal tax return.

NON-TAXABLE INCOME: includes interest, dividends, capital gains, unemployment compensation, 3rd party sick pay, workers' compensation, ADC, child support, retirement distributions, social security benefits, alimony, annuities, active military duty pay, & earnings for individuals under the age of 16.

NON-DEDUCTIBLE EXPENSES: The following expenses are non-deductible: ½ self employment tax; self-employed health insurance premiums, the federal non-deductible portion of meals & entertainment.

BUSINESS ACTIVITY: The net loss from an unincorporated business activity may not be used to offset salaries, wages, commissions (to the extent that they are reported on form W-2 or 1099-Misc) or other compensation. If a taxpayer is engaged in two or more taxable business activities to be included in the same return, the net loss of one unincorporated business activity (except any portion of a loss reportable for municipal income tax purposes to another municipality) may be used to offset the profits of another for purposes of arriving at overall net profits or net operating loss.

CREDIT FOR TAXES PAID TO OTHER CITIES: With proper documentation, credit is allowed for taxes paid to other cities up to a maximum of 1.65%. For example, for a resident working in the City of Dayton (2.5% tax rate), the credit allowed against Sidney taxes is 1.65% of the wages taxed by Dayton. For a resident working in the City of Bellefontaine (1.33%), full credit of 1.33% would be allowed against Sidney taxes since the rate is less than 1.65%. This means that the Sidney resident owes Sidney tax on those wages for the difference between 1.65% and 1.33%. This credit is reduced by refunds from other cities.

ESTIMATED TAX PAYMENTS: Every person who anticipates receipt of taxable income not subject to employer withholding or who engages in a business, profession, enterprise or other activity subject to Sidney taxation due shall file a declaration and pay estimated tax if they expect their 2020 tax liability to be greater than \$200.00. Estimated payments are due on April 15, June 15, September 15, and January 17, 2022. Failure to pay estimated taxes may result in an assessment of penalty charges. See Line-by-Line Instructions for more details.

PENALTIES AND INTEREST: Filing your return late, paying your taxes late and/or not paying the appropriate estimated tax payments, if required, will subject you to penalties and interest. See Line-by-Line instructions for more details.

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PARTIAL YEAR RESIDENTS: If you were a Sidney resident for only part of 2020, you must file a tax return covering that time. Report the amount of income you earned while you were a Sidney resident. Pay statements with year-to-date figures or a statement from your payroll department must be used if available. When the actual amount you earned while living in Sidney cannot be determined, you may break down your earnings by the number of months employed by that job, arriving at a monthly earnings figure. Use the monthly earnings figure multiplied by the number of months of residency to find your taxable amount. If you pro-rate your income, also pro-rate all city tax that was withheld on this same income. Attach a worksheet and statements explaining your calculations.

ASSISTANCE – Sidney Revenue Collections staff will help taxpayers prepare the Sidney Income Tax Return. Taxpayers need to bring in copies of their Federal 1040, all W-2 forms, 1099 Misc. and other Federal Schedules. The Tax Office is located in City Hall at 201 W. Poplar St., Sidney. Phone (937)-498-8111. Fax (937) 498-8149. Email tax@sidneyoh.com Hours of operation are 8:00 a.m. to 4:00 p.m. Monday – Friday.

LINE-BY-LINE INSTRUCTIONS FOR 2020 INDIVIDUAL RETURNS *

HEADING – Print your name, address, & social security number. If married filing jointly, print your spouse's name & social security number.

FILING STATUS – Check one. If married filing separately, enter your spouse's social security number & full name. Joint or separate returns are permissible for married taxpayers.

RESIDENCY STATUS – Check one. See General Tax Instructions for more information on partial year residency. If you moved during 2017, complete the date of the relocation and the previous address.

LINE 1 – Total qualifying wage and compensation information is reported on this line. Indicate employer's name, the city where the work was performed, amount withheld for Sidney, amount withheld for another city (up to a maximum of 1.65% of qualifying wages), and qualifying wages earned (generally larger of Line 5 or Line 18 on the W-2). Be certain to attach all W-2's and 1099's. **If your W-2's are marked "various" or "all cities" in the Local Tax Withheld Line, you should request an itemized breakdown by city from your employer(s). This must be attached to your return. Do not include unemployment, pension distributions, interest or dividend 1099's.**

LINE 2 – Enter Employee Business Expenses eligible to be deducted from wage income, brought forward from **Worksheet A** on page 2. You must include a copy of your **Federal Form 2106**, as well as, **Schedule A** of your Federal return.

LINE 3 – Total Taxable Wages. Line 1 minus Line 2.

LINE 4 – Enter the total of **all Gambling winnings** (in state and out of state winning), lottery winnings, contest winnings, and prizes on this line. Also include **all other taxable income** not reported elsewhere on this return. Types of income to be reported here are executor/trustee fees, fees, awards, property in lieu of cash, excess business expense reimbursement, taxable income from all other sources not derived from compensation. Please attach copy of 1099 or other support. Gambling losses on Schedule A are not deductible against gambling winnings or schedule C or E income.

LINE 5 – Taxable income other than wages, brought forward from **Worksheet B** on page 2. In no case may business losses be subtracted from wages or other compensation.

LINE 6 – Amount subject to city income tax, Line 3 plus Line 4 plus line 5.

LINE 7 – Sidney Income Tax. Multiply Line 6 by 1.65% (or .0165).

LINE 8 – Credits against Sidney income tax.

LINE 8A - Enter Sidney income tax withheld by your employer(s). Total in Box A from line 1 above.

LINE 8B - Enter tax withheld or paid to other municipalities from Box B of line 1 above. This credit is limited to Sidney's rate of 1.65%. (See General Tax Information for more details.)

LINE 8C - Enter estimated payments made to Sidney for the 2020 tax year.

LINE 8D - Enter prior year overpayments that were carried forward to the 2019 tax year.

LINE 8E - Total of Lines 8A, 8B, 8C and 8D.

LINE 9 – Tax Amount Due -- If Line 7 is greater than Line 8E, the difference should be entered here.

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LINE 10 – Penalty & Interest – **LATE FILING FEE** - Any return filed after its due date (or extended due date, if applicable) will be subject to a \$25 late filing fee for each month or partial month up to a maximum of \$150. **LATE PAYMENT** - Taxes owed and unpaid after the due date are subject to a 15% penalty and .584% (5% per annum) interest per month or fraction thereof.

UNDERESTIMATION – You will be subject to underestimation penalty, if line 8E is less than 90% of Line 6 UNLESS line 8E is equal to or greater than 100% of your 2019 Sidney income tax amount. The underestimation penalty is 15% of the difference between 90% of the 2019 actual tax (line 6) and the amount credited for the year paid timely (line 7E).

LINE 11 – Balance Due for 2020 is the total of Line 9 and Line 10D. NOTE: Amounts of \$10.00 or less are not payable

LINE 12 – Overpayment -- If Line 7 is less than Line 8E, the difference should be entered here. NOTE: Amounts of \$10.00 or less are not refundable or able to be credited to another year. This amount, if greater than \$10.00, will be transferred as a credit toward next year's tax unless you request a refund. No refund shall be made to any taxpayer until he or she has complied with all the provisions of the Ordinance and has furnished all information required by the Tax Administrator. Refunds are processed in order of receipt of the complete return. Typically, refund checks are mailed 90 days after April 15th or 90 days after the complete return is filed, whichever is later. Per Federal law, a Form 1099-G will be mailed to all individual recipients for refunds of \$10.00 or more. Refunds are allowed only when Sidney income tax has actually been paid or withheld for Sidney.

DECLARATION OF ESTIMATED TAX FOR 2021: TAX RATE is 1.65% for 2021

Who must file & pay estimated income tax for the current year?

- You are a Sidney resident & work in either a municipality that is not subject to municipal income tax withholding (including townships) or a municipality with a municipal income tax rate of less than **1.65%**;
- You are a Sidney resident and are self-employed (filing a Schedule C or Schedule F on your Federal tax return);
- You are a Sidney resident and you receive rental income (filing a Schedule E or form 4835)
- You are NOT a Sidney resident but had self-employment income earned in Sidney;
- You are NOT a Sidney resident but have income from rental property located inside the City of Sidney.
- You are or are not a Sidney resident and have any similar type of situation where your income is not fully withheld upon (at **1.65%**) & you would have a tax balance due to Sidney.

Methods of calculating estimated tax due:

- A. If your 2021 liability after withholding and other credits will be less than \$200.00, no estimates will be required.
- B. If your liability will be greater than \$200, you may pay an amount equal to your Sidney Income Tax for 2020 (line 7) (less any anticipated Sidney tax credits). By paying 100% of the 2020 Sidney Income Tax via credits or estimated payments in timely quarterly estimated tax payments, you will not be penalized for underpayment should your income be greater in 2021. (Known as "safe harbor"). Estimates are due April 15, June 15, September 15, 2021 and January 17, 2022.
- C. Or, if you know what your anticipated income will be for 2021, you can base your estimate on 90% of that anticipated income amount. Using that figure, you can determine an equal quarterly amount for remittance for each period.

Penalty for underestimation

If you have not paid in the lower of (1) 90% of the current tax year's tax liability (through withholdings, estimated payments, or prior year overpayments) or (2) 100% of the prior year's tax liability, then the penalty for underestimation is 15% of the difference between 90% of the current year's actual tax (line 7) and the amount credited for the year paid timely (line 8E). **For calendar year 2021 the interest rate for late payments will be 5% per annum (.42% per month).**

LINE 13 – Enter either the total estimated taxable income for 2021 or the actual tax liability for 2020 (if using the "safe harbor" method). Include all income subject to Sidney tax, such as salaries, wages, commissions, etc. before any payroll deductions, net income from business, profession, rental, gambling and other sources. This amount is then multiplied by **1.65%** and entered on Line 13.

LINE 14 – Enter the total of all anticipated credits, such as anticipated Sidney tax withheld and/or tax paid to another municipality, overpayment of previous year returns, or amended return credits.

LINE 15 – Balance of estimated Sidney Income Tax due. Line 13 minus Line 14.

LINE 16 – If using Method A "safe harbor" on line 13 above, then a minimum of 25% of Line 15 is due by April 15, 2021. If using Method B on Line 12, then a minimum of 22.5% of Line 15 is due by April 15, 2021. The estimated tax may be paid in full with this Declaration or in equal quarterly payments. **Quarterly payments will not be billed.** The estimate may be amended at the time of making any quarterly payment. For individuals, quarterly payments are due on or before April 15, June 15, September 15, 2021 and January 17, 2022. If the due date falls on a weekend or a City holiday, the due date will be the following business day. Any prior year credit carry-over will be included as current year estimated payment. Interest is assessed for failure to pay the tax when due. Interest at the rate of 0.42% per month for 2021 is assessed on any tax remaining unpaid after the due date. To avoid an underestimation penalty assessment, the amount paid (via timely estimates, withholdings, or prior year overpayments) must be within 90% of the actual amount owed for 2021 or 100% of the 2020 tax amount.

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LINE 17 – TOTAL AMOUNT PAYABLE TO THE CITY OF SIDNEY. The total of Line 11 and Line 16. This amount is due and payable to the City of Sidney prior to April 15, 2021. All check or money orders are to be made payable to the City of Sidney.

WORKSHEET A – EMPLOYEE BUSINESS EXPENSES – FORM 2106 WORKSHEET

Form 2106 is the Federal Form for reporting Employee Business Expenses. Employee Business Expenses are for employees only (not self-employed individuals) who pay business-related expenses from their wages. W-2 income is required to deduct 2106 expenses. For city taxation purposes, 2106 expenses are reduced proportionally to the amount deductible for federal income tax purposes and Schedule A from the Federal Return must be included. If income is allocated between cities, 2106 expenses should be allocated accordingly. There is no carry forward or backward of expenses to another year. You must file Form 2106 with your Federal Tax Return to claim employee business expenses on your Sidney City Return and you must have Sidney income taxes withheld from the income related to the 2106 to claim a refund or credit.

WORKSHEET B – OTHER INCOME

Line 1. Proprietorship (Schedule C) – For Sidney residents, income derived from a profession, sole proprietorship, joint venture, partnership or other business venture is taxable to Sidney regardless of where that income is earned. A credit for taxes paid to other cities may be permitted against such income if you include copies of tax returns filed and paid in other cities. Attach a copy of your Federal 1040 Schedule C.

For nonresidents, income derived from a profession, sole proprietorship, joint venture, partnership or other business venture doing business in Sidney is taxable without regard to their place of residence. If you are doing business both in and out of Sidney, you may use Schedule Y to allocate income.

An annual return is required even though a loss may have been incurred. If you had more than one business, a separate Schedule C must be attached for each business. Rent expense will not be allowed unless the name(s) of landlord(s) are furnished.

Line 2. Rental income (Schedule E) – Information on this schedule must correspond to schedule E as filed with the Internal Revenue Service, using the same method of depreciation. Attach a schedule if you need more space. Net rental income from all types of real estate or other property is taxable for Sidney residents regardless of where the rental is located. Net rental income derived within the city limits is taxable to the property owners regardless of their place of residence. Where a rental property is jointly owned by 2 or more persons but no partnership, association or other business entity exists, each co-owner shall declare and pay the tax on his own share of the net income. An annual return is required even though a loss may have been incurred. A copy of Federal Schedule E must be attached.

Line 3. Recapture of Depreciation on Sale of Rental Property (Schedule 4797) – Gain on the disposition of certain depreciable property results in ordinary income subject to the municipal income tax. Federal Form 4797 sets out these items and depreciation recaptured which is treated as ordinary income. A copy of Federal Form 4797 must be attached.

Lines 4 – 5. Enter reportable partnership income (from Schedule K-1), and farm income (from Schedule F). Please attach a copy of these forms.

Line 8. Loss Carryforward – In accordance with ORC 718.01(D)(3) Pre-2017 Net operating loss (PRE-NOL) is 100% allowable against Other Income reported in Worksheet B listed above. Post-2017 Net operating loss (POST-NOL) for taxable years 2018 through 2022 is limited to the LESSOR of either (1) 50% of the taxpayer's available POST-NOL or (2) 50% of the allocated portion of Sidney Other Income minus PRE-NOL available.

The net loss from unincorporated business activity may not be used to offset salaries, wages, commissions (to the extent that they are reported on form W-2 or 1099-Misc) or other compensation. If a taxpayer is engaged in two or more taxable business activities to be included in the same return, the net loss of one unincorporated business activity (except any portion of a loss reportable for municipal income tax purposes to another municipality) may be used to offset the profits of another for purposes of arriving at overall net profits or net operating loss.

SCHEDULE Y – BUSINESS ALLOCATION FORMULA

For nonresidents, a business allocation formula consisting of the average of property, gross receipts and wages paid, may be used to determine the amount of net profits attributable to Sidney. However, if the books and records of the taxpayer disclose with reasonable accuracy the net profit attributable to Sidney, then only this portion shall be considered as having a taxable status in Sidney. Refer to ORC 718.02 for a more detailed explanation on how you must arrive at this calculation. You may not choose to eliminate calculating a factor on the Schedule Y unless the amount located everywhere is zero.

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