



STATE OF NORTH DAKOTA
OFFICE OF STATE TAX COMMISSIONER
Cory Fong, Commissioner

To: Wyndmere Sales, Use and Gross Receipts Tax Permit Holders
From: Office of State Tax Commissioner, Tax Compliance Section
Subject: Wyndmere Sales, Use and Gross Receipts Tax
Date: July 29, 2011

Effective October 1, 2011, the city of Wyndmere has adopted an ordinance to impose a two percent (2%) city sales, use and gross receipts tax. The Wyndmere city tax is in addition to the state sales, use and gross receipts tax currently in place. In addition to this new tax, the following applies:

- Does not include a Maximum Tax (Refund Cap)
- Will be reported under local tax code 228 on the state sales tax return (Form ST)
- Exempts new farm machinery, new farm irrigation equipment, and coin operated amusement vending of \$.99 or less
- Includes a limited exemption for contractors (see the Local Option Tax Guideline for information on this limited exemption: <http://www.nd.gov/tax/salesanduse/pubs/guide/gl-21847.pdf>)
- No sunset date is provided
- Exempts contracts awarded prior to effective date
- No permit holder compensation is included
- Proceeds are intended for infrastructure, infrastructure maintenance, equipment expense, economic development and projects for the general welfare of the city

The Office of State Tax Commissioner has contracted with the city of Wyndmere to administer the city sales, use and gross receipts tax. Tax is computed by multiplying the taxable purchase by the tax rate and carrying the product to the 3rd decimal place. If the 3rd decimal place is 5 or greater, round up; if it is 4 or less, round down. A Local Option Tax Guideline and Rate Charts are available on our website at www.nd.gov/tax.

Effective October 1, 2011, the combined state and city rates within the city limits of Wyndmere, **including** deliveries made into the city by retailers located outside the city limits of Wyndmere, will be as follows:

- General sales and use tax: 7 percent (5% state + 2% city)
- New farm machinery: 3 percent (3% state + exempt from city)
- New farm irrigation equipment: 3 percent (3% state + exempt from city)
- Coin-operated amusement: 5 percent (5% state + exempt from city)
- New mobile homes: 5 percent (3% state + 2% city)
- Lodging:
 - Hotel, Motel and Tourist Court Accommodations, and Bed & Breakfast Accommodations licensed under North Dakota Century Code ch. 23-09.1:
7 percent (5% state + 2% city sales)
- Restaurant (sale of food and non-alcoholic beverages): 7 percent (5% state + 2% city sales)
- Alcoholic Beverages:
 - Off-sale alcoholic beverages: 9 percent (7% state + 2% city gross receipts)
 - On-sale alcoholic beverages: 9 percent (7% state + 2% city gross receipts)

Questions concerning the Wyndmere city sales, use and gross receipts tax may be directed to the Office of State Tax Commissioner. You may contact the Office of State Tax Commissioner by phone at 701.328.1246, by e-mail at salestax@nd.gov, or by mail at Office of State Tax Commissioner, Tax Compliance Section, 600 E Boulevard, Dept. 127, Bismarck, ND 58505-0553.