



## Legislation Details (With Text)

**File #:** 22-0308      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Passed  
**File created:** 4/14/2022      **In control:** City Council  
**On agenda:** 5/10/2022      **Final action:** 5/10/2022  
**Title:** An Ordinance Amending Chapter 44, Section 113 Relating to the Food and Beverage Tax  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Exhibit A - 44-113

Date	Ver.	Action By	Action	Result
5/10/2022	1	City Council	approved on the Consent Agenda	
5/3/2022	1	Committee of the Whole	(PLACED ON CONSENT AGENDA)	
4/28/2022	1	Finance Committee	discussed	
4/19/2022	1	Rules, Administration, and Procedure	recommended for approval	Pass

**TO:** Mayor Irvin and City Council

**FROM:** The Finance and Law Departments

**DATE:** April 14, 2022

**SUBJECT:**  
An Ordinance Amending Chapter 44, Section 113 Relating to the Food and Beverage Tax

**PURPOSE:**  
The purpose of this amendment is to update our food and beverage tax ordinance to be consistent with state tax laws.

**BACKGROUND:**  
The State and City collect a food and beverage tax on foods and beverages that are prepared at food establishments for immediate consumption. Our current ordinance mirrors state law and excludes baked goods which are packaged and sealed for off-site consumption but does not currently exclude fresh locally grown produce.

**DISCUSSION:**  
The City hosts a successful farmer's market every year which attracts various vendors including an array of hot food vendors, bakeries, and fresh locally grown produce. Baked goods which are sealed, and fresh locally grown produce should both be excluded from the collection of a food and beverage tax as they are not prepared for on-site consumption.

**IMPACT STATEMENT:**

This amendment will update our tax ordinance so that is clear that the food and beverage tax is not to be collected on fresh locally grown produce sold at a City sanctioned Farmer's Market. It will encourage the continued growth and success of the City's annual Farmer's Market.

**RECOMMENDATIONS:**

Staff recommends the adoption of this amendment to Chapter 44.

cc: Rules Administration and Procedure



CITY OF AURORA, ILLINOIS

ORDINANCE NO. \_\_\_\_\_  
DATE OF PASSAGE \_\_\_\_\_

An Ordinance Amending Chapter 44, Section 113 Relating to the Food and Beverage Tax  
WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the City of Aurora seeks to amend and update the language in its Food and Beverage Tax Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois, as follows: that Chapter 44, Section 113 be amended as reflected in the attached Exhibit A.