

**VILLAGE OF VERNON HILLS
ORDINANCE 2021-098**

**AN ORDINANCE AMENDING ORDINANCE 2021-023 ENTITLED AN ORDINANCE
OF THE VILLAGE OF VERNON HILLS REGARDING
A TEMPORARY REBATE OF FOOD AND BEVERAGE TAXES**

WHEREAS, the President and Board of Trustees of the Village of Vernon Hills (“Village Board”) enacted a temporary relief program related to the provisions of the Code of Ordinances of the Village of Vernon Hills (“Code”) in Chapter 21 (Taxation), Article XI (Home Rule Food and Beverage Tax) relative to the rebate of food and beverage tax collections in the year 2021; and

WHEREAS, the Village Board recognizes the financial strain that local businesses, including restaurants, have felt as a result of the statewide COVID-19 restrictions on public dining at these establishments; and

WHEREAS, the Village Board desires to continue to support the local restaurants in the Village in a manner that will reduce their operating expenses on a temporary basis, by temporarily rebating the food and beverage taxes paid by these establishments to the Village; and

WHEREAS, on February 2, 2021, the Village adopted Ordinance 021-023 which provided a temporary rebate of food and beverage taxes to restaurants through June 30, 2021; and

WHEREAS, the Village Board finds that it is in the best interests of the Village, as well as the general public, to extend the rebate through September 30, 2021 through the Amendments as set forth below; and

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS:

SECTION 1: The above Whereas paragraphs are incorporated by reference into Section 1 of this Ordinance as material terms and provisions.

SECTION 2: Notwithstanding any other provision of the Code, in light of the COVID-19 pandemic, all establishments required to collect and remit to the Village the one-percent (1%) tax on food and beverage sales, as described in Sections 21-240 through 21-248 of the Code, shall be allowed to retain the amount of the tax collected from customers on these sales for the period of January 1, 2021 through September 30, 2021, and not remit this tax to the Village, provided that these establishments qualify for this relief program by meeting the terms of Section 3 of this Ordinance. The establishment shall continue to collect the tax from customers for food and beverage sales, as required by Section 21-242 of the Code. The establishment shall continue to file all required and necessary documentation on the collection and remittance of this tax, and any other required sales taxes, with the State of Illinois and Village, including the submittal of a copy of the establishment’s monthly ST-1 form to the Village. All other terms and conditions of this tax, as set forth in the Code, or any other Ordinance of the Village, shall remain in full force and effect. The Village will provide for a means for these establishments to apply for and receive relief

under this temporary program. This temporary rebate shall not extend past September 30, 2021, without further action by the Village Board.

SECTION 3: To qualify for the relief as described in Section 2 of this Ordinance, all applying establishments must meet the following requirements:

- a) The establishment must have been operating within the Village when the first disaster proclamation was announced by the Governor of the State of Illinois on March 9, 2020, and must still be operating at the time of application to the Village for relief under this program.
- b) The principal business of the establishment must be the service of food and beverage for consumption on premises.
- c) The establishment must have been reporting sales tax to the Illinois Department of Revenue for a Vernon Hills location of its business operations since March 2020, and must continue to report said tax.
- d) The establishment must provide evidence satisfactory to the Village that it has suffered a decrease of at least fifteen percent (15%) in food and beverage sales taxes from March 2020 to the date of application to the Village for relief under this program, when compared to the same timeframe in 2019.
- e) The establishment cannot be part of a franchise system, or corporately owned, with four or more locations.
- f) The relief program does not apply to grocery stores, convenience stores, retailers of packaged food and beverage for consumption off-site, caterers, food trucks or warehouse stores.

SECTION 4: All ordinances, codes or regulations, or parts of ordinances, codes or regulations, of the Village of Vernon Hills in conflict with the provisions of this Ordinance are repealed insofar as they conflict herewith. Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 5: Except as to the Code Amendments set forth above in this Ordinance, all Chapters and Sections of the Code of Ordinances of the Village of Vernon Hills, as amended, shall remain in full force and effect.

SECTION 6: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by State law.

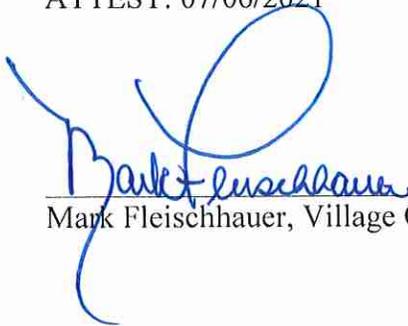
Passed by roll call vote as follows:

AYES: 6 – Marquardt, Koch, Forster, Oppenheim, Takaoka, Schenk
NAYS: 0 - None
ABSENT AND NOT VOTING: 1 - Byrne

Passed this 6th day of July, 2021, by the President and Board of Trustees of the Village of Vernon Hills, Illinois.


Thom Koch Jr., Village President Pro Tem

PASSED: 07/06/2021
APPROVED: 07/06/2021
PUBLISHED IN PAMPHLET FORM: 07/06/2021
ATTEST: 07/06/2021


Mark Fleischhauer, Village Clerk

