Establishments responsible for collecting/remitting taxes on food and beverage sold include but are not limited to:

<table>
<thead>
<tr>
<th>Restaurants</th>
<th>Doughnut Shops</th>
<th>Delicatessens</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cafeterias</td>
<td>Hotels</td>
<td>Bowling Alleys</td>
</tr>
<tr>
<td>Motels</td>
<td>Theaters</td>
<td>Caterers</td>
</tr>
<tr>
<td>Coffee Shops</td>
<td>Public &amp; Private Clubs</td>
<td>Convenience Stores</td>
</tr>
<tr>
<td>Gas Stations</td>
<td>Grocery Store Delis</td>
<td>Billiards Parlors</td>
</tr>
<tr>
<td>Buffets</td>
<td>Cafes</td>
<td>Food Trucks &amp; Vendors</td>
</tr>
<tr>
<td>Nightclubs</td>
<td>Skating Rinks</td>
<td>Taverns</td>
</tr>
</tbody>
</table>

Also included on a limited basis are:

- **Bakeries** - only if there is a sit-down area
- **Colleges and Universities** - only when sold to non-students or non-employees, not to students/employees
- **Hospitals and Nursing Homes** - only when sold to employees and the general public, not to patients/residents
- **Industrial Cafeterias** – only when sold to the general public, not to employees

For more information and specific examples pertaining to certain businesses, please refer to the Albemarle County Department of Finance website at www.Albemarle.org/Finance.
**Frequently Asked Questions**

**GENERAL INFORMATION**

**What is the Food & Beverage Tax?**
Effective January 1, 1998 Albemarle County began levying a tax on the purchase of all prepared food and beverages. The Food and Beverage tax is 4% of the total cost of food and beverages sold by restaurants (defined on the next page).

**Who collects the Food & Beverage Tax?**
All entities listed within this pamphlet, and any others that meet the definition of “restaurant,” are responsible for collecting the tax on food and beverages sold unless a legal exemption applies. The tax is collected from the customer and is remitted to the county. All funds collected are held in trust for the county until remitted monthly.

**Are non-profits exempt from paying the Food and Beverage tax?**
Nonprofit organizations are not exempt from paying the Food and Beverage Tax. Therefore, businesses should collect and remit to the County all the Food and Beverage taxes collected from non-profit entities.

**What is the deadline to remit the Food and Beverage Tax?**
The monthly returns and payment of the Food and Beverage tax must be filed with the Assessments Office on or before the 20th day of each month covering the amount of taxes collected during the preceding month.

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**GENERAL INFORMATION CONT.**

**What happens if I fail to file my monthly Food and Beverage tax remittance?**
If any seller whose duty it is to do so fails or refuses to file any monthly remittances, will be assessed a late filing penalty of 10%. The Assessments Office is required by law to make an assessment based on the best available information and a bill will be issued accordingly. In addition to the late filing penalty, the bill will include a late payment penalty in the amount of 10% of the total amount of the tax owed, with an additional penalty of 5% for each additional month up to 25% of the taxes collected but not remitted.

**DEFINITIONS**

**RESTAURANT**
Any place where food is prepared for service to the public whether on or off the premises, any place where food is served to the public, or any place or operation that prepares or stores food for distribution to persons of the same business operation or of a related business operation for service to the public.

**FOOD**
Any and all edible refreshments or nourishment, liquid or otherwise, purchased in or from a restaurant or from a caterer, except snack foods.

**BEVERAGE**
Any alcoholic beverages defined in Virginia Code §4.1-100, and non-alcoholic beverages, any of which are served as part of a meal.

**SNACK FOOD**
Chewing gum, candy, popcorn, unopened soft drinks, peanuts, unopened bags of chips, cookies, doughnuts, nabs, etc.

**CATERER**
A person who furnishes food on the premises of another for compensation.

**EXAMPLES OF TAXABLE AND NON–TAXABLE ITEMS**

**TAXABLE**
- hot or cold meals served at restaurants and made to order
- meals served from delicatessen counters of convenience and grocery stores
- beverages, desserts, ice cream and snacks sold with a meal

**NON–TAXABLE**
- beverages sold alone
- grocery items
- pre-packaged desserts, ice cream, and snack foods sold alone
- any combination consisting entirely of beverages, grocery items, and/or snack foods