

RESTAURANTS & BARS

A 2% Transaction Privilege (Sales) Tax is imposed on the gross income of any person engaging in the business of preparing or serving food or beverages. This includes but is not limited to: bars, cocktail lounges, restaurants, and catering.

WHAT IS INCLUDED IN GROSS INCOME?

Gross income from restaurant and bar activities includes all sales of food and drinks served on and off premises, all cover charges and minimum charges, and employee meals. When employee meals are charged for, then tax is due on the cost of such meals.

Caterers and others who deliver and/or serve food off premises can exclude the charges for delivery, set-up and clean-up, as long as the charges are separately stated on customer invoices and the taxpayer's books. The tax collector may examine the reporting of service charges if those charges seem excessive in comparison to the value of the food sold. In the absence of satisfactory evidence for the value of the service charges, the tax collector may recalculate the value based on reasonable cost and profit for the industry. **Remember, that service charges must be separately itemized, and those charges must be appropriate for the services rendered or additional tax may be owed.**

Income from sources other than restaurant activity should be reported under the separate codes for such activities. Examples include: retail sales of T-shirts and memorabilia, amusement activities such as video games and jukeboxes, and use tax on supplies and equipment purchased out of state when no sales tax was paid. (See appropriate guidelines)

Use tax is owed when supplies and equipment are purchased and no city sales tax is paid. Use tax is assessed on the use, consumption, or storage of such items within the City of Prescott limits. Examples include purchases of delivery vehicles from out of state, restaurant supplies such as table cloths, napkins, straws and employee uniforms.

WHAT MAY NOT BE SUBJECT TO PRIVILEGE TAX?

Sales of food, beverages, condiments and accessories made to qualifying hospitals, qualifying community health centers or a qualifying health care organization are not subject to the privilege tax on restaurant sales. Sales of prepared food to a public educational entity, which qualifies under Title 15 of the Arizona Revised Statutes, are not subject to the privilege tax providing the food is consumed on the premises during school hours. Food, beverages and accessories used for serving food by a commercial airline are exempt if they are served to passengers at no additional charge for consumption during a flight.

For the purpose of definition "accessories" means paper plates, plastic eating utensils, napkins, paper cups, drinking straws and paper sacks and other disposable containers, or other items which facilitate the consumption of food.

HOW DO I CALCULATE THE TAX DUE?

The gross income from restaurant activity is summed, and allowable deductions are subtracted from the gross to arrive at the taxable income. Income from other activities are summed and reported under the appropriate business codes. The taxable income is then multiplied by 2% to arrive at the sales tax due.

If sales tax is not added and charged to the sale of food or drinks, you may be allowed a factored tax deduction.



City of Prescott
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Tax & Licensing Division
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For more information or to obtain a copy of the tax code please contact:

928 777-1268 Taxpayer Assistance Rep
928 777-1210 Privilege Tax Auditor
928 777-1231 Tax & Licensing Supervisor

This publication is for general use only. For complete details, refer to the City of Prescott Tax Code.

PRESCOTT PRIVILEGE TAX

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This publication is for general information regarding Transaction Privilege (Sales) Tax on restaurant sales. For complete details, refer to the City of Prescott Privilege & Use Tax Code and related regulations. In case of an inconsistency or omission in this publication, the language of the Tax Code will prevail. The transaction privilege tax is commonly referred to as a sales tax, however, under State of Arizona law, the tax is on the privilege of doing business in Prescott and is not a true sales tax.

June 2001