

ORDINANCE NO. _____

AN ORDINANCE IMPLEMENTING A NON-HOME RULE MUNICIPAL GROCERY RETAILERS' OCCUPATION TAX AND A MUNICIPAL GROCERY SERVICE OCCUPATION TAX IN THE CITY OF CREST HILL, WILL COUNTY, ILLINOIS

WHEREAS, the City of Crest Hill is a non-home rule Illinois municipality pursuant to the Constitution of the State of Illinois of 1970, as amended; and

WHEREAS, the Corporate Authorities of the City of Crest Hill, Will County, Illinois, have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/1-2-1, provides that the corporate authorities of each municipality may pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities, with such fines or penalties as may be deemed proper; and

WHEREAS, on August 5, 2024, Governor Pritzker signed legislation repealing the Illinois Grocery Tax effective January 1, 2026; and

WHEREAS, the legislation signed into law by Governor Pritzker on August 5, 2024, also amends the Illinois Municipal Code to allow all Illinois municipalities to reinstate the grocery tax at the local level; and

WHEREAS, Section 8-11-24(a) of the Illinois Municipal Code (65 ILCS 5/8-11-24(a)) provides that, beginning on January 1, 2026, all Illinois municipalities may impose a tax “upon all persons engaged in the business of selling groceries at retail in the municipality on the gross receipts from those sales made in the course of that business” (the “Municipal Grocery Retailers’ Occupation Tax”) (65 ILCS 5/8-11-24(a)); and

WHEREAS, if imposed, the Municipal Grocery Retailers’ Occupation Tax must be “at the rate of 1% of the gross receipts from these sales” (65 ILCS 5/8-11-24(a)); and

WHEREAS, any Municipal Grocery Retailers’ Occupation Tax shall be administered, collected, and enforced by the Illinois Department of Revenue; and

WHEREAS, Section 8-11-24(b) of the Illinois Municipal Code (65 ILCS 5/8-11-24(b)) requires any municipality imposing a Municipal Grocery Retailers’ Occupation Tax under Section 8-11-24(a) of the Illinois Municipal Code (65 ILCS 5/8-11-24(a)) to also impose a Service Occupation Tax “at the same rate upon all persons engaged, in the municipality, in the business of making sales of service, who, as an incident to making those sales of service, transfer groceries” (the “Municipal Grocery Service Occupation Tax”) (65 ILCS 5/8-11-24(b)); and

WHEREAS, the Mayor and City Council of the City of Crest Hill have determined that it is appropriate, necessary, and in the best interests of the City of Crest Hill and its residents, that the City of Crest Hill levy both a Municipal Grocery Retailers' Occupation Tax, as authorized by Section 8-11-24(a) of the Illinois Municipal Code (65 ILCS 5/8-11-24(a)), and a Municipal Grocery Service Occupation Tax, as authorized by Section 8-11-24(b) of the Illinois Municipal Code (65 ILCS 5/8-11-24(b)).

NOW THEREFORE, BE IT ORDAINED BY THE CORPORATE AUTHORITIES OF THE CITY OF CREST HILL, WILL COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:

SECTION 1. The Corporate Authorities hereby find that all the recitals contained in the preamble to this Ordinance are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

SECTION 2. Municipal Grocery Retailers' Occupation Tax Imposed. A tax is hereby imposed upon all persons engaged in the business of selling groceries at retail within the City of Crest Hill at a rate of one percent (1%) of the gross receipts from such sales made in the course of such business while this Ordinance is in effect. The imposition of this tax is in accordance with and subject to the provisions of Section 8-11-24 of the Illinois Municipal Code (65 ILCS 5/8-11-24).

SECTION 3. Municipal Grocery Service Occupation Tax Imposed. A tax is hereby imposed upon all persons engaged, within the City of Crest Hill, in the business of making sales of service, who, as an incident to making those sales of service, transfer groceries. The rate of this tax shall be the same rate identified in Section 2 above. The imposition of this tax is in accordance with and subject to the provisions of Section 8-11-24 of the Illinois Municipal Code (65 ILCS 5/8-11-24).

SECTION 4. The taxes hereby imposed, and all civil penalties that may be assessed as an incident thereto, shall be collected and enforced by the Department of Revenue of the State of Illinois. The Department of Revenue shall have full power to administer and enforce the provisions of this Ordinance.

SECTION 5. As required under Section 8-11-24 of the Illinois Municipal Code (65 ILCS 5/8-11-1.3), the City Clerk is hereby directed to file a certified copy of this Ordinance with the Illinois Department of Revenue on or before October 1, 2025.

SECTION 6. The taxes imposed by this Ordinance shall take effect on the later of: (i) January 1, 2026; (ii) the first day of July next following the adoption and filing of this Ordinance with the Department of Revenue, if filed on or before the preceding April 1st; or, (iii) the first day of January next following the adoption and filing of this Ordinance with the Department of Revenue, if filed on or before the preceding October 1st.

SECTION 7. In the event that any provision or provisions, portion or portions, or clause or clauses of this Ordinance shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of

the remaining provisions, portions, or clauses of this Ordinance that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

SECTION 8. That all ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Ordinance, are hereby repealed to the extent of the conflict.

SECTION 9. That the City Clerk is hereby directed to publish this Ordinance in pamphlet form.

SECTION 10. That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

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PASSED THIS 3RD DAY OF FEBRUARY, 2025.

	Aye	Nay	Absent	Abstain
Alderwoman Jennifer Methvin	_____	_____	_____	_____
Alderman Scott Dyke	_____	_____	_____	_____
Alderwoman Claudia Gazal	_____	_____	_____	_____
Alderman Darrell Jefferson	_____	_____	_____	_____
Alderperson Tina Oberlin	_____	_____	_____	_____
Alderman Mark Cipiti	_____	_____	_____	_____
Alderman Nate Albert	_____	_____	_____	_____
Alderman Joe Kubal	_____	_____	_____	_____
Mayor Raymond R. Soliman	_____	_____	_____	_____

Christine Vershay-Hall, City Clerk

APPROVED THIS 3RD DAY OF FEBRUARY, 2025.

Raymond R. Soliman, Mayor

ATTEST:

Christine Vershay-Hall, City Clerk