

Finance Department
Policies and Procedures for Exempting Admission and Meals Taxes

1. **Introduction**

1.1 The purpose of this policy is to ensure compliance with state law and the City Code and to enable the employees of the Department of Finance to determine when an exemption to the levy and collection of admission and meals taxes is applicable.

1.2 The Attorney General of Virginia has consistently opined that Virginia law requires that if there is any doubt concerning an exemption, that doubt must be resolved against the party claiming that exemption. The employee shall follow this interpretation.

2. **Policy.** Virginia Code § 58.1-3840 authorizes cities to impose excise taxes on admissions and meals. Various exceptions to the authority to impose an excise tax on specific admissions and meals may be found in Virginia Code § 58.1-3840, Richmond City Code § 26-671, and Richmond City Code § 26-696. **In the event that a Finance employee is unable to determine whether an exemption applies, the employee must seek advice from the City Attorney's Office.** The City's policies and procedures for applying these exemptions are set forth herein. These policies are declarative of existing law and policy, but are reduced to writing here to ensure effective communication.

3. **Nonprofit.** An entity's status as a nonprofit or 501(c)(3) organization, by itself, does not exempt it from the obligation to collect and pay admission or meals tax. Some such organizations may be exempt provided additional factors are shown to be present. As examples, see sections 4.2, 5.2.5, and 5.2.13.

4. **Admission Tax Exemptions.** Richmond City Code § 26-696 sets forth two exemptions to the obligation to collect admission taxes; no admission tax is collected for: (1) entry into museums, botanical or similar gardens, or zoos or (2) admission to a house or garden tour.

4.1 **Museums, Botanical or Similar Gardens, and Zoos.** This exemption prohibits collection of a tax on the admission charge made for entry into the museum, botanical or similar garden, or zoo. In making the determination that admission charge was for entry into museum, botanical or similar garden, or zoo, the employee should consider the following:

A. Confirm that the location of the event is a museum, botanical or similar garden or zoo.

1. Museums are generally understood to be institutions established for the purpose of acquiring, conserving and displaying objects of artistic, scientific, historical or archaeological material.

2. A botanical garden is commonly understood to be a garden that includes greenhouses and provides for the culture, study, and exhibition of special plants.
 3. A zoo typically consists of a facility including indoor and outdoor settings where living, wild animals are kept for public exhibition.
- B. Confirm that the admission charge paid was for *entry into* the museum, botanical or similar garden, or zoo.
1. An admission charge for entry into an event that happens to be held at a museum, botanical or similar garden, or zoo is **not** exempt from collection.
 2. For example:
 - a. An admission charge for entry into a concert held at a museum, botanical or similar garden or zoo is **not** exempt from collection.
 - b. An admission charge for entry into the museum to view an exhibit there **is** exempt from collection.
 - c. An admission charge for entry into an event organized by a museum, botanical or similar garden, or zoo *at another location* is **not** exempt from collection.
- C. Promotional materials, advertisements, management agreements, and leases or license agreements (or “use” agreements) are non-exhaustive examples of the types of documents that an employee should review in making the conclusions set forth above.

4.2 **House and Garden Tours.** This exemption prohibits collection of a tax on the admission charge made to attend a house and garden tour under certain circumstances. Proof of **all** of the below factual conditions must be provided to and confirmed by the Department of Finance before such person is relieved from the duty to collect and remit such tax:

- A. The event for which the admission charge was paid was a guided or self-guided tour. The employee should request and review receipts, copies of tickets, promotional materials, advertisements or other documents to confirm the event was a tour.
- B. The tour was of public or private gardens, parks, cemeteries, houses and their ancillary structures, or other similar facilities. The employee should request and review promotional materials, advertisements or other documents to identify the subject of the tour.

- C. The tour was intended to promote or educate the public on one or more of gardening, horticulture, farming, architecture, landscape architecture, interior decorating, or history. The employee should request and review promotional materials, advertisements or other documents to identify the objective of the tour.
- D. The tour was conducted by a nonprofit entity.
 - 1. The employee should request and review promotional materials, advertisements, contracts or other documents to identify the entity responsible for conducting the tour.
 - 1.1. Once the employee has identified the entity that conducted the tour, the employee must confirm that the entity that conducted the tour is a nonprofit. This is a two-step process as outlined below:
 - a. First, the employee must establish that the entity that conducted the tour is a legal entity. One way to determine that the entity that conducted the tour is a legal entity is to confirm that the entity is a registered organization.
 - i. If it is a Virginia organization, the employee should search the State Corporate Commission at the following hyperlink:
<https://sccefile.scc.virginia.gov/Find/Business>
 - ii. The entity is registered with the State Corporation Commission if it is listed as “Active.”
 - iii. If not a Virginia organization, the employee should confirm that the entity is registered in its respective state through an internet search.
 - iv. If the employee is unable to confirm that the entity is a registered organization in Virginia or another state, the employee must request documents from the taxpayer that support that it is a legal entity authorized to transact business in Virginia.
 - v. If unable to determine that the entity is a legal entity, the employee must forward the documents to the City Attorney’s office for review and assistance.
 - b. Once the employee has determined that the entity conducting the tour is a legal entity, the employee must establish that the entity is a nonprofit entity. One way to determine that the entity that conducted the tour is a nonprofit is to search the IRS website

“<https://apps.irs.gov/app/eos/>” to confirm that the entity is listed as an exempt organization.

- i. If the IRS website lists the entity as an exempt organization, then the employee may conclude that the receiving party is a nonprofit.
 - ii. If the entity is not listed on the IRS website as an exempt organization, the employee should request the articles of incorporation, bylaws, or other documents from the taxpayer that establish the purpose of the organization’s formation. Upon receipt of the requested documents, the employee must forward the documents to the City Attorney’s office for review and assistance.
- E. The purpose of the tour must have been solely to raise money for charitable purposes. The employee should request and review promotional materials, advertisements or other documents to confirm that the tour was organized exclusively to raise money for charitable purposes.
- F. The net proceeds derived from the event must be transferred to an entity or entities that are exempt from the sales and use tax pursuant to Virginia Code § 58.1-609.11.
 1. In making this determination, the employee should request and review copies of financial records, receipts, or other documents to determine who received the net profits from the event.
 2. Once the employee has identified who received the profits from the event, the employee must determine whether the receiving party is exempt from the sales and use tax. A copy of a valid certificate of exemption from the Department of Taxation constitutes sufficient evidence that the entity receiving the net proceeds is exempt from the sales and use tax pursuant to Code of Virginia § 58.1-609.11.
5. **Meals Tax Exemptions.** Richmond City Code § 26-671 and Virginia Code § 58.1-3840 set forth exemptions to the levy of meals taxes.
 - 5.1 **Richmond City Code § 26-671.** Richmond City Code § 26-671 prohibits the imposition of the meals tax on the following:
 - 5.1.1 **Food Served Exclusively for Off-Premises Consumption.** Richmond City Code § 26-671(a) prohibits the levy of a meals tax on food or beverages if (1) the food or beverage is served exclusively for off-premises consumption **and** (2) it is one of the items set forth below in subsection (B)(1) through (3):

- A. The employee must determine whether the food or beverage is served exclusively for off-premises consumption. “Served exclusively for off-premises consumption” means the food establishment does not provide the purchaser of the food or beverage an opportunity to consume the food or beverage at the food establishment. In making this determination, although not dispositive, the employee should consider factors such as whether the food or beverage was prepared in a manner that makes it ready for immediate consumption and whether the food establishment offers “sit-down” service. An example that illustrates this principle is that a doughnut prepared and served at a food establishment is subject to the meals tax but a pre-packaged doughnut for purchase at a grocery or convenience store is not.
- B. The employee must determine whether the food or beverage purchase is one of the following:
 - 1. Factory-prepackaged candy, gum, nuts and other items of essentially the same nature.
 - 2. Pastry, dairy, and snack food items, such as doughnuts, ice cream sold in greater than single-serving quantities, crackers, nabs, chips, cookies, and items of essentially the same nature.
 - 3. Food or beverage sold in bulk. A food is “sold in bulk” if it exceeds the normal, customary and usual portion sold for on-premises consumption. Examples include a whole cake or a gallon of ice cream. A bulk sale does not include catered food or food that is delivered for off-premises consumption.
- C. Only if the employee concludes that both subsections (A) and (B) have been met will the food or beverage be exempt from the meals tax.

5.1.2 **Grocery and Convenience Stores.** Richmond City Code § 26-671(b) prohibits the levy of a meals tax on food or beverages if the seller is a grocery store, supermarket, or convenience store unless the seller is selling “prepared food or beverages.” “Prepared food or beverages” means:

- A. The food is “ready for immediate consumption,” **and**
- B. The purchaser is not required to further prepare the food or beverage before consuming it.
- C. An example that illustrates this principle is that prepared sandwiches and single-meal platters are subject to the meals tax.

5.2 **Further Exemptions.** Virginia Code § 58.1-3840 prohibits the imposition of a meals tax on the following:

- 5.2.1 **Gratuity.** This exemption prohibits the levy of a meals tax on the discretionary gratuity paid by the purchaser in addition to the sales price of the meal (i.e., a tip) or on the mandatory gratuity imposed by the restaurant in addition to the sales price of the meal, to the extent that gratuity does not exceed 20% of the sales price of the meal (i.e., a mandatory tip).
- 5.2.3 **Vending Machines.** This exemption prohibits the levy of a meals tax on food and beverages sold through vending machines.
- 5.2.4 **Free Employee Meal.** This exemption prohibits the levy of a meals tax on meals sold or provided by restaurants, as defined in Virginia Code § 35.1-1, for no charge, to employees as part of their compensation. Proof of **all** of the following factual conditions must be provided to and confirmed by the Department of Finance before such person is relieved from the duty to collect and remit such tax:
- A. The seller or provider of the food or beverage is the restaurant. Virginia Code § 35.1-1 defines “restaurant” as “[a]ny place where food is prepared for service to the public on or off the premises, or any place where food is served” or “[a]ny place or operation which prepares or stores food for distribution to persons of the same business operation or of a related business operation for service to the public.”
1. Examples of places “where food is prepared for service to the public on or off the premises, or where food is served,” include, but are not limited to, lunchrooms, short order places, cafeterias, coffee shops, cafes, taverns, delicatessens, dining accommodations of public or private clubs, kitchen facilities of hospitals and nursing homes, dining accommodations of public and private schools and institutions of higher education, and kitchen areas of local correctional facilities subject to standards adopted under § 53.1-68. Excluded from the definition are places manufacturing packaged or canned foods which are distributed to grocery stores or other similar food retailers for sale to the public.
 2. Examples of places or operations which “prepare or store food for distribution to persons of the same business operation or of a related business operation for service to the public,” include, but are not limited to, operations preparing or storing food for catering services, push cart operations, hotdog stands, and other mobile points of service. Such mobile points of service are also deemed to be restaurants unless the point of service and of consumption is in a private residence.
- B. The food or beverage provided was provided free of charge.

- C. The food or beverage provided was provided as a part of the compensation to the employee. In making this determination, the employee should request employment agreements or policies, or other evidence that the abovementioned conditions were met to provide free food.

5.2.5 **Fundraising Activities.** This exemption prohibits the levy of a meals tax on meals sold or provided by volunteer fire departments or volunteer emergency medical service agencies, nonprofit churches or other religious bodies, or educational, charitable, fraternal, or benevolent organizations under certain circumstances. Proof of **all** of the below factual conditions must be provided to and confirmed by the Department of Finance before such person is relieved from the duty to collect and remit such tax:

- A. The seller or provider of the meal must be a Qualifying Entity. For purposes of section 4.2.5, “Qualifying Entity” means “a volunteer fire department or volunteer emergency medical service agency, nonprofit church or other religious body, or educational, charitable, fraternal or benevolent organization.”
- B. The Qualifying Entity must be selling food and beverages as a fundraising activity. The Attorney General of Virginia has opined that, in order to qualify as a fundraising activity for purposes of exemption, the meals must be sold to raise money for the Qualifying Entity for nonprofit educational, charitable, benevolent or religious purposes. The employee shall follow this interpretation.
- C. The Qualifying Entity must use the **gross proceeds** exclusively for nonprofit educational, charitable, benevolent or religious purposes.
 - 1. In making this determination, the employee should request and review copies of financial records, receipts, or other documents in order to determine who received the gross proceeds.
 - 2. If the receiving party is a charity, then this requirement is likely met. One way to determine if the receiving party is a charitable organization is to search the IRS website, “<https://apps.irs.gov/app/eos/>” to confirm that the organization is listed as an exempt organization.
 - a. If the IRS website lists the entity is listed as an exempt organization then the employee may conclude that the receiving party is a charitable organization.
 - b. If the entity is not listed on the IRS website as an exempt organization, the employee should request the articles of incorporation, bylaws, or other documents from the taxpayer that establish the purpose of the organization’s formation. Upon receipt of the requested documents, the employee must forward the documents to the City Attorney’s office for review and assistance.

D. The sale must be one of the Qualifying Entity's first three sales of food and beverages of the calendar year. If the sale is not one of the Qualifying Entity's first three sales of food and beverages of the calendar year, then only the first \$100,000.00, excluding gross receipts from the first three sales, is exempt from the meals tax. In making this determination, the employee should request and review copies of financial records of the Qualifying Entity showing all of its sales for the calendar year for which it seeks the exemption.

5.2.6 **Churches.** This exemption prohibits the levy of a meals tax on meals sold or provided by churches that serve meals for their members as a regular part of their religious observances. In making this determination, the employee should request and review church calendars, bulletins, or web postings advertising the regular service of the meal.

5.2.7 **Schools.** This exemption prohibits the levy of a meals tax on meals sold or provided by public or private elementary or secondary schools or institutions of higher education to their students or employees. Proof of **all** of the below factual conditions must be provided to and confirmed by the Department of Finance before such person is relieved from the duty to collect and remit such tax:

A. The seller or provider of the meal must be a public or private elementary or secondary school or institution of higher education.

1. The employee should request and review copies of financial records, receipts, or other documents in order to determine who sold the meal.
2. After determining who sold the meal, the employee should request organizational or governing documents in order to establish that the entity who sold the meal is an elementary or secondary school or institution of higher education. If the Taxpayer claims to be a public school, the employee should verify its status with the Richmond Public Schools.

B. The meal must be sold to a student or employee.

1. In making this determination, the employee should request and review copies of financial records, receipts, or other documents in order to determine who purchased the meal.
2. Once the employee has identified who purchased the meal, the employee must request documentation, such as payroll or enrollment records, establishing the relationship between the purchaser and the seller.

5.2.8 **Medical Centers.** This exemption prohibits the levy of a meals tax on meals sold or provided by hospitals, medical clinics, convalescent homes, nursing homes, or other extended care facilities to patients or residents thereof and the spouses and children of such persons. Proof of **all** of the below factual conditions must be provided to and

confirmed by the Department of Finance before such person is relieved from the duty to collect and remit such tax:

- A. The seller of the meal must be a hospital, medical clinic, convalescent home, nursing home, or other extended care facility. In making this determination, the employee must request and review copies of organizational or governing documents in order to determine that the seller is a hospital, medical clinic, convalescent home, nursing home, or other extended care facility. The employee must also review financial records, receipts, or other documents in order to determine who sold the meal.
- B. The meal must be sold to a patient, resident, or spouse or child of a patient or resident.
 - 1. In making this determination, the employee must request and review copies of financial records, receipts, or other documents in order to determine who purchased the meal.
 - 2. Once you have identified who purchased the meal, request documentation establishing the relationship between the purchaser and the seller. Upon receipt of the requested documents, the employee should forward the documents to the City Attorney's office for review and assistance.

5.2.9 **Day Care Centers.** This exemption prohibits the levy of a meals tax on meals sold or provided by day care centers.

- A. In making this determination, the employee should request the financial records demonstrating who provided the meal.
- B. Once the employee has identified who provided the meal, the employee should request the state license issued by the Virginia Department of Social Services.

5.2.10 **Shelters.** This exemption prohibits the levy of a meals tax on meals sold or provided by homes for the aged, infirm, handicapped, battered women, narcotic addicts, or alcoholics. In making this determination, the employee should request documents such as the articles of incorporation, published mission statements, and financial records demonstrating who provided the meal.

5.2.11 **Age-Restricted Communities.** This exemption prohibits the levy of a meals tax on meals sold or provided by age-restricted apartment complexes or residences with restaurants operating therein under certain circumstances. Proof of **all** of the following factual conditions must be provided to and confirmed by the Department of Finance before such person is relieved from the duty to collect and remit such tax:

- A. The seller or provider of the food and beverages is a restaurant operating within the age-restricted apartment complex or residence. In making the determination that

the meals are being provided within an age-restricted apartment complex or residence, the employee should request and review promotional materials or organizational or other governing documents.

- B. Such restaurant is not open to the public. In making this determination, the employee should request and review the facility's policies concerning dining facilities.
- C. Fees for food and beverages are included in the rental fees paid by residents.
 - 1. In order to make this determination, the employee should request a copy of the rental agreement provided to the tenants.
 - 2. The Attorney General has opined that if the facility meets the requirement of having rental fees cover meals, regardless of how many or how few meals are covered by the rental fee, then the exemption applies to all meals. The employee shall apply this interpretation.

5.2.12 **Federal, State, and Local.** This exemption prohibits the levy of a meals tax on meals used or consumed by the Commonwealth, any political subdivision of the Commonwealth, or the United States if paid for by the Commonwealth, any political subdivision of the Commonwealth, or the United States. Proof of **all** of the following factual conditions must be provided to and established by the Department of Finance before such person is relieved from the duty to collect and remit such tax:

- A. The entity claiming the exemption is the Commonwealth, a political subdivision of the Commonwealth, or the United States. A copy of a valid governmental exemption certificate, Form ST-12, is sufficient evidence that the entity is a governmental agency.
- B. The provision of the meal furthers a function, mission, service, or purpose of the governmental entity. In order to make this determination, the employee must inquire as to what governmental operation the provision of the meal furthers. In some cases, promotional materials or advertisements are non-exhaustive examples of the types of documents that an employee could review in making this determination.
- C. The charge for the meal is billed to and paid for by the entity claiming exemption from the tax with payment drawn from the entity's account, rather than using cash or an individual's account.
 - 1. In making this determination, the employee should request and review copies of financial records, receipts, or other documents in order to determine who purchased the meal.

2. The Tax Commissioner has opined that an individual who is charged directly for the meal but reimbursed at a later date by the governmental entity is subject to the tax on the meal purchase. The employee shall follow this interpretation.
- D. The entity claiming the exemption determines to whom, when and how the meals or food are served and consumed.
1. In making this determination, the employee should obtain answers to the following or similar questions:
 - a. Under what circumstances were the meals provided?
 - b. To whom did the governmental entity provide the meals?
 - c. Where were the meals served?
 - d. When did the entity provide the meals?
 2. The Tax Commissioner has opined that an individual traveling to a conference and purchasing his own meals is subject to the tax because the governmental entity does not determine to whom, when and how the meal will be consumed. The employee shall follow this interpretation.

5.2.13 **Meals on Wheels.** This exemption prohibits the levy of a meals tax on meals served to the elderly, infirm, blind, handicapped, or needy. Proof of **all** of the below factual conditions for each type of operation must be provided to and confirmed by the Department of Finance before such person is relieved from the duty to collect and remit such tax:

A. Public or Private Nonprofit Charitable Organization.

1. The food and beverages are provided by a public or private nonprofit charitable organization or establishment. One way to determine if the receiving party is a charitable organization is to search the IRS website, “<https://apps.irs.gov/app/eos/>” to confirm that the organization is listed as an exempt organization.
 - a. If the IRS lists the entity as an exempt organization then the employee may conclude that the receiving party is a charitable organization.
 - b. If not listed on the IRS website as an exempt organization, the employee should request the articles of incorporation, bylaws, or other documents from the taxpayer that establish the purpose of the organization’s formation. Upon receipt of the requested documents,

forward the documents to the City Attorney's office for review and assistance.

2. The food or beverages are provided to the elderly, infirm, blind, handicapped, or needy persons. In making this determination, the employee should request and review records of the deliveries by the organization.
3. The food or beverages are provided to their homes or at a central location. As in the previous determination, in making this determination, the employee should request and review records of the deliveries.

B. Private Establishment.

1. The food and beverages are provided by a private establishment that contracts with the appropriate agency of the Commonwealth.
 - a. First, the employee must establish that the entity that provided the food or beverages is a legal entity. One way to determine that the entity that provided the food or beverages is a legal entity is to confirm that the entity is a registered organization.
 - i. If it is a Virginia organization, the employee should search the State Corporate Commission at the following hyperlink:

<https://sccfile.scc.virginia.gov/Find/Business>
 - ii. The entity is registered with the State Corporation Commission if it is listed as "Active."
 - iii. If not a Virginia organization, the employee should confirm that the entity is registered in its respective state through an internet search.
 - iv. If the employee is unable to confirm that the entity is a registered organization in Virginia or another state, the employee must request documents from the taxpayer that support that it is a legal entity able to do business in Virginia.
 - v. If unable to determine that the entity is a legal entity, the employee must forward the documents to the City Attorney's office for review and assistance.
 - b. Next, the employee should request a copy of the contract with the Commonwealth.

2. The food or beverages are provided to the elderly, infirm, blind, handicapped, or needy persons. In making this determination, the employee should request and review records of the deliveries by the organization to such persons.
3. The food or beverages are provided at concession prices. In making this determination, the employee should request and review receipts for the food and beverages.
4. The food or beverages are provided to their homes or at a central location. In making this determination, the employee should request and review records of the deliveries by the organization to such persons.

5.2.14 **Blind Persons.** Under certain circumstances, the meals tax shall not be collected and remitted by a blind person. Proof of **all** of the below factual conditions must be provided to and confirmed by the Department of Finance before such person is relieved from the duty to collect and remit such tax:

- A. The seller is blind.
- B. The seller is operating a vending stand or other business enterprise under the jurisdiction of the Virginia Department for the Blind and Vision Impaired. In making this determination, the employee must request from the seller both of the following documents:
 1. The vendor's license, which is a certificate provided by the Department for the Blind and Vision Impaired that certifies that the seller has successfully completed the required training program.
 2. The operator's agreement signed by the Commonwealth of Virginia and the seller that provides the terms and conditions of the business relationship between the seller and the Virginia Department for the Blind and Vision Impaired.
- C. The seller is selling on property acquired and used by the United States for any military or naval purpose. In making this determination, the employee should request from the Business Enterprise Program of the Virginia Department for the Blind and Vision Impaired the permit or contract between the Virginia Department for the Blind and Vision Impaired and the federal unit at which the seller is selling the food or beverages.

5.2.15 **Factory Sealed.** This exemption prohibits the levy of a meals tax on alcoholic beverages sold in factory sealed containers. Proof of **all** of the below factual conditions must be provided to and established by the Department of Finance before such person is relieved from the collection and remittance of such tax:

- A. The beverage is in a factory sealed container.
 - 1. Whether or not the beverage is “factory sealed” is a factual determination. The Attorney General has opined that a “factory sealed container” is defined as a container sealed in a factory. A “factory” is defined as “a building or group of buildings with facilities for the manufacture of goods,” “a building or group of buildings where products are made,” and “a building or buildings where people use machines to produce goods.” The Standard Industrial Classification of the United States Department of Labor describes “manufacturing” as “establishments engaged in the mechanical or chemical transformation of materials or substances into new products. These establishments are usually described as plants, factories, or mills” The employee shall follow this interpretation.
 - 2. The Attorney General has opined that a growler is factory sealed if it is sealed and sold by a brewery. If it is sealed and sold by any other business, it may be “sealed,” but it is not “factory sealed,” and therefore, not exempt from local taxation. The employee shall follow this interpretation.
- C. The beverage is purchased for off-premises consumption.
 - 1. “Served exclusively for off-premises consumption” means the food establishment does not provide the purchaser of the beverage an opportunity to consume the beverage at the food establishment.
 - 2. In making this determination, although not dispositive, the employee should consider factors such as whether the beverage was prepared in a manner that makes it ready for immediate consumption and whether the food establishment offers “sit-down” service.

5.2.16 **Food purchased with food stamps or WIC coupons.** No meals tax may be levied on the following:

- A. Food purchased with food coupons issued by the United States Department of Agriculture under the Food Stamp program or drafts issued through the Virginia Special Supplemental Food Program for Women, Infants, and Children; and
- B. Food purchased for home consumption as defined in the Federal Food Stamp Act of 1977.
 - 1. In pertinent part, 7 U.S.C. § 2012 defines “food” as “any food or food product for home consumption.” Thus, the employee must confirm that the food has **not** been prepared in a manner that suggests it is intended to be ready for immediate consumption at the food establishment.

2. **EXCEPTION.** Notwithstanding the above definition of “food,” the following foods **are** subject to the meals tax: sandwiches, salad bar items sold from a salad bar, prepackaged single-serving salads consisting primarily of an assortment of vegetables, and nonfactory sealed beverages, alcoholic beverages, tobacco, hot foods or hot food products ready for immediate consumption. . . .” The Attorney General has opined that although the statute exclusively refers to “hot foods or hot products,” a locality still has the authority to impose the tax on both hot and cold foods that are ready for immediate consumption. The employee shall follow this interpretation.

6. **Effective Date** July 1, 2018

7. **Approval**

Director of Finance, City of Richmond

Date