

**CHAPTER 56**  
**“MUNICIPAL GROCERY RETAILERS’ OCCUPATION TAX**  
**AND MUNICIPAL GROCERY SERVICE OCCUPATION TAX”**

**CREATED:** June 23, 2025 (Ordinance 2025-028)

**SECTIONS:**

**56.01 TAX IMPOSED; RATE.**

**56.02 COLLECTION OF TAX**

**56.03 SEVERABILITY**

**56.01 TAX IMPOSED; RATE.**

- a) Municipal Grocery Retailers’ Occupation Tax. A tax is hereby imposed upon all persons engaged in the business of selling groceries at retail in the City of DeKalb at the rate of 1% of the gross receipts from such sales made in the course of such business. For the purpose of the tax authorized to be imposed under this section, the term “groceries” has the same meaning as “food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, food consisting of or infused with adult use cannabis, soft drinks, candy, and food that has been prepared for immediate consumption)”, as further defined in Section 2-10 of the Retailers’ Occupation Tax Act. The imposition of this tax is in accordance with and subject to the provisions of 65 ILCS 5/8-11-24.
- b) Municipal Grocery Service Occupation Tax. A tax is hereby imposed upon all persons engaged, in the City of DeKalb, in the business of making sales of service, who, as an incident to making those sales of service, transfer groceries, as an incident to a sale of service, at the same rate as the Municipal Grocery Retailers’ Occupation Tax imposed under subsection (a). For the purpose of the tax authorized to be imposed under this section, the term “groceries” has the same meaning as “food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, food consisting of or infused with adult use cannabis, soft drinks, candy, and food that has been prepared for immediate consumption)”, as further defined in Section 3-10 of the Service Occupation Tax Act, and the term “groceries” also means “food prepared for immediate consumption and transferred incident to a sale of service subject to the Service Occupation Tax Act or the Service Use Tax Act by an entity licensed under the Hospital Licensing Act, the Nursing Home Care Act, the Assisted Living and Shared Housing Act, the ID/DD Community Care Act, the MC/DD Act, the Specialized Mental Health Rehabilitation Act of 2013, or the Child Care Act of 1969, or an entity that holds a permit issued pursuant to the Life Care Facilities Act.” The imposition of this tax is in accordance with and subject to the provisions of 65 ILCS 5/8-11-24.

**56.02 COLLECTION OF TAX**

The taxes imposed by this Chapter, and all civil penalties that may be assessed as an incident thereto, shall be collected and enforced by the Illinois Department of Revenue (“IDOR”). The IDOR shall have full power to administer and enforce the provisions of this Chapter. This section is in accordance with and subject to the provisions of 65 ILCS 5/8-11-24.

**56.03 SEVERABILITY**

If any provision of this Chapter or application thereof to any person is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Chapter that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Chapter is severable.