

New York State Department of Taxation and Finance
Taxpayer Services Division
Technical Services Bureau

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Sales Tax
February 15, 1991

City of Oneonta Imposes a 3% Sales Tax on the Sale of
Food and Drink When Sold in or by Restaurants, Taverns, or Other Establishments, or by
Caterers Beginning March 1, 1991

(Reporting Code Changes Oneonta (city) and Otsego County)

The Common Council of the city of Oneonta has adopted a resolution which imposes a tax at the rate of 3%, effective March 1, 1991, on the sale of food and drink, within the city, when sold in or by restaurants, taverns, or other establishments, or by caterers. This applies to sales, made within the city of Oneonta, of catered meals, food and drink sold for consumption on the premises of the seller, all food and drinks sold heated, party platters, items from a salad bar, restaurant meals, etc. The combined state and local sales tax rate on such sales will be 7% (4% state, 3% city of Oneonta). All vendors who make taxable sales of food or drink in the city of Oneonta on or after March 1, 1991 must for reporting purposes separately account for such sales. There will be a new entry line on Schedule A, Part i to report such sales.

On and after March 1, 1991, sales of food and drink in Otsego County outside the city of Oneonta will continue to be taxed at the rate of 6% (4% state, 2% Otsego County). However, they will no longer be reported on page 2 of the Quarterly, Part-Quarterly or Annual Sales and Use Tax Return. For reporting purposes, there will be a new entry line on Schedule A, Part 1 for such sales.

In order to make the proper distribution of state, county and city sales and use tax revenues, two reporting lines will be added to the Schedule A, Part 1, that is required to be filed for periods beginning on or after March 1, 1991. On an after that date, in Otsego County, taxable sales of food or drink when sold in or by restaurants, taverns, or other establishments, or by caterers are to be reported using the following tax rates and codes:

<u>Locality</u>	<u>Schedule</u>	<u>Tax Rate</u>	<u>Line code</u>
Oneonta (city)	A	7%	3614
Otsego County (outside Oneonta)	A	6%	3694

Transitional Provisions

Since sales tax is due at the time the food or drink is transferred to the purchaser for consumption on or off the premises (regardless of whether full or partial payment was made in advance), there are no applicable transitional provisions.