

CITY of CASCADE LOCKS

AGENDA

City Council SPECIAL MEETING 6:00PM
Wednesday, September 3, 2025, City Hall

REGULAR MEETING

1. Call to Order/Pledge of Allegiance/Roll Call.
2. Action Items:
 - a. Prepared Food and Beverage Tax
3. Adjournment.

Public access to the meeting is available via YouTube [YouTube - Cascade Locks - Live Stream](#)

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for person with disabilities, should be made at least 48 hours in advance of the meeting by contacting the City of Cascade Locks office at 541-374-8484.

CASCADE LOCKS STAFF REPORT

Date Prepared: September 2, 2025

For City Council Meeting on: September 3, 2025

TO: Honorable Mayor and City Council

PREPARED BY: Jordon Bennett, City Administrator

SUBJECT: Prepared Food and Beverage Tax

CITY STRATEGIC GOALS:

- | | |
|--|---|
| <input type="checkbox"/> Downtown Revitalization | <input checked="" type="checkbox"/> Public Services |
| <input type="checkbox"/> Communication Enhancement | <input type="checkbox"/> Affordable/Workforce Housing |
| <input type="checkbox"/> Code Improvements | |

SYNOPSIS: There was a misinterpretation of information and costs associated with the Prepared Food and Beverage Tax ballot measure. There is no cost to cities if the measure is on primary and general election of EVEN years. We operated under the premise that costs were only passed on in special elections outside of the four election cycles (March, May, August and November) in the state each year.

Because our measure is going to a vote in an ODD year and it is the only item on the ballot in Hood River County the city will have to cover the whole cost. The County says the cost will be roughly \$15,000. I confirmed this with a call to the county late Wednesday (8/27).

Although this cost was not planned the General Fund and the Fire and EMS Fund have sufficient funds to cover the cost due to vacancies in staff. Below is a breakdown of what funds will not be spent due to staff vacancies in the Paramedic, Community Liaison and Finance Clerk positions.

	Salary	PLO	UNE	PERS	Health	WBF	WC	FICA	Total
Finance	\$ 11,756	\$ 113	\$ 11	\$ 13,429	\$ 11,000	\$ 3	\$ 15	\$ 864	\$ 37,191
Liaison	\$ 5,417	\$ 52	\$ 5	\$ 6,188	\$ -	\$ 1	\$ 7	\$ 398	\$ 12,068
Paramedic	\$ 8,736	\$ 87	\$ 9	\$ 14,269	\$ 8,800	\$ 2	\$ 361	\$ 668	\$ 32,932
Total	\$ 25,909	\$ 252	\$ 25	\$ 33,886	\$ 19,800	\$ 6	\$ 383	\$ 1,930	\$ 82,191

PLO = Paid Leave Oregon UNE = Unemployment PERS = Public Employees Retirement System
 WBF = Workers' Benefit Fund WC = Workers' Comp FICA = Federal Insurance Contributions Act

These amounts are estimated on start dates of September 15th for the Finance Clerk and Community Liaison and a start date of August 18th.for the Paramedic.

The health benefit amount is for the time the position was vacant plus the 60-day waiting period. The PERS benefit amount is for the time the position was vacant plus 6 month waiting period. None of the hires or applicants were already invested in PERS. The rest of the funds are calculated based off the time the position was vacant. The Community Liaison position does not receive health benefits.

This is not ideal, however, even if the measure fails the funds will be well spent. If the measure fails, we can collect exit poll information to adjust our request for the November 2026 ballot.

The City is currently working with the state election office to create a flyer that does not violate any elections laws. Staff have also done preliminary outreach to businesses. The guide for businesses is complete and ready to present as well. Staff had planned to do extensive outreach on the tax starting at the end of September through November 4th.

If council wishes to remove the measure from the ballot we must notify the County by Thursday September 4th. The ballot measure was originally approved via Resolution 1521 on July 14th. Attorney Cleaveland noted that Council may vote to remove the measure from the ballot as long as the action is clearly stated and a roll call vote is held.

Attached for review is Resolution 1521 and the completed business guide.

CITY COUNCIL OPTIONS:

- 1) Remove the measure from the November 4, 2025 ballot
- 2) Take no action leaving the measure on the November 4, 2025 ballot

RECOMMENDED MOTION: “I move to approve the removal of the Prepared Food and Beverage Tax from the November 4, 2025 ballot.”

RESOLUTION NO. 1521

A RESOLUTION CALLING AN ELECTION TO SUBMIT TO CITY VOTERS AN ORDINANCE TO CREATE A PREPARED FOOD AND BEVERAGE SALES TAX TO ASSIST IN COVERING THE COSTS ASSOCIATED WITH PROVIDING EMS SERVICES TO RESIDENTS AND BUSINESSES SERVED WITHIN THE CITY OF CASCADE LOCKS AMBULANCE SERVICE AREA.

WHEREAS, the City of Cascade Locks (“City”) currently provides emergency medical services within a local Ambulance Service Area;

WHEREAS, the costs associated with the provision of this service have been steadily rising and are paid out of the City’s Emergency Medical Services Fund, which is facing declining revenues for all services;

WHEREAS, the City believes it necessary to continue to utilize other funding mechanisms and sources to help pay costs associated with emergency medical services provided to the citizens and businesses within the City of Cascade Locks and the City Ambulance Service Area;

WHEREAS, the City determines that establishment of a prepared food and beverage sales tax within the City’s jurisdictional boundaries will help defray the costs associated with providing emergency medical services within the Ambulance Service Area;

WHEREAS, the City recognizes that the majority of emergency medical services provided by the City are administered to people who do not reside in Cascade Locks; and

WHEREAS, the City recognizes that the majority of persons who patronize restaurants in the City are not residents and therefore; are among those who benefit from Cascade Locks emergency medical services, but do not support those services through local taxes.

NOW, THEREFORE, THE COMMON COUNCIL FOR THE CITY OF CASCADE LOCKS, HOOD RIVER COUNTY, OREGON, RESOLVES AS FOLLOWS:

SECTION 1. The City Council of the City of Cascade Locks will submit Exhibit “A”, attached hereto and by this reference incorporated herein, to be filed with the City Elections Officer to be referred to a vote of the people by placing the ordinance on the ballot at the General Election on November 4, 2025.

SECTION 2. November 4, 2025, is designated as the date for holding the election for voting on the measure.

SECTION 3. The election will be conducted by Hood River County Elections.

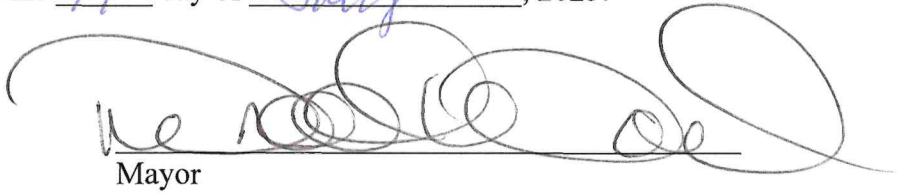
SECTION 4. The City Elections Officer will forward two copies of the referral to the City Attorney for preparation of ballot title and explanatory statement. After receipt of the ballot title and explanatory statement from the City Attorney, the City Elections Officer shall publish the ballot title as provided by state law, and file this measure with the Hood River County Elections Office.

SECTION 5. The City Recorder and other staff shall take all necessary steps to effectuate this resolution.

SECTION 6. This resolution is effective immediately upon adoption by the City Council.

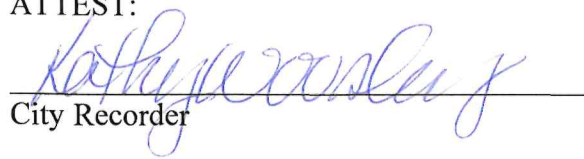
ADOPTED by the City Council this 14th day of July, 2025.

APPROVED by the Mayor this 14th day of July, 2025.



Mayor

ATTEST:



City Recorder

EXHIBIT "A"

ORDINANCE NO. 470

AN ORDINANCE ESTABLISHING A PREPARED FOOD AND BEVERAGE SALES TAX TO ASSIST IN COVERING THE COSTS ASSOCIATED WITH PROVIDING EMS SERVICES TO RESIDENTS AND BUSINESSES SERVED WITHIN THE CITY OF CASCADE LOCKS AMBULANCE SERVICE AREA.

WHEREAS, the City of Cascade Locks ("City") currently provides EMS services within a local Ambulance Service Area;

WHEREAS, the costs associated with the provision of the service have been steadily rising and are paid out of the City's EMS Fund, which is facing declining revenues for all services;

WHEREAS, the City believes it is necessary to continue to utilize other funding mechanisms and sources to help pay costs associated with EMS services provided to the citizens, businesses, and tourists within the City of Cascade Locks and the City Ambulance Service Area; and

WHEREAS, the City determines that establishment of a prepared food and beverage sales tax will help defray the costs associated with providing emergency medical services within the Ambulance Service Area.

THE CITY OF CASCADE LOCKS, HOOD RIVER COUNTY, OREGON, ORDAINS AS FOLLOWS:

SECTION 1. Definitions.

For purposes of this ordinance the following words shall have the meanings set forth below.

1. "Caterer" means a person who prepares food at a business site, for compensation, for consumption on or off the business premises but within the corporate limits of the City.
2. "Combination facility" has the same meaning as defined in OAR 333-150-000(8) which the state of Oregon Department of Agriculture licenses or inspects under OAR 333-158-0000.
3. "Consumer" means a person who purchases food within the City's incorporated limits.
4. "Food" includes all meals and beverages, excluding alcoholic beverages, served in a restaurant including "takeout," "to go" or delivered orders. For purposes of a restaurant that is a grocery store, market, convenience store or deli section of any store, the term "food" means any prepared food and beverage which has been altered (other than solely by cooling) by preparing, combining, dividing, heating or serving, so that the food or beverage is available and intended for immediate human consumption, such as hot foods, operator prepared sandwiches and salads, and fountain drinks, whether the food is prepared by the operator onsite or at the specific direction of the operator at an off-site location controlled by the operator.
5. "Operator" means the person who is the proprietor of a restaurant, whether in the capacity of owner, lessee, sub-lessee, mortgagee in possession, licensee or any other capacity. Where the

operator is a corporation, the term "operator" shall also include each and every member of the board of directors of such corporation for the time involved.

6. "Prepared" or "preparation" means altered, other than solely by washing or cooling, and includes mixing, combining, cooking, processing, heating, and/or serving for immediate consumption.
7. "Restaurant" means any establishment required to be licensed as a restaurant, mobile unit and/ or pushcart by the state of Oregon Health Division and includes, without limitation, any of the following: (1) any establishment where food is prepared and/or available for immediate consumption by a consumer including delis, coffee shops, and similar establishments; (2) any establishment including, without limitation, a grocery store, market, convenience store and/or deli section of any store, where a consumer obtains food prepared on premises and/or off premises in form or quantity intended for immediate consumption, notwithstanding the location where the food is ultimately consumed; and (3) any establishment which prepares food for immediate consumption outside the establishment's premises. The term "restaurant" does not include a restaurant licensed by the state of Oregon Health Division as a limited service restaurant.
8. "Tax administrator" means the City Administrator or designee.

SECTION 2. Tax imposed.

1. Unless exempt as specified in Section 3, and in addition to all other taxes, fees and charges of every kind, the City imposes a prepared food and beverage tax at a rate of seven percent (7%) of the total amount paid by the consumer on the following:
 - a. All food and beverages, except alcoholic beverages, sold by a caterer for an event located within the City; and
 - b. The following items sold by combination facilities or restaurants:
 - i. Salads from salad bars;
 - ii. Dispensed soft drinks, teas and coffee;
 - iii. Sandwiches or hot prepared foods ready for immediate consumption;
 - iv. The following items, including toppings or additions, scooped or otherwise placed into a cone, bowl or other container for immediate consumption whether or not they are consumed within the confines of the premises where scooped or placed: any frozen dessert regulated by the Oregon State Department of Agriculture under ORS 621.311 and any ice cream, ice milk, sherbet or frozen yogurt. No tax shall be imposed under this subsection, however, on any item whose volume exceeds one-half gallon; and
 - v. Any other food mixed, cooked or processed on the premises in form or quantity for immediate consumption whether or not it is consumed within the confines of the premises where prepared.
 - c. The following items sold by combination facilities that are bakeries:
 - i. All those items listed in paragraphs 1.b. of this section;
 - ii. All bakery products sold for consumption on the premises; and

- iii. All "takeout" or "to go" orders of bakery products prepared on the premises except for whole cakes, pies, loaves of bread, or any order consisting of six or more bakery products.
2. Food purchased from single event temporary food and beverage vendors shall be taxed at the same 7% rate and will be capped at \$250 per day.
3. Such tax shall be imposed at a rate of 7% on the total amount charged by the seller for the food and beverages, or for the meal. In the computation of this tax any fraction of one-half cent or more shall be treated as one cent.
4. All taxes collected by the City under this chapter shall be used for financing the operations and capital improvement and replacement needs of the City of Cascade Locks Fire and Emergency Medical Services Department.

SECTION 3. Exemptions. The tax levied by Section 2 shall not be imposed on the following consumer purchasing transactions:

1. Food purchased from public or private schools or colleges; except that food purchased from independent contractor operators at schools or colleges shall be subject to the tax imposed by this ordinance unless another exemption applies;
2. Food purchased by public or private schools or colleges to provide to students or faculty;
3. Food purchased from hospitals;
4. Food provided by motels, hotels, and bed and breakfast establishments to their guests if the food is provided as part of the cost of sleeping accommodations and if the establishment is taxed through the City's transient room tax pursuant to Chapter 112 of the Cascade Locks Municipal Code;
5. Food purchased from vending machines;
6. Food purchased from nonprofit organizations or service clubs at temporary (defined as operating four or fewer times per calendar year) restaurants including food stands, booths, street concessions and similar type operations;
7. Food provided by overnight or residential facilities including, without limitation, convalescent homes, nursing homes, and retirement homes, if the food is provided as part of the cost of sleeping accommodations;
8. Food purchased from nonprofit tax-exempt organizations to citizens over sixty years of age as a part of a recognized senior citizen nutritional program;
9. Food purchased in bulk for non-immediate consumption off the premises, including, but not limited to, ice cream packed in a container of one-half gallon or more; and
10. Food consisting of candy, popcorn, factory prepackaged nuts, chips, gum, or other confections; however, ice cream, frozen yogurt, cakes, pies, or other desserts are taxed according to the provisions in this ordinance.

SECTION 4. Operator's duties.

Each operator shall collect the tax imposed by this ordinance, to the same extent and at the same time as the amount for the food is collected from every purchaser. The amount of tax need not be separately stated from the amount of the food. Every operator required to collect the tax imposed

in this ordinance shall be entitled to retain five percent of all taxes collected to defray the costs of collections and remittance.

SECTION 5. Operator registration form.

1. An operator of a restaurant or combination food service establishment shall register with the tax administrator, on a form provided by the administrator by July 1, 2026, or within fifteen days after beginning business.
2. The registration shall include:
 - a. The name under which the operator transacts or intends to transact business if different than the name of the operator;
 - b. The location of the restaurant or combination food service establishment;
 - c. The signature of the operator; and
 - d. The name and mailing address of the agent, owner, host or other person responsible for the location if that person is not the operator.
3. Failure to register does not relieve the operator from collecting the tax or a person from paying the tax.

SECTION 6. Certificate of authority.

1. The Tax Administrator shall issue a certificate of authority to the registrant within ten days after registration.
2. Certificates are nonassignable and nontransferable.
3. Each certificate shall state the place of business to which it applies and shall be prominently displayed in the office area, or other location in view of the general public.
4. The certificate shall state:
 - a. The name of the operator;
 - b. The address of the restaurant or combination food service establishment, or name of the restaurant or food service establishment, if applicable;
 - c. The date when the certificate was issued; and
 - d. A statement in substantially the following form: "This Prepared Food Tax Registration Certificate signifies that the person named on the Certificate has fulfilled the requirements of the Prepared Food Tax Ordinance of the City of Cascade Locks by registering with the Tax Administrator for the purpose of collecting the prepared food tax imposed by the City and remitting the tax to the City of Cascade Locks."

SECTION 7. Collections, returns and payments.

1. The taxes collected by the operator are payable to the City on a quarterly basis on the fifteenth day of the following month for the preceding three months and are delinquent on the last day of the month in which they are due. The initial return may be for less than the three months preceding the due date. The quarters are:
 - a. First Quarter: January, February, March;
 - b. Second Quarter: April, May, June;
 - c. Third Quarter: July, August, September;
 - d. Fourth Quarter: October, November, December.
2. The operator shall deliver the tax due and the return showing tax collections for the preceding quarter in a form prescribed by the City to City Hall, Attn: Tax Administrator, PO Box 308, Cascade Locks, OR 97014, before the sixteenth day of the month following each collection

quarter. If the return is mailed, the postmark shall be considered the date of delivery for determining delinquencies.

3. Returns shall show the total sales subject to this ordinance and the amount of tax collected under this ordinance for the related period. Returns shall also show the exempt sales and the basis for exemptions and a detailed explanation for each.
4. For good cause, the Tax Administrator may extend the time for filing a return or paying the tax for not more than one month. Further extension may be granted only by the City Council. An operator to whom an extension is granted shall pay interest at the rate of one and one-half percent per month on the amount of tax due, without proration for a fraction of a month. If a return is not filed and if the tax and interest due are not paid by the end of the extension granted, the interest shall become a part of the tax for computation of penalties prescribed in Section 8.
5. The City may require returns and payment of the taxes for other than quarterly periods in individual cases to ensure payment or to facilitate collection.
6. Failure to File a Return. The operator shall deliver the return by the due date. The filing of a return is required even if there is no taxable activity during the quarter. If the return is not delivered by the last day of the month following the quarter end, a penalty of one hundred dollars plus ten percent of the tax owed will be assessed for each return not filed by the due date.

SECTION 8. Delinquency penalties.

1. Any operator who has not been granted an extension of time for remittance of tax due and who fails to remit the tax prior to delinquency shall pay a penalty of ten percent of the tax due in addition to the tax.
2. Any operator who has not been granted an extension of time for remittance of tax due and who fails to pay a delinquent remittance before the expiration of thirty-one days following the date on which the remittance became delinquent shall pay a second delinquency penalty of fifteen percent of the tax due, the amount of the tax, and the ten percent penalty first imposed.
3. If the tax administrator determines that nonpayment of a remittance due under this chapter is due to fraud or intent to evade the tax, a penalty of twenty-five percent of the tax shall be added to the penalties stated in subsections 1 and 2.
4. In addition to the penalties imposed by this section, any operator who fails to remit the required tax shall pay interest at the rate of one and one-half percent per month, without proration for portions of a month, on the tax due, exclusive of penalties, from the date on which the tax first became delinquent, until paid.
5. Each penalty imposed and the interest accrued under provisions of this section shall be merged with and become part of the tax required to be paid.
6. Any operator who fails to remit the tax within the required time may petition the Tax Administrator for waiver and refund of the penalty or a portion of it. The Tax Administrator may, if good cause is shown, direct a refund of the penalty or a portion of it.

SECTION 9. Deficiency determinations.

1. In making a determination that the returns are incorrect, the Tax Administrator may determine the amount required to be paid on the basis of the facts contained in the return or on the basis of any other information.
2. A deficiency determination may be made on the amount due for one or more than one period. The determined amount shall be payable immediately on service of notice, after which the determined amount is delinquent. Penalties on deficiencies shall be applied as provided in Section 8.

3. In making a determination, the Tax Administrator may offset overpayments that have been made against a deficiency for a subsequent period or against penalties and interest on the deficiency. The interest on the deficiency shall be computed as provided in Section 8.

SECTION 10. Redemption petition.

A determination becomes due and payable immediately on receipt of notice and becomes final within twenty days after the City has given notice. However, after payment has been made, the operator may petition for redemption and refund of the determination if the petition is filed before the determination becomes final. If no petition is filed, the Tax Administrator's determination is final and the amount thereby is immediately due and payable.

SECTION 11. Fraud, refusal to collect and evasion.

1. If an operator fails or refuses to collect the tax, make the report or remit the tax, or makes a fraudulent return or otherwise willfully attempts to evade the tax payment, the Tax Administrator shall obtain facts and information on which to base an estimate of the tax due. After determining the tax due and the interest and penalties, the Tax Administrator shall give notice of the total amount due. The City may also proceed to revoke the operator's business license (if required) on the grounds that the licensee has violated this section.
2. Determination and notice shall be made and mailed within three years after discovery of fraud, intent to evade, failure or refusal to collect the taxes, or failure to file a return. The determination becomes payable immediately on receipt of notice and becomes final twenty days after the Tax Administrator has given notice.
3. The operator may petition for redemption and refund if the petition is filed before the determination becomes final.

SECTION 12. Notice of determination.

1. The Tax Administrator shall give the operator a written notice of the determination. If notice is mailed, it shall be addressed to the operator at the address that appears on the records of the Tax Administrator, and service is complete when the notice is deposited in the post office.
2. Except in the case of fraud or intent to evade the tax, a deficiency determination shall be made and notice mailed within three years after the last day of the month following the close of the quarterly period for which the determination has been made or within three years after the return is filed, whichever is later.

SECTION 13. Operator Delay.

If the Tax Administrator believes that collection of the tax will be jeopardized by delay, or if a determination will be jeopardized by delay, the Tax Administrator shall determine the tax to be collected and note facts concerning the delay on the determination. The determined amount is payable immediately after service of notice. After payment has been made, the operator may petition for redemption and refund of the determination if a petition is filed within ten days from the date of service of notice by the Tax Administrator.

SECTION 14. Redetermination.

1. An operator against whom a determination is made under Sections 9 through 13, or a person directly interested, may appeal for a redetermination, redemption and refund of the amount of the

tax, interest, and penalties, if any, and reinstatement of the business license (if required) within the time required in Section 11.

2. If a petition for redetermination and refund is filed within the allowable period, the City Council shall reconsider the determination and, if the operator requested a hearing in the appeal, shall grant the hearing and give the operator ten days' notice of the time and place of the hearing.
3. The City Council may change the amount of the determination as a result of the hearing. If an increase is determined, the increase is payable immediately after the hearing.
4. The decision of the City Council on a petition for redetermination becomes final ten days after service of notice on the petitioner.
5. A petition for redetermination or an appeal is not effective unless the operator has complied with the payment provisions.

SECTION 15. Security for collection of tax.

1. The Tax Administrator, whenever it is deemed necessary to ensure compliance with this ordinance, may require an operator to deposit security in the form of cash, bond or other security. The amount of security shall be fixed by the Tax Administrator and shall be no greater than twice the operator's estimated average quarterly liability for the period for which the operator files returns or five thousand dollars, whichever amount is less.
2. Within three years after the tax becomes payable or within three years after a determination becomes final, the City may bring an action in the courts of this state, another state, or the United States to collect the amount delinquent and penalties and interest.

SECTION 16. Liens.

1. The tax, interest, penalty, and filing fees paid to the City and any associated costs incurred when the tax becomes delinquent shall be a lien from the date of its recording until the tax is paid. The lien shall be superior to all subsequently recorded liens on all tangible personal property in the operator's restaurant. The lien may be foreclosed and the necessary property may be sold to discharge the lien.
2. Notice of the lien shall be issued by the City when the operator has defaulted in payment of the tax, interest and penalty. A copy of the notice shall be sent by certified mail to the operator.
3. Personal property subject to the lien may be sold at public auction after ten days' notice published in a newspaper of general circulation in the City.
4. A lien for the tax, interest and penalty shall be released by the City when the full amount has been paid to the City. The operator or person making the payment shall receive a receipt stating that the full amount of the tax, interest and penalty has been paid, that the lien is released and that the record of the lien is satisfied.

SECTION 17. Refunds by City to operator.

When the tax, penalty or interest has been paid more than once or has been erroneously or illegally collected or received by the City, it may be refunded if a written verified claim stating the specific reason for the claim is filed within three years from the date of payment. The claim shall be submitted on forms provided by the Tax Administrator. If the claim is approved, the excess amount may be refunded to the operator or it may be credited to an amount payable by the operator and any balance refunded.

SECTION 18. Refunds by City to customer.

If the tax has been collected by the operator and deposited with the City and it is later determined that the tax was erroneously or illegally collected or received by the Tax Administrator, it may be refunded to the customer if a written verified claim stating the specific reason for the claim is filed with the City within three years from the date of payment.

SECTION 19. Records required from operators.

Every operator shall keep all records as may be necessary to determine the amount of the tax imposed by this ordinance for a period of three years and six months.

SECTION 20. Examination of records.

During normal business hours and after notifying the operator, the City Auditor or other designated financial personnel, at the direction of the Tax Administrator, may examine books, papers and accounting records related to the sale of prepared foods to verify the accuracy of a return or, if no return is made, to determine the amount to be paid. The Auditor may initiate audits regarding the imposition and administration of the prepared food sales tax. Failure of an operator to allow the Auditor to examine requested records is a violation of this provision and may constitute grounds for the Tax Administrator to revoke the operator's business license (if required).

SECTION 21. Confidentiality.

The Tax Administrator or a person having an administrative or clerical duty under the provisions of this ordinance shall not make known in any manner the business affairs, operations or information obtained by an investigation of records and equipment of a person required to file a return or pay a prepared food sales tax or a person visited or examined in the discharge of official duty; or the amount or source of income, profits, losses or expenditures contained in a statement or application; or permit a statement or application, or a copy of either, or a book containing an abstract or particulars to be seen or examined by any person. However, nothing in this section shall be construed to prevent:

1. Disclosure to or examination of records and equipment by a City official, employee or agent for the purpose of administering or enforcing the provisions or collecting the taxes imposed by this ordinance.
2. Disclosure, after filing a written request, to the taxpayer, receivers, trustees, executors, administrators, assignees and guarantors, if directly interested, of information concerning tax paid, unpaid tax, amount of tax required to be collected or interest and penalties. However, the City Attorney shall approve each disclosure, and the Tax Administrator or City Administrator may refuse to make a disclosure referred to in this subsection when, in their opinion, the public interest would suffer.
3. Disclosure of names and addresses of persons making returns.
4. Disclosure of general statistics regarding taxes collected or business done in the City.
5. Disclosure that is required pursuant to Oregon public records laws.

SECTION 22. Disposition and use of tax funds.

Revenues received from the prepared food sales tax shall be appropriated annually as recommended by the City Budget Committee and adopted by the City Council in accordance with

Oregon Budget Law. Any reserve fund shall be accounted for in a prepared food sales tax reserve fund.

SECTION 23. Duties of Tax Administrator.

The Tax Administrator:

1. Shall enforce this ordinance and may propose rules and regulations necessary for enforcement.
2. May affirm, modify or deny a petition. In this process, he or she may take evidence and make investigations.
3. May examine during normal business hours the books, papers and accounting records relating to prepared food sales of any operator, after notification to the operator liable for the tax; and may investigate the business of the operator in order to verify the accuracy of any return made; or, if no return is made by the operator, to ascertain and determine the amount required to be paid.
4. May grant extension of time for filing a return or paying the tax of not more than one month.
5. Shall give notice of its determination and shall file a certified copy of each determination with the City. Determinations become final after ten days and tax becomes due, subject to interest and penalties.
6. May assess penalties when he or she determines that nonpayment of a remittance is due to fraud or an intent to evade the tax.
7. Shall consider petitions for waiver/refund of penalties.
8. May, for good cause, grant extensions of time in excess of fifteen days for filing a return or paying the tax.
9. Makes investigations and initiates audits to be performed by the City Auditor regarding imposition and administration of the tax; and recommends to the City the adoption, amendment or repeal of legislation pertaining to the tax.

SECTION 24. Appeals to City Council.

A person aggrieved by a decision of the Tax Administrator may appeal to the City Council by filing a notice of appeal with the City within twenty days of service or mailing of the notice of a decision. The Council shall fix a time and place for hearing the appeal and shall give the appellant twenty days' written notice of the time and place of the hearing.

SECTION 25. General penalty.

In addition to any other remedy available under the local, state or federal law, any person violating any of the provisions of this ordinance may be punished by a fine of not to exceed five hundred dollars for each violation. For ongoing offenses, each day of a continuing offense shall be a separate violation subject to the five hundred dollar penalty. Such fine may be adjudicated in the Cascade Locks Municipal Court.

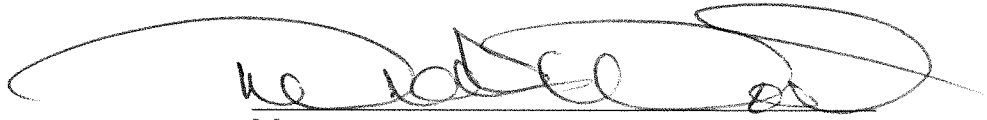
SECTION 26. Separability. Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance be declared invalid, such declaration shall not affect the validity of any other section, subsection, paragraph, sentence, clause, or phrase; and if this ordinance, or any portion thereof, should be held to be invalid on one ground but valid on another, it shall be construed that the valid ground is the one upon which said ordinance, or such portion thereof, was enacted.

SECTION 27. Effective Date.

Having been referred by Council Resolution to City's electors at the statewide election held on November 4, 2025, and the measure having passed, the tax shall be levied and imposed and this ordinance shall become effective on July 1, 2026.

ADOPTED by the City Council this _____ day of _____, 2025.

APPROVED by the Mayor this _____ day of _____, 2025.



Mayor

ATTEST:

City Recorder

First Reading Approved: _____; Ayes _____; Nays _____

Second Reading Approved: _____; Ayes _____; Nays _____

BUSINESS GUIDE TO THE CASCADE LOCKS
**PREPARED FOOD AND
BEVERAGE SALES TAX**



A Business Guide to the Cascade Locks Prepared Food and Beverage Sales Tax

Welcome to the Cascade Locks Prepared Food and Beverage Tax (PFBT) business guide.

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What is the PFBT?

It is a seven percent (7%) tax on consumers for the purchase of prepared food and beverage items intended for immediate consumption.

How does the PFBT work?

- Businesses selling prepared foods and beverages (or “operators”) will collect the tax on behalf of the City and remit it to the City on a quarterly basis
- Since this is additional work for the operators, they may retain five percent (5%) of all taxes collected to defray the costs of collections and remittance
- The City will retain 100% of the revenue generated by the PFBT to fund the operating and capital improvement costs of the Cascade Locks Fire and Emergency Medical Services Department.

What transactions are subject to PFBT?

- Prepared food purchased in restaurants, bakeries, and all other food service establishments
- “Prepared food” is food sold for immediate consumption which includes salads from salad bars, sandwiches, hot prepared foods, and scooped frozen desserts
- Full definitions are provided in Cascade Locks Municipal Code Chapter ?

What transactions are not subject to the PFBT?

- Groceries
- Food sold in bulk to the public for non-immediate consumption
- Candy, popcorn, factory packaged nuts, chips, gum or other confections
- Vending machine purchases
- Purchases from nonprofit organizations or service clubs at temporary Restaurants including food stands, booths, street concessions and similar type operations.
- The purchase of whole pies, whole cakes, loaves of bread
- Frozen desserts whose volume exceeds one-half gallon

Scenarios

- A grocery store has a deli counter that makes sandwiches, but also sells sandwiches that are already made and purchased from a vendor.
 - Deli counter made sandwiches are taxable
 - Premade sandwiches purchased from a vendor are not taxable unless otherwise prepared by the grocery store
- A coffee shop purchases donuts and bagels from a bakery and resells them.
 - Donuts and bagels sold to the public at the bakery where they are baked are taxable
 - Donuts and bagels sold to the coffee shop for resale to the public are not taxable
 - Donuts and bagels sold at the coffee shop when served to the public are taxable
 - Donuts and bagels sold in a six pack in a sealed package are not taxable.
- A “mom and pop” shop sells Good Humor pre-packaged ice cream bars as well as scooped ice cream.
 - The pre-packed ice cream is not taxable
 - The scooped ice cream is taxable
- A restaurant sells a “to go” order
 - Take out or to go orders are taxable

Do I pay the tax?

- Farmer’s Market Vendors
 - Yes if selling prepared food unless operated by nonprofit organizations or service clubs
- Milkshakes
 - Yes.
- Nonprofits or Service Clubs
 - No if at temporary Restaurants including food stands, booths, street concessions and similar type operations.
 - Yes in all other prepared food scenarios in Cascade Locks.
- Catering
 - Yes if the catered event is located within the City
- Candy and Chocolates made in Cascade Locks
 - No candy is exempt. Chocolate is considered candy.
- Hotel, Motel or Bed & Breakfast with Complimentary Breakfast or Bed & Breakfast provided to their guests
 - No. Exempt if the food is provided as part of the cost of sleeping accommodations and if the establishment is taxed through the City’s transient room tax pursuant to Chapter ??

How to Register for and Pay PFBT

Each operator shall fill out the Prepared Food and Beverage Sales Tax Registration Form and file it with the City of Cascade Locks at the address shown on the form. This is due June 30, 2026.

A certificate of authority will be issued to the operator within 10 days after registration.

A copy of the Prepared Food and Beverage Sales Tax Return is enclosed as a sample. The finance department will mail you the tax return form each quarter for you to file with the city before the sixteenth day of the month following each collection quarter.

The registration and a blank food tax return forms are available in a fillable PDF format on the City's website at www.cascade-locks.or.us

Contact Information

Tax Administrator

City of Cascade Locks Finance Department

tax@cascade-locks.or.us

(541) 374-8484

PREPARED FOOD AND BEVERAGE SALES TAX REGISTRATION FORM



City of Cascade Locks
Attention: Tax Administrator
PO Box 308 – 140 SW WaNaPa
Cascade Locks, OR 97014
(541) 374-8484

This form is to be used by businesses to register with the City of Cascade Locks for the collection and payment of the City of Cascade Locks Prepared Food and Beverage Sales Tax. Please return the completed form to the City Finance Department.

SECTION 1: BUSINESS INFORMATION

Applicant Name (must be an owner)

Telephone Number

Business Name (DBA)

Telephone Number

Business Address

Mailing Address

Business Owner

Telephone Number

Type of Business: Sole Proprietorship Partnership Corporation

SECTION 2: FOOD TAX RETURN INFORMATION

Nature of Business

(Restaurant, Coffee Shop, Convenience Store, Grocery Store, Deli, Bakery, Food Truck)

Estimated Annual Sales Subject to PFBT

Person Responsible for Tax Return Preparation

Responsible Person Email and phone number

I declare that I have examined this registration form, and to the best of my knowledge, the information entered on this form is true, correct, and complete. Prepared Food and Beverage Sales Tax returns will be filed on a quarterly basis.

Signature of Applicant

Title

Date

Print Name

City of Cascade Locks

Prepared Food and Beverage Tax Registration Certificate

ISSUE DATE: July 1, 2026

Business Name: **Company LLC**

Owner's Name: **John Doe**

Property Address: **123 Main Street
Cascade Locks, OR 97014**



This Prepared Food and Beverage Tax Registration certificate signifies that the person named on the certificate has fulfilled the requirements of the Prepared Food and Beverage Tax Ordinance of the City of Cascade Locks by registering with the Tax Administrator for the purpose of collecting the prepared food and beverage tax imposed by the City and remitting the tax to the City of Cascade Locks. Certificates are nonassignable and nontransferable.

To be displayed in the office area, or other location in view of the general public.

CITY OF CASCADE LOCKS
ATTN: Tax Administrator
PO Box 308, Cascade Locks OR 97014

PREPARED FOOD AND BEVERAGE SALES TAX RETURN

Business Name: _____

Business Address: _____

Location: _____

Manager: _____

Owner's Name: _____

Owner Address: _____

Quarter ending _____

Account Number: _____

Date Due: _____

You must provide the following with your return:

- 1. Payment by check or money order.**
- 2. A completed and signed City of Cascade Locks Prepared Food and Beverage Sales Tax Return.**

COMPLETE FORM & PAYMENT DUE QUARTERLY BY THE 15TH FOR THE PRECEEDING 3 MONTHS, EVEN IF NO GROSS SALES COLLECTED.

1. Gross Food and Beverage Sales	\$ 100,000.00
2. Total Allowable Exemptions (detail to be listed on page 2)	\$ 10,000.00
3. Taxable Gross Food Sales (line 1 minus line 2)	\$ 90,000.00
4. Tax Rate	7%
5. Tax due (line 3 multiplied by line 4)	\$ 6,300.00
6. Total tax collected	\$ 6,300.00
7. Collection Fee for Administrative Costs	5%
8. Collection Fee amount (line 6 multiplied by line 7)	\$ 315.00
9. Net Food Sales tax due (line 6 minus line 8)	\$ 5,985.00
10. Non-file fee (see page 3 or call for amount)	0
11. Penalties (see page 3 or call for amount)	0
12. Interest (see page 3 or call for amount)	0
13. TOTAL DUE (sums of lines 9 through 12)	\$ 5,985.00

I declare, under penalty of false swearing, that to the best of my knowledge, the information herein is true, correct and complete.

Signature

Print Name

Date

If you have additional questions or you need material in alternate formats, contact City of Cascade Locks Finance Department
at 541-374-8484 or tax@cascade-locks.or.us

CITY OF CASCADE LOCKS

Report for Exempted Sales

Returns shall show the total sales subject to this chapter and the amount of tax collected under this chapter for the related period. Returns shall also show the exempt sales and the basis for exemptions and a detailed explanation for each. Please reference Chapter ??? Prepared Food and Beverage Sales Tax, Section ??? Exemptions. Detailed frequently asked questions are available on our city website page at www.cascade-locks.or.us

Reporting Period _____

Exempted Sales Category	Total Exempted Amount
<u>Chapter ? Section ? Subsection ?</u>	
<u>Chapter ? Section ? Subsection ?</u>	
<u>Chapter ? Section ? Subsection ?</u>	
<u>Chapter ? Section ? Subsection ?</u>	
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<u>Chapter ? Section ? Subsection ?</u>	
<u>Chapter ? Section ? Subsection ?</u>	
<u>Chapter ? Section ? Subsection ?</u>	
Grand Total Exemptions (Should equal total on line 2 of Page 1)	\$

Line 1	"Food and Beverage" includes all meals and beverages, excluding alcoholic beverages, served in a restaurant including "takeout," "to go" or delivered orders. For purposes of a restaurant that is a grocery store, market, convenience store or deli section of any store, food is all prepared food and beverage which has been altered (other than solely by cooling) by preparing, combining, dividing, heating or serving, so that the food or beverage is available and intended for immediate human consumption, such as hot foods, operator prepared sandwiches and salads, and fountain drinks, whether the food is prepared by the operator onsite or at the specific direction of the operator at an off-site location controlled by the operator.
Line 2	<u>Total Allowable Exempted sales: Enter any gross sales that are not subject to tax.</u> Please reference Chapter ? Prepared Food and Beverage Tax Section ?? Exemptions. Detailed frequently asked questions are available on our city website page at www.cascade-locks.or.us . Exemptions include but are not limited to: public or private schools/colleges; overnight accommodations that include the cost of food already taxed in Chapter ?; vending machines; nonprofit or service clubs at temp sites; convalescent, nursing and retirement homes; ice cream packed in a container of one-half(1/2) gallon or more; grocery prepackaged foods with the except that ice cream, frozen yogurt, cakes, pies or other desserts are taxed according to the provisions in this Chapter. For complete details see Municipal Code Chapter ? at www.cascade-locks.or.us .
Line 3	Taxable Gross Food Sales: Subtract Total Allowable Exemptions from Gross Food Sales (line 1 minus line 2). Detail to be listed on page 2.
Line 4	Current City of Cascade Locks Prepared Food Sales Tax rate: 7%
Line 5	Tax due: Multiply Taxable Gross Food Sales (line 3) by Tax Rate (line 4)
Line 6	Total Tax Collected: Enter the amount of tax collected. Please explain any differences.
Line 7	Collection Fee (5%): The local tax trustee may withhold five percent of any tax collected and listed on a return filed pursuant to this section to cover the expense of collecting and remitting the tax.
Line 8	Collection Fee for administrative costs: Multiply Total Tax Collected (line 6) by 5% (line 7)
Line 9	Net Food Sales tax due: Subtract Collection Fee for administrative costs from Total Tax Collected (line 6 minus line 8)
Line 10	Non-file fee: Failure to File a Return. The local tax trustee shall deliver the return by the due date. The filing of a return is required even if there is no taxable activity during the quarter. If the return is not delivered by the last day of the month following the quarter end, a penalty of one hundred dollars plus ten percent of the tax owed will be assessed for each return not filed by the due date. Call for assistance.
Line 11	Penalties: If applicable, a local tax trustee who fails to remit the tax prior to delinquency shall pay a penalty of ten percent (10%) of the tax due in addition to the tax. Call for assistance. If applicable, a local tax trustee who fails to pay a delinquent remittance before the expiration of thirty-one days following the date on which the remittance became delinquent shall pay a second delinquency penalty of fifteen percent (15%) of the tax due, the amount of the tax, and then ten percent penalty first imposed. Call for assistance.
Line 12	Interest: If applicable, a local tax trustee who fails to remit the required tax shall pay interest at the rate of one and one-half percent (1.5%) per month, without proration for portions of a month, on the tax due, exclusive of penalties, from the date on which the tax first became delinquent until paid.
Line 13	Total Tax Remittance: Add; Net food tax due (line 9), Non-file fee (line 10), Penalties (line 11), and Interest (line 12). Remit this amount to the City of Cascade Locks, Attn: Tax Administrator, PO Box 308, Cascade Locks, OR. 97014.