

COUNTY OF McLEAN, STATE OF ILLINOIS

ORDINANCE NO. 15-12-03-10

AN ORDINANCE FURTHER AMENDING ORDINANCE (01-04-03-10)
ESTABLISHING A GROSS RECEIPTS UTILITY TAX, AND FURTHER
AMENDING CHAPTER [33.04 (A) (3) (a) (1)] OCCUPATION AND USE TAX,
MUNICIPAL CODE OF THE CITY OF LE ROY, ILLINOIS, 1975 (AS
AMENDED)

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS
7th Day of DECEMBER 2015

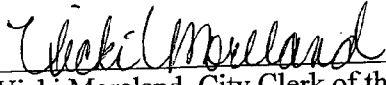
PRESENTED: December 7, 2015
PASSED: December 7, 2015
APPROVED: December 7, 2015
RECORDED: December 7, 2015
PUBLISHED: December 7, 2015

In Pamphlet Form

Voting "Aye" 7
Voting "Nay" 0

The undersigned being the duly qualified and Acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned **ordinance** and that such **ordinance** was presented, passed, approved, recorded and published as above stated.

(SEAL)


Vicki Moreland, City Clerk of the
City of Le Roy, McLean County, Illinois

Dated: December 7, 2015

**CITY OF LE ROY
McLEAN COUNTY, ILLINOIS**

ORDINANCE NO. 15-12-03-10

**AN ORDINANCE FURTHER AMENDING ORDINANCE (01-04-03-10)
ESTABLISHING A GROSS RECEIPTS UTILITY TAX, AND FURTHER
AMENDING CHAPTER [33.04 (a) (3) (A) (1)] OCCUPATION AND USE
TAX, MUNICIPAL CODE OF THE CITY OF LE ROY, ILLINOIS, 1975
(AS AMENDED)**

WHEREAS, the Mayor and City Council of the City of LeRoy, McLean County, Illinois, an Illinois municipal corporation, have determined that it is in the best interests of the City of LeRoy and of its residents that the utility tax Ordinance No. 00-10-01-10 subsequently amended by Ordinance No. 01-04-03-10, be further amended via Ordinance No. 15-12-03-10 and that Chapter [33.04 (a) (3) (A) (1)] of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended), be further amended; and

WHEREAS, the Mayor and City Council of the City of LeRoy, McLean County, Illinois, have determined that Ordinance No. 01-04-03-10, passed and approved April 2, 2001, inadvertently omitted the inclusion of language such that, *accounts of the City of Le Roy are to be exempt from the taxes imposed by this ordinance* of Chapter 33 OCCUPATION AND USE TAX, of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended); and

WHEREAS, it was the intent of the Mayor and City Council of the City of LeRoy, Illinois on the date the Gross Receipts Utility Tax Ordinance (01-04-03-10) was adopted (April 2, 2001), that the accounts of the city be exempt from the taxes imposed by the ordinance;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of LeRoy, McLean County, Illinois, in lawful meeting assembled, as follows:

Section 1. Sub-sub-sub-section (a) (3) (A) (I) of Section 33.04 Gross Receipts Utility Tax, of Chapter 33 OCCUPATION AND USE TAX, of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended), is hereby amended by the inclusion of verbiage as hereafter set forth, with the additional verbiage being shown in italicized print, *“with the exception of any and all those accounts of the City of Le Roy which shall be exempt from the taxes imposed by this ordinance”*:

[33.04 (a) (3) (A) (I)]

I. The tax imposed by the preceding sub-section (3) shall be imposed at the following rates, calculated on a monthly basis for each purchaser *with the exception of any and all those accounts of the City of Le Roy which shall be exempt from the taxes imposed by this ordinance*:

(i) For the first 2,000 kilowatt-hours used or consumed in a month, .005355 dollar kilowatt-hour,

- (ii) For the next 48,000 kilowatt-hours used or consumed in a month, .003511 *dollar* per kilowatt-hour
- (iii) For the next 50,000 kilowatt-hours used or consumed in a month, .003160 *dollar* per kilowatt-hour
- (iv) For the next 400,000 kilowatt-hours used or consumed in a month, .003072 *dollar* per kilowatt-hour,
- (v) For the next 500,000 kilowatt-hours used or consumed in a month, .002985 *dollar* per kilowatt-hour,
- (vi) For the next 2,000,000 kilowatt-hours used or consumed in a month, .002809 *dollar* per kilowatt-hour,
- (vii) For the next 2,000,000 kilowatt-hours used or consumed in a month, .002765 *dollar* per kilowatt-hour,
- (viii) For the next 2,000,000 kilowatt-hours used or consumed in a month, .002721 *dollar* per kilowatt-hour,
- (ix) For the next 10,000,000 kilowatt-hours used or consumed in a month, .002677 *dollar* per kilowatt-hour, and,
- (x) For all electricity used or consumed in excess of 20,000,000 kilowatt-hours in a month, .002633 *dollar* per kilowatt-hour.

Section 2. The City Council of the City of LeRoy hereby finds that it was the intent of the City Council that the Gross Receipts Utility Tax Ordinance (01-04-03-10) adopted (April 2, 2001), that the accounts of the City be exempt from the taxes imposed by the ordinance.

Section 3. All ordinances, or parts thereof, and all resolutions, or parts thereof, in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not effect the validity of the remaining portions hereof.

Section 5. This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED by the City Council of the City of Le Roy, Illinois, upon the motion
Made by Greg Steffen, and seconded by Judy Marshall by roll call vote on the 7th day of
December, 2015, as follows

Aldermen elected 8

Aldermen Present 7

Voting Aye: Dawn Hanafin, Anne Anderson, Hilary Sandy, Glenn Reinhart, Judy
Marshall, Greg Steffen, Ron Legner

Voting Nay: None

Absent: Brad Poindexter

Abstain: None

Other: None

and deposited and filed in the office of the City Clerk in said municipality on the 7th
day of December 2015

Vicki Moreland
Vicki Moreland, City Clerk of the City of LeRoy
Mc Lean County, Illinois

APPROVED BY the Mayor of the City of Le Roy, Illinois, this 7th day of
December 2015.

Steven M. Dean, Mayor
Steven M. Dean, Mayor of the City of Le Roy,
Mc Lean County, Illinois

ATTEST: (SEAL)

Vicki Moreland
Vicki Moreland, City Clerk of the City of
Le Roy, Mc Lean County, Illinois

CERTIFICATE

I, Vicki Moreland, certify that I am the duly appointed and acting municipal clerk of the City of Le Roy, of McLean County, Illinois.

I further certify that on **December 7, 2015** the Corporate Authorities of such municipality passed and approved **Ordinance No. 15-12-03-10** entitled:

AN ORDINANCE FURTHER AMENDING ORDINANCE (01-04-03-10) ESTABLISHING A GROSS RECEIPTS UTILITY TAX, AND FURTHER AMENDING CHAPTER [33.04 (A) (3) (A) (1) OCCUPATION AND USE TAX, MUNICIPAL CODE OF THE CITY OF LE ROY, ILLINOIS, 1975 (AS AMENDED)

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **15-12-03-10**, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on **December 7, 2015** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Le Roy, Illinois this 7th day of December 2015.

(SEAL)

Vicki Moreland
Vicki Moreland, City Clerk of the City of
Le Roy, McLean County, Illinois

STATE OF ILLINOIS)
) SS:
COUNTY OF MCLEAN)

I, Vicki Moreland, do hereby certify that I am the duly qualified and acting City Clerk of the City of Le Roy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

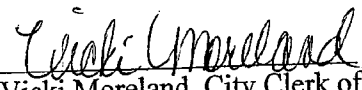
I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

**AN ORDINANCE AMENDING TITLE 7, CHAPTER 1 – STREETS,
SIDEWALKS AND PUBLIC WAYS WITHIN THE MUNICIPAL CODE FOR
THE CITY OF LE ROY, MC LEAN COUNTY, ILLINOIS, 2003 (AS AMENDED)**

I do further certify said *ordinance* was adopted by the City Council of the City of Le Roy at a regular meeting on the 7th day of December 2015, and prior to the making of this certificate the said ordinance was on file with the permanent records of said City where it now appears and remains as a permanent record of said ordinance in the record books.

Dated this 7th day of December 2015

(SEAL)


Vicki Moreland, City Clerk of the
City of Le Roy, McLean County, Illinois