

Filed 10/10/80
10/10/80
10/10/80

AN ORDINANCE AMENDING THE MUNICIPAL CODE, LE ROY, ILLINOIS, 1975, CHAPTER 33, OCCUPATION AND USE TAXES, SECTIONS 33.01 through 33.03.

Whereas, HB 2921 (Public Act 81-1379) effective August 12, 1980, has been adopted by the Illinois General Assembly, and

Whereas, said Act amends Sections 8-11-1, 8-11-5, and 8-11-6 of the Illinois Municipal Code, and

Whereas, said amendments provide that certain farm machinery and equipment is partially excluded from the municipal retailers' occupation tax, service occupation tax, and use tax, and

Whereas, it is the desire of the City of LeRoy, Illinois, that sales or use of such farm machinery and equipment remain subject to said taxes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of LeRoy, Illinois, as follows:

Section 1. That Chapter 33, Section 33.01 is hereby amended by adding thereto new Section 33.01 (e) to read:

Exclusion a-1 contained in Section 2 of the "Retailers' Occupation Tax Act" approved June 28, 1933, as amended, shall not apply to persons engaged in the business of selling tangible personal property at retail within the City of LeRoy, Illinois.

Section 2. That Chapter 33, Section 33.02 is hereby amended by adding thereto new Section 33.02 (e) to read:

The farm machinery and equipment exclusion contained in Section 3 of the "Service Occupation Tax Act", approved July 10, 1961, as amended, shall not apply to all persons engaged in the business of making sale of service within the City of LeRoy, Illinois.

Section 3. That Chapter 33, Section 33.03 is hereby amended by adding thereto new Section 33.03 (c) to read:

The farm machinery and equipment exclusion contained in Section 3 of the "Use Tax Act", approved July 14, 1955, as amended, shall not apply to the privilege of using in such municipality any item of tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered with an agency of this state's government.

Section 4. This ordinance shall be in full force and effect after its passage, approval, and publication as required by law.

PASSED by the Mayor and Council of the City of LeRoy, Illinois, on the 6th day of October, 1980.

AYES Thomas Bealor, Jack Gassaway, Gary Bulta, Randy Zimmerman
NAYS Jerry Davis, Gary Bulta

Juanita Dagle

City Clerk of the City of LeRoy, Illinois

Approved by the Mayor of the City of LeRoy, Illinois, this 6th day of October, 1980.

John D. Moss

Mayor of the City of LeRoy, Illinois

ATTEST:

Juanita Dagle

City Clerk of the City of LeRoy, Illinois.

STATE OF ILLINOIS)
) SS.
COUNTY OF MC LEAN)

I, Juanita Dagley, do hereby certify that I am the duly qualified and acting City Clerk of the City of LeRoy, 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 THE MUNICIPAL CODE, LE ROY, ILLINOIS, 1975, CHAPTER 33, OCCUPATION AND USE TAXES, SECTIONS 33.01 through 33.03.

That said ordinance was adopted by the Mayor and City Council of the City of LeRoy at a regular meeting on the 6th day of October, 1980, and that a faithful record of said ordinance has been made in the record books.

Juanita Dagley
City Clerk

(seal)

ORDINANCE NO. 128

AN ORDINANCE AMENDING THE MUNICIPAL CODE, LEROY, ILLINOIS, 1975, CHAPTER 33, OCCUPATION AND USE TAXES, SECTIONS 33.01 THROUGH 33.03.

Whereas, the City of LeRoy did pass Ordinance No. 120 amending the Municipal Code of LeRoy, Illinois, Chapter 33, Occupation and Use Taxes, Sections 33.01 through 33.03 on October 6, 1980; and

Whereas, it has been subsequently determined by the Mayor and City Council of the City of LeRoy that the levying of the taxes set forth and provided for in Ordinance No. 120 may prove to be the economic detriment to the prosperity of the city and the well-being of the citizens,

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

Section 1. That Chapter 33, Section 33.01 is hereby amended by hereby repealing the amendments made to it under Ordinance No. 128, specifically by deleting new Section 33.01 (c) which reads:

Exclusion (c) contained in Section 2 of the "Retailers' Occupation Tax Act" approved June 26, 1933, as amended, shall not apply to persons engaged in the business of selling tangible personal property at retail within the City of LeRoy, Illinois.

Section 2. That Chapter 33, Section 33.02 is hereby amended by repealing new Section 33.02 (a) and deleting the language therein which reads:

The farm machinery and equipment exclusion contained in Section 3 of the "Service Occupation Tax Act", approved July 10, 1961, as amended, shall not apply to all persons engaged in the business of making sale of service within the City of LeRoy, Illinois.

Section 3. That Chapter 33, Section 33.03 is hereby amended by repealing the language in new Section 33.03 (c) and deleting said language which reads:

The farm machinery and equipment exclusion contained in Section 3 of the "Use Tax Act", approved July 14, 1955, as amended, shall not apply to the privilege of using in such municipality any item of tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered with an agency of this state's government.

Section 4. This ordinance shall be in full force and effect after its passage, approval, and publication as required by law.

PASSED by the Mayor and Council of the City of LeRoy, Illinois, on the _____ 1st day of _____ December _____, 19 80 _____.

AYES Bruce Owens, Randy Zimmerman, Jerry Davis, Jack Gassaway, Gary Builta
NAYS Thomas Bealor

Janita Dagle
City Clerk of the City of LeRoy, Illinois

Approved by the Mayor of the City of LeRoy, Illinois, this _____ 1st _____ day of _____ December _____, 19 80 _____.

John Moos
Mayor of the City of LeRoy, Illinois

ATTEST:
Janita Dagle
City Clerk of the City of LeRoy, Illinois

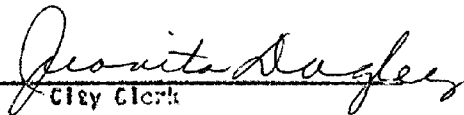
STATE OF ILLINOIS)
) SS
COUNTY OF MC LEAN)

I, Juanita Dagley, do hereby certify that I am the
duly qualified and acting City Clerk of the City of LeRoy, 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 THE MUNICIPAL CODE, LEROY, ILLINOIS, 1975,
CHAPTER 33, OCCUPATION AND USE TAXES, SECTIONS 33.01 through
33.03.

That said ordinance was adopted by the Mayor and City Council of the
City of LeRoy at a regular meeting on the 1st day of December,
1980, and that a faithful record of said ordinance has been made in the
record books.



City Clerk

(SEAL)