

City

CITY OF LeROY
COUNTY OF McLEAN
STATE OF ILLINOIS

ORDINANCE NO. 01-04-03-10

AN ORDINANCE FURTHER AMENDING AN ORDINANCE (00-08-01-10) ESTABLISHING
A GROSS RECEIPTS UTILITY TAX, AND FURTHER AMENDING CHAPTER 33
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 2nd DAY OF MARCH, 2001.

PRESENTED: April 2, 2001

PASSED: April 2, 2001

APPROVED: April 2, 2001

RECORDED: April 2, 2001

PUBLISHED: April 2, 2001

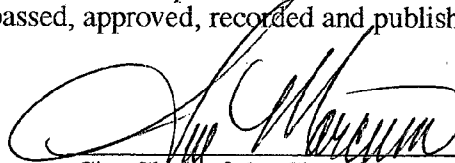
In Pamphlet Form

Voting "Aye" 5

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)



City Clerk of the City of LeRoy,
McLean County, Illinois

Dated: April 2, 2001.

ORDINANCE NO. 01-04-03-10

AN ORDINANCE FURTHER AMENDING AN ORDINANCE (00-03-01-10) ESTABLISHING
A GROSS RECEIPTS UTILITY TAX, AND FURTHER AMENDING CHAPTER 33
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, recently adopted, which has been amended, be further amended and that Chapter 33 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. 00-10-01-10, passed and approved October 16, 2000, inadvertently omitted substituting the word "dollar" for the word "cents" in sub-sub-sub-sub-sections (i) through (x), in sub-sub-sub-sub-section beginning (a) (3) (A) (I) of Section 33.04 Gross Receipts Utility Tax, of Chapter 33 OCCUPATION AND USE TAX, of the Muniticpla Code of the City of LeRoy, Illinois, 1975 (as amended); and

WHEREAS, it was the intent of the Mayor and City Council fo the City of LeRoy, Illinois, on the date the Gross Receipts Utility Tax Ordinance (00-03-01-10) was adopted (March 6, 2000), that the word "dollar" be used in place of the word "cents" where the word "dollar" is hereafter placed in italicized print,

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-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 substitution of the word "dollar" for the word "cents" in each of the sub-sub-sub-sub-sections (i) through (x), as hereafter set forth, with the substituted word being shown in italicized print:

[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:

- (i) For the first 2,000 kilowatt-hours used or consumed in a month, .005355 *dollar* per 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 5,000,000 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 aforesaid sub-sub-sub-sub-sections (i) thru (x) be worded as the same are amended to read by this Ordinance, effective March 6, 2000, and due to a typographical error the sub-sub-sub-sub-sections incorrectly expressed the strata figures for each number of kilowatt-hours as being a portion of one cent instead of cents per kilowatt-hour.

Section 3. All ordinances, or parts thereof, and all resolutions, or parts thereof, in conflict with this Ordinance shall be and the same are hereby repealed to the extent of such conflict, and this Ordinance shall be in full force and effect as set forth hereafter.

Section 4. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or any liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance, or any part of any act or ordinance, hereby repealed; nor shall any just or legal right or remedy of any character be lost,

impaired or affected by this Ordinance. Further, it is the intent of the City Council that the tax provided for in the aforesaid Section 33.04 (a) (3), as corrected by this Ordinance, and expressed as being effective July 1, 2000, in accordance with Ordinance 00-03-01-10, shall remain in effect.

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 LeRoy, Illinois, upon the motion by
Steve Dean, seconded by Dawn Thompson

, by roll call vote on the 2nd day of April, 2001, as follows:

Aldermen elected 6 Aldermen present 5

VOTING AYE:

Steve Dean, Dawn Thompson, Ron Litherland, Ryan Miles, W. H. Weber
(full names)

VOTING NAY:

None
(full names)

ABSENT:

Dave McClelland
(full names)

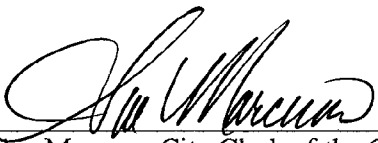
ABSTAIN:

None
(full names)

OTHER:

None
(full names)

and deposited and filed in the office of the acting City Clerk in said municipality on the 2nd day of April, 2001.

X 
Sue Marcum, City Clerk of the City of LeRoy,
McLean County, Illinois

APPROVED BY the Mayor of the City of LeRoy, Illinois, this 2nd day of April, 2001.

X Robert Rice
Robert Rice, Mayor of the City of LeRoy,
McLean County, Illinois

ATTEST: (SEAL)
X Sue Marcum
Sue Marcum, City Clerk, City of LeRoy,
McLean County, Illinois

CERTIFICATE

I, Sue Marcum, certify that I am the duly appointed and acting municipal clerk of the City of LeRoy, of McLean County, Illinois.

I further certify that on April 2, 2001, the Corporate Authorities of such municipality passed and approved Ordinance No. 01-04-03-10, entitled:

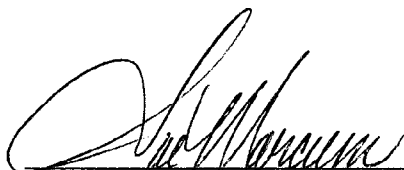
AN ORDINANCE FURTHER AMENDING AN ORDINANCE (00-08-01-10) ESTABLISHING A GROSS RECEIPTS UTILITY TAX, AND FURTHER AMENDING CHAPTER 33 OCCUPATION AND USE TAX, MUNICIPAL CODE OF THE CITY OF LE ROY, ILLINOIS, 1975 (AS AMENDED),

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

The pamphlet form of Ordinance No01-04-03-10 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on April 2, 2001, 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 LeRoy, Illinois, this 2nd day of April, 2001.

(SEAL)



Municipal Clerk

STATE OF ILLINOIS)
) SS:
COUNTY OF McLEAN)


I, Sue Marcum, do hereby certify that I am the duly qualified and acting City Clerk of the City of LeRoy, McLean County, Illinois, and as such acting 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 FURTHER AMENDING AN ORDINANCE (00-08-01-10) ESTABLISHING A GROSS RECEIPTS UTILITY TAX, AND FURTHER AMENDING CHAPTER 33 OCCUPATION AND USE TAX, MUNICIPAL CODE OF THE CITY OF LE ROY, ILLINOIS, 1975 (AS AMENDED).

I do further certify said ordinance was adopted by the City Council of the City of LeRoy at a regular meeting on the 2nd day of April, 2001, and prior to the making of this certificate the said ordinance was spread at length upon the permanent records of said City where it now appears and remains as a faithful record of said ordinance in the record books.

Dated this 2nd day of April, 2001.



City Clerk

(SEAL)