

CITY OF NOKOMIS

**FILED**  
DEC 21 2015

*Sandy Leithner* COUNTY CLERK

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**ORDINANCE NO. 2017**

**AN ORDINANCE AMENDING SECTION 36-3-2  
OF THE REVISED CODE OF ORDINANCES  
OF THE CITY OF NOKOMIS, ILLINOIS**

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**PASSED BY THE CITY COUNCIL  
OF THE  
CITY OF NOKOMIS**

**THIS 14th DAY OF DECEMBER 2015**

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**Published in pamphlet form by authority of the City Council of the City of  
Nokomis, Montgomery County, Illinois, this 14<sup>th</sup> day of December 2015.**

**Ordinance No. 2017**

**AN ORDINANCE AMENDING SECTION 36-3-2  
OF THE REVISED CODE OF ORDINANCES  
OF THE CITY OF NOKOMIS, ILLINOIS**

WHEREAS, it is deemed to be in the best interests of the residents of the City of Nokomis, Montgomery County, Illinois to amend Section 36-3-2 of the code;

WHEREAS, upon Motion duly made and seconded, the following is adopted by the City Council:

WHEREAS, Section 36-3-2 of the Revised Code of Ordinances **currently** states as follows:

**36-3-2 EXCEPTIONS.** None of the taxes authorized by this Article may be imposed with respect to any transaction in interstate commerce or otherwise to the extent to which such business may not, under the Constitution and Statutes of the United States, be made the subject of taxation by this State or any political subdivision thereof; nor shall any person engaged in the business of distributing, supplying, furnishing or selling gas or electricity, be subject to taxation under the provisions of this Section for such transactions as are or may become subject to taxation under the provisions of the "**Municipal Retailers' Occupation Tax Act**" authorized by **65 ILCS Sec. 5/8-11-1**, nor shall any tax authorized by this Section be imposed upon any person engaged in the business unless such tax is imposed in like manner and at the same rate upon all persons engaged in businesses of the same class in the municipality, whether privately or municipally owned or operated. (**Ord. No. 825; 09-09-96**)

BE IT ORDAINED, that the above-mentioned paragraphs shall be deleted from the City Code.

BE IT ORDAINED that the following shall amend and replace Section 36-3-2 of the Revised Code of Ordinances of the City of Nokomis as follows:

**36-3-2 EXCEPTIONS.** None of the taxes authorized by this Article may be imposed with respect to any transaction in interstate commerce or otherwise to the extent to which such business may not, under the Constitution and Statutes of the United States, be made the subject of taxation by this State or any political subdivision thereof; nor shall any person engaged in the business of distributing, supplying, furnishing or selling gas or electricity, be subject to taxation under the provisions of this Section for such transactions as are or may become subject to taxation under the provisions of the "**Municipal Retailers' Occupation Tax Act**" authorized by **65 ILCS Sec. 5/8-11-1**, nor shall any tax authorized by this Section be imposed upon any person engaged in the business unless such tax is imposed in like manner and at

the same rate upon all persons engaged in businesses of the same class in the municipality, whether privately or municipally owned or operated. Any account(s) of the City of Nokomis shall be exempt from the taxes imposed by Municipal Utility Tax Ordinance(s) 825 or 855.

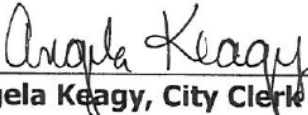
BE IT ORDAINED, this Amendment shall be published in pamphlet form and take effect thereafter.

Passed by the City Council and approved by the Mayor of the City of Nokomis, Illinois this 14<sup>th</sup> day of December, 2015.

  
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**Terry Hill, Mayor**

(CORPORATE SEAL)

ATTEST:

  
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**Angela Keagy, City Clerk**

**STATE OF ILLINOIS** )  
 ) **ss.**  
**COUNTY OF MONTGOMERY** )  
**CERTIFICATE OF PUBLICATION** )

I, Angela Keagy, certify that I am the duly appointed and acting City Clerk of the City of Nokomis, Montgomery County, Illinois.

I further certify that on December 14, 2015, the City Council of such municipality passed and approved Ordinance No. 2017, AN ORDINANCE AMENDING SECTION 36-3-2 OF THE REVISED CODE OF ORDINANCES OF THE CITY OF NOKOMIS, IL, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2017, including the Ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted in the Municipal Complex commencing on December 15, 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 City Clerk.

DATED at Nokomis, Illinois, this 14th day of December, 2015.

(SEAL)

  
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ANGELA KEAGY, CITY CLERK