

ORDINANCE NO. 855
ORDINANCE AMENDING ARTICLE III, MUNICIPAL UTILITY TAX,
SECTIONS 36-3-1 ET. SEQ.
OF THE REVISED CODE OF ORDINANCES
OF THE CITY OF NOKOMIS, ILLINOIS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NOKOMIS

Section One: Article III, Municipal Utility Tax, Sec 36-3-1. et. seq. shall be hereafter amended as follows:

ARTICLE X

ELECTRICITY TAX

Section 36-3-1 (B) TAX IMPOSED. (a) A tax is imposed on all persons engaged in the following occupations or privileges:

The privilege of using or consuming electricity acquired in a purchase at retail and used or consumed within the corporate limits of the municipality 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; 0.435 cents per kilowatt-hour;
- (ii) For the next 48,000 kilowatt-hours used or consumed in a month; 0.285 cents per kilowatt-hour;
- (iii) For the next 50,000 kilowatt hours used or consumed in a month; 0.257 cents per kilowatt-hour;
- (iv) For the next 400,000 kilowatt-hours used or consumed in a month; 0.250 cents per kilowatt-hour;
- (v) For the next 500,000 kilowatt-hours used or consumed in a month; 0.243 cents per kilowatt hour;
- (vi) For the next 2,000,000 kilowatt-hours used or consumed in a month; 0.228 cents per kilowatt hour;
- (vii) For the next 2,000,000 kilowatt hours used or consumed in a month; 0.225 cents per kilowatt hour;
- (viii) For the next 5,000,000 kilowatt hours used or consumed in a month; 0.221 per kilowatt hour;
- (ix) For the next 10,000,000 kilowatt-hours used or consumed in a month; 0.218 cents per kilowatt hour;
- (x) For all electricity used or consumed in excess of 20,000,000 kilowatt-hours in a month; 0.214 cents per kilowatt-hour.

(b) Pursuant to 65 ILCS 5/8-11-2, the rates set forth in subsection (a) above shall be effective: (A) on June 1, 1999 for residential customers; and (B) on the earlier of (1) the last bill issued prior to December 31, 2000, or (2) the date of the first bill issued pursuant to 220 ILCS 5/16-104 for nonresidential customers.

(c) Pursuant to 65 ILCS 5/8-11-2, Municipal Utility Tax shall specifically remain in effect: (A) for receipts attributable to residential customers, until May 31, 1999 and (B) for receipts

attributable to nonresidential customers, the earlier of (1) through the last bill issued prior to December 31, 2000, or (2) the date of the first bill issued to such nonresidential customer pursuant to 220 ILCS 5/16-104.

Section 36-3-9 In the event that Public Act 90-561 is declared unconstitutional, or if Section 46 of Article X created by this Amendatory Ordinance is voided by Court action, the provisions of Article III, Municipal Utility Tax, Sec 36-3-1 et. seq. of the Revised Code of Ordinances of the City of Nokomis shall remain in effect in all respects as if it had never been amended by this ordinance, and any amounts paid to the City by any person delivering electricity pursuant to this Amendatory Ordinance shall be deemed to have been paid pursuant to the Municipal Utility Tax as it existed prior to the passage of this Amendatory Ordinance.

The City Clerk is authorized to publish this ordinance as provided by law.

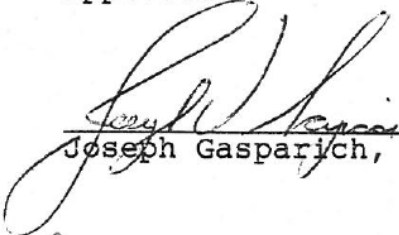
This ordinance shall become effective ten days after the date of its publication.

Except as provided herein the Municipal Utility Tax as amended, shall remain in full force and effect.

Passed this 8TH day of MARCH 1999.

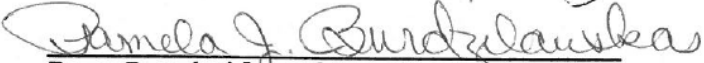
Approved:

(SEAL)



Joseph Gasparich, Mayor

ATTEST:



Pam Burdzilauskas, City Clerk

STATE OF ILLINOIS)
)
COUNTY OF MONTGOMERY)
)
CITY OF NOKOMIS)

I, Pamela Burdzilauskas, City Clerk of the City of Nokomis, Illinois, do hereby certify that the above and foregoing Ordinance entitled:

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was duly passed by the City Council of said City on the 8TH day of MARCH 1999, and was afterwards on the same day and date duly approved by the Mayor of said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of the said City of Nokomis, Illinois, this the 8TH day of MARCH, 1999.

Pamela J. Burdzilauskas
Pamela Burdzilauskas, City Clerk
of the City of Nokomis, Illinois.

(Corporate Seal)