

ORDINANCE NO. 9798-102

AN ORDINANCE AMENDING ARTICLE IV OF CHAPTER 22 OF THE MUNICIPAL
CODE (Taxation - Municipal Utility Tax)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA,
ILLINOIS, AS FOLLOWS:

Section 1. That Article IV of Chapter 22 is hereby amended to read as set forth in Exhibit A which is attached hereto and hereby incorporated herein by reference.

Section 2. That this Ordinance shall be immediately effective after passage and publication as provided by law, it being deemed urgent that this Ordinance have the earliest effective date, provided, however, that the rates provided by Section 22-45(1) shall not be implemented until promulgated by the Illinois Commerce Commission pursuant to Public Act 90-561.

Section 3. That the City Clerk is hereby directed to publish this Ordinance in pamphlet form immediately.

Section 4. (a) That if any section, paragraph or provision of this Ordinance is held to be invalid or unenforceable, such invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance, or the provisions of the Code.

(b) In the event any of the provisions of Public Act 90-561 or this Ordinance are held by any court of competent jurisdiction to be invalid, unenforceable or unconstitutional, to the effect that the tax imposed by Section 22-45(1) is not legally collectable, any amounts paid by any person and collected pursuant to this section shall be deemed taxes paid and collected pursuant to 22-45(3).

Section 5. The provisions of this Ordinance shall take precedence and be interpreted as superseding any other ordinance or statute in conflict with the provisions of this Ordinance.

Section 6. That the provisions of this Ordinance amending Article IV of Chapter 22 are intended to revise this article to provide for a new tax, based on consumption of electricity pursuant to Public Act 90-561. Other provisions included in this amendment are intended to be a continuation of existing municipal utility taxes which have heretofore been imposed on utility companies by the City, authorized by the Illinois Municipal Code.

Section 7. That the City Clerk is hereby directed to send a copy of this Ordinance to the Comptroller of the City of Urbana and to Roger L. Pontifex, Regional Manager, Illinois Power Company, 1112 West Anthony Drive, Urbana, Illinois 61801-7295.

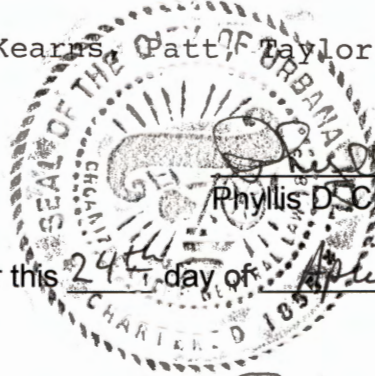
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council.

PASSED by the City Council this 20th day of April, 1998.

AYES: Hayes, Huth, Kearns, Patt, Taylor, Whelan, Wyman

NAYS:

PRESENT:



Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 24th day of April, 1998.

Tod Satterthwaite

Tod Satterthwaite, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the _____ day of _____, 19____, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled "AN ORDINANCE AMENDING ARTICLE IV OF CHAPTER 22 OF THE MUNICIPAL CODE (Taxation - Municipal Utility Tax)", which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. _____ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the _____ day of _____, 19____, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this _____ day of _____, 19____.

(SEAL)

CITY CLERK



CERTIFICATE OF PUBLICATION
IN PAMPHLET FORM



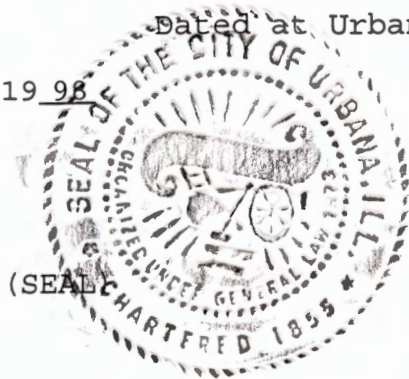
I, PHYLLIS D. CLARK, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the 20th day of April, 1998, the corporate authorities of the City of Urbana passed and approved Ordinance No. 9798-102, entitled "AN ORDINANCE AMENDING ARTICLE IV OF CHAPTER 22 OF THE MUNICIPAL CODE (TAXATION - MUNICIPAL UTILITY TAX)"

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

The pamphlet form of Ordinance No. 9798-102 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 27th day of April, 1998, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

Dated at Urbana, Illinois, this 27th, day of April, 1998



Phyllis D. Clark
Phyllis D. Clark, City Clerk
by Robert J. Roberts, Deputy Clerk