

ORDINANCE NO. 2016-02-011

AN ORDINANCE REPEALING ORDINANCE NO. 2015-06-055 AND AMENDING  
URBANA CITY CODE CHAPTER 22, SECTION 22-45.1

(Municipal gas use tax / 2016)

**WHEREAS**, the City of Urbana ("City") is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, including the power to tax; and

**WHEREAS**, the City Council heretofore did pass Ordinance No. 2015-06-055 to amend Urbana City Code Section 22-45.1 to increase the tax upon the privilege of using or consuming gas in the City that is purchased in a sale at retail ("municipal gas use tax") from a rate of three and one-half cents (\$0.035) per therm to five cents (\$0.05) per therm; and

**WHEREAS**, such rate increase in the City's municipal gas use tax was not thereafter effectuated; and

**WHEREAS**, the City Council finds that the fiscal needs of the City continue to require an increase in the rate of the municipal gas use tax from a rate of three and one-half cents (\$0.035) per therm to five cents (\$0.05) per therm; and

**WHEREAS**, after due and proper consideration, the City Council finds that the best interests of the City are served by repealing Ordinance No. 2015-06-055 and by enacting a new Ordinance in lieu thereof to amend Urbana City Code Section 22-45.1 to levy and impose a tax upon the privilege of using or consuming gas in the City that is purchased in a sale at retail at the rate of five cents (\$0.05) per therm, except as otherwise provided in the Urbana City Code.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Urbana, Champaign County, Illinois, as follows:

**Section 1.** Ordinance No. 2015-06-055 is hereby repealed upon the effective date of this Ordinance.

**Section 2.** Urbana City Code Chapter 22, "Taxation," Article IV, "Municipal Utility Tax," Section 22-45.1, "Municipal gas use tax," subsection (c)(1) is hereby amended and as amended shall read as follows:

(c) Tax.

(1) Except as otherwise provided, a tax is imposed on the privilege of using or consuming gas in the city that is purchased in a sale at retail at the rate of five cents (\$0.05) per therm.

**Section 3.** Those sections, paragraphs, and provisions of the Urbana City Code that are not expressly amended or repealed by this Ordinance are hereby re-enacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the Urbana City Code other than those expressly set forth as amended or repealed in this Ordinance. The invalidity of any section or provision of this Ordinance hereby passed and approved shall not invalidate other sections or provisions thereof.

**Section 4.** This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

**Section 5.** The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities.

**Section 6.** This Ordinance shall be in full force and effect on and after April 1, 2016.

**Section 7.** Upon approval of this Ordinance, the City Clerk is directed to mail a certified copy and a certificate of publication to Ameren Illinois, CAD, 300 Liberty Street, Peoria, IL 61602.

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 meeting of said Council.

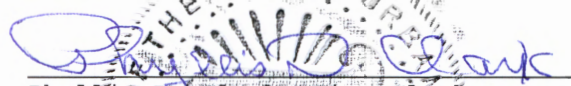
**PASSED BY THE CITY COUNCIL** this 7<sup>th</sup> day of March, 2016.

**AYES:** Ammons, Brown, Jakobsson, Marlin, Roberts, Smyth

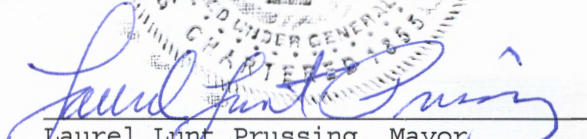
**NAYS:** Madigan

**ABSENT:**

**ABSTAINED:**

  
\_\_\_\_\_  
Phyllis D. Clark, City Clerk

**APPROVED BY THE MAYOR** this 8<sup>th</sup> day of March, 2016.

  
\_\_\_\_\_  
Laurel Lunt Prussing, 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 7<sup>th</sup> day of March, 2016, the City Council of the City of Urbana passed and approved Ordinance No. 2016-02-011, entitled:

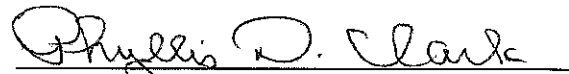
**AN ORDINANCE REPEALING ORDINANCE NO. 2015-06-055 AND AMENDING URBANA CITY CODE CHAPTER 22, SECTION 22-45.1 (MUNICIPAL GAS USE TAX / 2016)**

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

The pamphlet form of Ordinance No. 2016-02-011 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 8<sup>th</sup> day of March, 2016, 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 8<sup>th</sup> day of March, 2016.



  
Phyllis D. Clark, City Clerk