

**ORDINANCE NO. 2024-09-030**

**AN ORDINANCE AMENDING URBANA CITY CODE  
CHAPTER 22, SECTIONS 22-31 AND 22-34  
(Local Motor Fuel Tax)**

**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 has enacted Urbana City Code Section 22-31 to levy and impose a tax upon the purchase of each gallon of motor fuel, or fraction thereof, sold at retail within the corporate limits of the City at the rate of five cents (\$0.05) per gallon; and

**WHEREAS**, the City Council finds that the needs of the City require an increase in the rate of that tax to maintain the City’s transportation infrastructure.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS**, as follows:

Section 1. Urbana City Code Chapter 22, “Taxation,” Article III, “Local Motor Fuel Tax,” Section 22-31, “Tax imposed,” subsections (a) and (b), are hereby amended and as amended shall read as follows:  
Sec. 22-31. - Tax imposed.

- (a) There is levied and imposed upon the purchase of each gallon of motor fuel, or fraction thereof, sold at retail within the corporate limits of the City, irrespective of the unit of measure in which it is actually sold, a tax at the rate of seven and one-half cents (\$0.075) per gallon effective January 1, 2025, a tax at the rate of ten cents (\$0.10) per gallon effective January 1, 2026, and a tax at the rate of twelve and one-half cents (\$0.125) per gallon effective January 1, 2027.
- (b) Beginning January 1, 2028 and on January 1 of each year thereafter, the rate shall be adjusted based on the rate of inflation, determined by the change in the Consumer Price Index for All Urban

Consumers (CPI-U) for a twelve (12) month period as of the end of June of the prior calendar year. The rate increase in a single year shall be limited to a maximum of five percent (5%), regardless of the calculated amount. The resulting rate shall be rounded to the nearest one-tenth of one cent (\$0.001).

- (c) The tax herein levied shall be paid in addition to any and all other taxes and charges. The tax herein imposed is not based on the selling or purchase price or gross receipts from the sale or purchase of motor fuel.
- (d) The ultimate incident of and liability for payment of the tax is to be borne by the retail purchaser of motor fuel. Nothing in this article shall be construed to impose a tax upon the occupation of persons engaged in the retail sale of motor fuel.
- (e) It shall be the duty of every retail gasoline dealer to secure the tax from the purchaser at the time the dealer collects the purchase price for the motor fuel and to pay over the tax to the finance department, as provided in this article.

Section 2. Urbana City Code Chapter 22, "Taxation," Article III, "Local Motor Fuel Tax," Section 22-34, "Motor fuel tax funds," subsection (c), is hereby amended and as amended shall read as follows:

Sec 22-34. – Motor fuel tax funds.

- (f) The finance department shall deposit the proceeds of the motor fuel tax imposed by this article, including penalties, into a separate fund designated as the "Motor Fuel Tax Fund." During the annual budget process, the list of projects to be financed by this fund shall be approved by the City Council.

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 any 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, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code or on January 1, 2025, whichever occurs later.

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 30th day of September, 2024.

AYES: Wu, Evans, Hursey, Kolisetty, Bishop, Wilken, Quisenberry

NAYS: None.

ABSTENTIONS: None.



DocuSigned by:  
*Darcy E. Sandefur*  
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Darcy E. Sandefur, City Clerk

**APPROVED BY THE MAYOR** this 1st day of October, 2024.

DocuSigned by:  
*Diane Wolfe Marlin*  
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Diane Wolfe Marlin, Mayor



# CERTIFICATE OF PUBLICATION IN PAMPHLET FORM



I, Darcy E. Sandefur, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the 30th day of September, 2024 the City Council of the City of Urbana passed and approved Ordinance No. 2024-09-030 entitled:

## AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER 22, SECTIONS 23-31 AND 22-34

**(Local Motor Fuel Tax)**

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

The pamphlet form of Ordinance No. 2024-09-030 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 1st day of October, 2024, 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.

DS Dated at Urbana, Illinois, this 1st day of October, 2024.



DocuSigned by:

*Darcy E. Sandefur*

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Darcy E. Sandefur, City Clerk