

ORDINANCE NO. 00 - 15

ORDINANCE EXTENDING THE  
UTILITY TAX AND TELECOMMUNICATIONS  
TAX IN THE VILLAGE OF EAST DUNDEE,  
COOK AND KANE COUNTIES, ILLINOIS

**WHEREAS**, the Municipal Code of the Village of East Dundee, Illinois, adopted by the President and Board of Trustees of the Village of East Dundee on the 3rd day of May 1982, provided for a Municipal Utility Tax pursuant to Chapter 50, Section 50.02, and

**WHEREAS**, on June 8, 1999, the President and Board of Trustees of the Village of East Dundee adopted Ordinance No. 99-15 extending the Utility Tax through Fiscal Year 1999 - 2000; and

**WHEREAS**, pursuant to Ordinance No. 99-15, the Utility Tax and Telecommunications Tax shall be reviewed by the Village Board during May for continuation.

**WHEREAS**, the corporate authorities have determined pursuant to 65 ILCS 5/1-2-4 that the immediate effectiveness of this Ordinance is urgent within the meaning of such statute.

**BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS:**

**Section One.** That Chapter 37 of the East Dundee Municipal Code is hereby amended to read as follows:

**"37.03 MUNICIPAL UTILITY TAX. (Natural Gas) Persons Liable.** A tax is imposed on all persons engaged in the business of distributing, supplying, furnishing or selling gas for use or consumption within the corporate limits of East

Dundee, Illinois, and not for resale, on the gross receipts actually paid to the taxpayer for services billed on and after the effective dates set forth herein and at the following rates: from July 3, 2000, to June 30, 2001, at the rate of 5-percent.

**Section Two:** The Telecommunications Tax, East Dundee Municipal Code, Section

37.04 of Chapter 37 is hereby amended to read as follows:

**"37.04 TELECOMMUNICATIONS TAX.** Pursuant to 65 ILCS 5/8-11-17, Municipal Telecommunications Tax, for persons engaged in the act or privilege of originating in the Village or receiving in the Village intrastate or interstate telecommunications on the gross charge for such telecommunications purchased at retail from a retailer by such person at the rate of 5-percent of the gross charge for such telecommunications purchased at retail from a retailer by such person for such gross charges actually incurred by the taxpayer for services billed on and after July 3, 2000, through and including June 30, 2001. For purposes of this Telecommunications Tax, all terms and definitions set forth in 65 ILCS 5/8-11-17 are adopted and incorporated as though fully set forth herein".

**Section Three:** The Municipal Utility Tax -- Gross Receipts, East Dundee

Municipal Code, Section 37.05B of Chapter 37 is hereby amended to read as follows:

**"37.05B MUNICIPAL UTILITY TAX -- GROSS RECEIPTS.** A tax is imposed on all persons engaged in the business of distributing, supplying, furnishing or selling electricity for use or consumption within the corporate limits of East Dundee, Illinois, and not for resale, on the gross receipts actually paid to the taxpayer for services billed on and after the effective dates set forth herein and at the following rates: from July 3, 2000, to June 30, 2001, at the rate of 5-percent.

Notwithstanding the foregoing, the tax imposed by this Section 37.05B shall not apply with respect to gross receipts pertaining to bills for the distribution, supply, furnishing, or sale of electricity where the use or consumption of the electricity is subject to the tax imposed by Section 37.05A.

**Section Four:** This Ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law, and shall be effective as to (i) gross receipts actually paid to the taxpayer (with respect to the tax amended by Section One of this Ordinance), and (ii) gross charges actually incurred by the

taxpayer (with respect to the tax amended by Section Two of this Ordinance) for services billed on or after the 3rd day of July, 2000, to and including the 30th day of June, 2001.

**Section Five:** The Village Board, at its 2001 appropriation hearings, shall review the necessity for the continuation of said Municipal Utility Tax (Natural Gas) and Telecommunications Tax beyond June 30, 2001.

**Section Six:** The Village Clerk will send a certified copy of this Ordinance to each utility company known to be receiving gross receipts or imposing gross charges within the Village.

**Section Seven:** All provisions of the East Dundee Municipal Code not amended, remain in full force and effect.

**Section Eight:** That this ordinance shall be effective immediately upon its passage and approval by two-thirds of the corporate authorities.

**Section Nine. Severability.** If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

**Section Ten. Repeal.** All ordinances, resolutions, motions, or parts thereof in conflict herewith shall be and the same are hereby repealed.

**Section Eleven. Publication.** That a full, true and complete copy of this Ordinance shall be published within 10 days after passage in pamphlet form by authority of the Board.

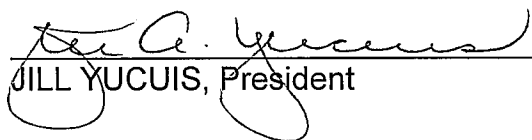
Adopted this 3rd day of July, 2000, pursuant to a roll call vote as follows:

AYES: Bartels, Szalla, Zaeske, Arnone, Ruffulo.

NAYES: None.

ABSENT: Ahrens.

Approved by me this 3rd day of July, 2000.

  
JILL YUCUIS, President

Published in pamphlet form this 5th day of July, 2000, under the authority of the President and Board of Trustees.

ATTEST:

  
JANE THEIS, Village Clerk

Recorded in the Village Records on July 5th, 2000.

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