

Effective Date: December 17, 2010

11/02/10

81-O-10**AN ORDINANCE**

Amending Sub-Section 9 "Municipal Electricity Utility Tax" of Title 3, "Business Regulations", Chapter 2, "Municipal Occupation Taxes", Section 9 "Municipal Utility Tax" of the Evanston City Code,

NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: That Sub-Section 9 "Municipal Electricity Utility Tax", of Title 3, "Business Regulations", Chapter 2, "Municipal Occupation Taxes", Section 9, "Municipal Utility Tax", of the Evanston City Code of 1979, as amended, is hereby further amended to read as follows:

3-2-9-9-2: TAX IMPOSED:

(A) Pursuant to Section 8-11-2 of the Illinois Municipal Code (65 ILCS 5/8-11-2) and any and all other applicable authority, a tax is imposed upon the privilege of using or consuming electricity acquired in a purchase at retail and used or consumed within the corporate limits of the City at the following rates, calculated on a monthly basis for each purchaser, including a 3% administrative fee as authorized by State Statute and Section 3-2-9-9-3(C) of this Ordinance:

1. For that first 2,000 kilowatt-hours used or consumed in a month; 0.61 cents per kilowatt-hour;
2. For the next 48,000 kilowatt-hours used or consumed in a month; .40 cents per kilowatt-hour;
3. For the next 50,000 kilowatt-hours used or consumed in a month; 0.36 cents per kilowatt-hour;
4. For the next 400,000 kilowatt-hours used or consumed in a month; 0.35 cents per kilowatt-hour;
5. For the next 500,000 kilowatt-hours used or consumed in a month; 0.34 cents per kilowatt-hour;
6. For the next 2,000,000 kilowatt-hours used or consumed in a month; 0.32 cents per kilowatt-hour;
7. For the next 2,000,000 kilowatt-hours used or consumed in a month; 0.315 cents per kilowatt-hour;

- 8. For the next 5,000,000 kilowatt-hours used or consumed in a month; 0.31cents per kilowatt-hour;
- 9. For the next 10,000,000 kilowatt-hours used or consumed in a month; 0.305 cents per kilowatt-hour; and
- 10. For all electricity used or consumed in excess of 20,000,000 kilowatt-hours in a month; 0.30 cents per kilowatt-hour.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: That if any provision of this Ordinance 81-O-10 or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance 81-O-10 that can be given effect without the invalid application or provision, and each invalid application of this Ordinance is severable.

SECTION 4: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: November 8, 2010

Approved:

Adopted: November 22, 2010

December 3, 2010

Elizabeth Tisdahl
Elizabeth Tisdahl, Mayor

Attest:

Rodney Greene
Rodney Greene, City Clerk

Approved as to form:

W. Grant Farrar
W. Grant Farrar
Corporation Counsel