

ORDINANCE 2011-01

AN ORDINANCE AMENDING THE SIMPLIFIED MUNICIPAL TELECOMMUNICATIONS TAX RATE FROM 1% TO 6%

WHEREAS, the Simplified Municipal Telecommunications Tax Act created a Simplified Municipal Telecommunications Tax and repealed the Municipal Tax on transmitting messages under 65 ILCS 5/8-11-2, the Municipal Telecommunications Tax under 65 ILCS 5/8-11-17, the optional Infrastructure Maintenance Fee under 35 ILCS 635/15, and the Municipal Infrastructure Maintenance Fee under 35 ILCS 635/20 effective January 1, 2003; and

WHEREAS, the Illinois Department of Revenue was required under Sections 5-25 and 5-30 of the Simplified Municipal Telecommunications Tax Act to publish a list and calculate a rate for the imposition of a Simplified Municipal Telecommunications Tax for each municipality that had in place one or more of the following: a Municipal Tax on transmitting messages under 65 ILCS 5/8-11-2, a Municipal Telecommunications Tax under 65 ILCS 5/8-11-17, or a Municipal Infrastructure Maintenance Fee under 35 ILCS 635/20 as of July 1, 2002; and

WHEREAS, the list published by the Illinois Department of Revenue listed this Municipality and calculated a rate for the Simplified Municipal Telecommunications Tax of 1% to be collected on gross charges by telecommunications retailers beginning January 1, 2003; and

WHEREAS, it is deemed to be in the best interests of the Village of Pecatonica that the Simplified Municipal Telecommunications Tax be increased from 1% to 6%.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF PECATONICA, ILLINOIS:

Section 1. The rate of the Simplified Municipal Telecommunications Tax imposed under the authority of the Simplified Municipal Telecommunications Tax Act (35 ILCS 636/5-1 et seq.) upon the act or privilege of originating in the Municipality or receiving in the Municipality Intrastate or Interstate Telecommunications by a person is hereby changed to 6% of the gross charges for such telecommunications purchased at retail.

Section 2. The tax hereby imposed shall be collected and enforced by the Department of Revenue of the State of Illinois. The Illinois Department of Revenue shall have full power to administer and enforce the provisions of this ordinance.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval and publication in pamphlet form as required by law, provided, however, that Section 1 of this Ordinance shall take effect for all gross charges billed by telecommunications retailers on and after the first day of JULY 2011. The Municipal Clerk is hereby directed to file a certified copy of this Ordinance with the Illinois Department of Revenue on or before MARCH 20, 2011.

Section 4. This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

PASSED by the Village Board this 15th day of March, 2011.

APPROVED by the President of the Village Board this 15th day of March, 2011.

Shawn Connors
Shawn Connors, Village President

ATTEST:

Ginger Binger
Ginger Binger, Village Clerk

Ayes 6

Nays 6

Absent 6

Martin: Aye

Metz: Aye

Sager: Aye

Heister: Aye

Smull: Aye

Eytalis: Aye