

City of St. Charles, Illinois

Ordinance No. 2001-M-27

**An Ordinance Amending Title 3, "Revenue and Finance,"
Chapter 3.40, "Telecommunications Tax," Section 3.40.010A
Subsections 1 and 2 of the St. Charles Municipal Code**

**Adopted by the
City Council
of the
City of St. Charles
May 7, 2001**

**Published in pamphlet form by
authority of the City Council
of the City of St. Charles,
Kane and Du Page Counties,
Illinois, May 11, 2001**



City Clerk

(S E A L)

Ordinance No. 2001-M- 27

**An Ordinance Amending Title 3, "Revenue and Finance,"
Chapter 3.40, "Telecommunications Tax," Section 3.40.010A Subsections 1 and 2
of the St. Charles Municipal Code**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE
AND DU PAGE COUNTIES, ILLINOIS, AS FOLLOWS:**

1. That Title 3, "Revenue and Finance," Chapter 3.40, "Telecommunications Tax,"
Section 3.40.010, "Imposition," Subparagraph A of the St. Charles Municipal Code, be and is hereby
amended by deleting the same and substituting the following therefor:

3.40.010 Imposition.

A. A tax is imposed on the following acts or privileges:

1. The act or privilege of originating in the city of St. Charles or receiving in the city of St. Charles intrastate telecommunications by a person at the rate of *five* percent (5%) of the gross charge for such telecommunications purchased at retail from a retailer by such person. However, such tax is not imposed on such act or privilege to the extent such act or privilege may not, under the Constitution of the United States, be made the subject of taxation by municipalities in this state.
2. The act or privilege of originating in the city of St. Charles or receiving in the city of St. Charles interstate telecommunications by a person at the rate of *five* percent (5%) of the gross charge for such telecommunications purchased at retail from a retailer by such person. To prevent actual multi-state taxation of the act or privilege that is subject to taxation under this paragraph, any taxpayer, upon proof that the taxpayer has paid a tax in another state on such event, shall be allowed a credit against any tax enacted pursuant to this paragraph to the extent of the amount of such tax properly due and paid in such other state which was not previously allowed as a credit against any other state or local tax in this state. However, such tax is not imposed on the act or privilege to the extent such act or privilege may not, under the Constitution and statutes of the United States, be made the subject of taxation by municipalities in this state.

3. The effective date of the amendment to the Telecommunication Tax Ordinance shall be
June 1, 2001.

4. That after the adoption and approval hereof the Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

PRESENTED to the City Council of the city of St. Charles, Illinois, this 7 day of May, 2001.

PASSED by the City Council of the city of St. Charles, Illinois, this 7 day of May, 2001.

APPROVED by the Mayor of the city of St. Charles, Illinois, this 7 day of May, 2001.


Mayor

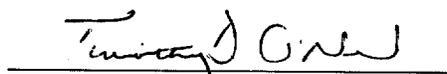
ATTEST:


City Clerk

COUNCIL VOTE:

Ayes: 7
Nays: 3
Absent: 0

APPROVED AS TO FORM:


City Attorney

DATE: 5/7/01

State of Illinois)
) ss.
Counties of Kane and DuPage)

Certificate

I, KRISTIE A. NEPHEW, certify that I am the duly elected and acting municipal clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on May 7, 2001, the Corporate Authorities of such municipality passed and approved Ordinance No. 2001-M-27, entitled

"An Ordinance Amending Title 3, "Revenue and Finance,"
Chapter 3.40, "Telecommunications Tax," Section 3.40.010A
Subsections 1 and 2 of the St. Charles Municipal Code
",

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

The pamphlet form of Ordinance No. 2001-M-27, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on May 11, 2001, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 7th day of May, 2001.



Municipal Clerk

(SEAL)

