

ORDINANCE 11-39      Passed August 22, 2011

**AMENDING THE MUNICIPAL CODE OF THE  
CITY OF DEKALB, ILLINOIS CHAPTER 66,  
“MOTOR FUEL TAX.”**

**WHEREAS**, the City of DeKalb is a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and,

**WHEREAS**, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals and welfare; and,

**WHEREAS**, in furtherance of its home rule powers, it is necessary and desirable for the City of DeKalb to amend its ordinances regarding taxation by increasing the City imposed motor fuel tax to provide revenue for the construction of a new police station; now,

**THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL** of the City of DeKalb, Illinois, as follows:

**Section 1.** That the Municipal Code of the City of DeKalb, Illinois Chapter 66, “Motor Fuel Tax”, be amended as shown following:

**66.02 IMPOSITION OF TAX**

a) *Effective October 1, 2011* there is hereby levied and imposed upon the privilege of purchasing at retail motor fuel, within the City, at the rate of ~~two~~ **three and one half** cents (~~\$0.02~~) (**\$0.035**) per gallon or fraction thereof.

b) This tax shall be in addition to any and all other taxes.

**Section 3.** That each section, paragraph, sentence, clause and provision of this ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this ordinance, nor any part thereof, other than that part affected by such decision.

**Section 4.** That except as to the amendments heretofore mentioned, all Chapters of the Municipal Code of the City of DeKalb, Illinois shall remain in full force and effect.

**Section 5.** Upon its passage and approval according to law, this Ordinance shall, by authority of the City Council, be published in pamphlet form. On the tenth day after the date of publication, this

Ordinance shall be in full force and effect. Publication date: August 23, 2011. Effective date: September 2, 2011.

**PASSED BY THE CITY COUNCIL** of the City of DeKalb, Illinois at a regular meeting thereof held on the 22<sup>nd</sup> day of August, 2011, and approved by me as Mayor on the same day. Received and filed August 8, 2011 by voice vote. Passed on second reading, August 22, 2011 by roll call vote: 6-1. Aye: Jacobson, Teresinski, Lash, Gallagher, Baker, O' Leary. Nay: Naylor.

**ATTEST:**

  
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STEVE KAPITAN, City Clerk



  
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KRIS POVLSSEN, Mayor