

VILLAGE OF DUPO, ILLINOIS

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ORDINANCE NO. 18-05

**AN ORDINANCE RECONFIRMING, REINSTITUTING AND ADOPTING A  
GAS FRANCHISE FEE  
FOR THE VILLAGE OF DUPO, ILLINOIS**

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ADOPTED BY THE  
VILLAGE BOARD OF TRUSTEES  
OF THE  
VILLAGE OF DUPO, ILLINOIS  
THIS 5<sup>th</sup> DAY OF FEBRUARY, 2018

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Published in pamphlet form by  
authority of the Village Board  
of Trustees of the Village of  
Dupo, St. Clair County, Illinois,  
this 5th day of February, 2018.

**AN ORDINANCE RECONFIRMING, REINSTITUTING AND ADOPTING A  
GAS FRANCHISE FEE FOR THE VILLAGE OF DUPO, ILLINOIS**

**WHEREAS**, the Village of Dupo, St. Clair County, Illinois ("Village"), is a duly created, organized and validly existing municipality of the State of Illinois under the 1970 Illinois Constitution and the laws of the State of Illinois, including particularly the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto; and

**WHEREAS**, a duly noticed public meeting was held in the Village of Dupo, Illinois at the Dupo Village Hall, 107 N. Second Street, on February 5, 2018 at 7:00 p.m., before the Village Board of Dupo; and

**WHEREAS**, previously the Village had adopted section 17-3-7 of the Village's Revised Code of Ordinances regarding "Rules & Regulations" pertaining to the Village's Gas System; and

**WHEREAS**, section 17-3-7 provided that "the Gas Department shall pay a franchise fee of **Three Thousand Dollars (\$3,000.00)** per month **Thirty-Six Thousand Dollars (\$36,000.00)** in total to the Village General Fund in a lump sum payment, once each year at the beginning of the fiscal year, no later than **May 31<sup>st</sup>** of each fiscal year;" and

**WHEREAS**, it has come to Village Board's attention that the aforementioned "franchise fee" set forth in section 17-3-7 may have been struck or discontinued by past actions of the Village; and

**WHEREAS**, the Village Board deems that such "franchise fee" should be reconfirmed, reinstated and adopted as part of the current Revised Code of Ordinances of the Village, specifically section 17-3-7; and

**WHEREAS**, the Village Board deems the "franchise fee" contained in the amended section 17-3-7 to be payable by the Gas Department to the Village for the Village's fiscal year 2017 and thereafter as provided in said section; and

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and Board of Trustees of the Village of Dupo, St. Clair County, Illinois, as follows:

**Section 1:** The facts and statements contained in the foregoing recitals are incorporated herein as findings of the Corporate Authorities.

**Section 2:** Chapter 17, Article III, Section 17-3-7, shall be reinstated and shall read and be amended as follows:

**17-3-7 RULES AND REGULATIONS.** The Village is authorized to impose reasonable terms and conditions upon the furnishing of gas service and reasonable rules and regulations in the operation and conduct of its business including, but not limited to, the requiring of a reasonable deposit of any customer as a condition of furnishing gas to such consumer. As a part of these reasonable terms and conditions the Gas Department shall pay a franchise fee of **Three Thousand Dollars (\$3,000.00)** per month **Thirty-Six Thousand Dollars (\$36,000.00)** in total to the Village General Fund

in a lump sum payment, once each year at the beginning of the fiscal year, no later than **May 31st** of each fiscal year.

**Section 3:** The "franchise fee" contained in the amended section 17-3-7 is to be payable by the Gas Department to the Village for the Village's fiscal year 2017, and thereafter as provided in said section.

**Section 4:** Each section, paragraph, sentence, clause and provision of this Ordinance is severable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of the Ordinance, nor any part thereof, other than that part affected by such decision.

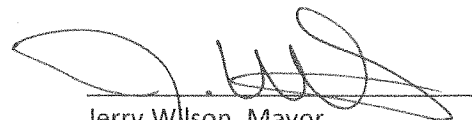
**Section 5:** All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 6:** This Ordinance shall take full force and effect immediately upon passage by the Village Board of Trustees.

**PASSED** this 5<sup>th</sup> day of February, 2018 by the Village Mayor and the Village Board of Trustees of the Village of Dupu, St. Clair County, Illinois, and deposited and filed in the office of the Village Clerk in said Village on that date.

<u>Trustees</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Chris Ragsdale	X	---	---	---
Ben Kenner	X	---	---	---
James Smith	X	---	---	---
Joe Basinski	X	---	---	---
Ken Phillips	X	---	---	---
Kerry Foster	X	---	---	---

**APPROVED AND PASSED** by the Mayor of the Village of Dupu, Illinois this 5th day of February, 2018.

  
Jerry Wilson, Mayor  
Village of Dupu, Illinois

ATTEST:

  
MARK NADLER, VILLAGE CLERK

(SEAL)

STATE OF ILLINOIS     )  
  ) SS  
COUNTY OF ST. CLAIR    )

**CERTIFICATE OF PUBLICATION**

I, Mark Nadler, certify that I am the duly elected and acting Village Clerk of the Village of Dupu, Illinois.

I further certify that on the 5<sup>th</sup> day of February, 2018, the Corporate Authorities of the Village of Dupu, Illinois, passed and approved Ordinance No. 18-05, entitled:

**AN ORDINANCE RECONFIRMING, REINSTITUTING AND ADOPTING A  
GAS FRANCHISE FEE FOR THE VILLAGE OF DUPO, ILLINOIS**

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

The pamphlet form of Ordinance No. 18-05, including the ordinance and a cover sheet thereof, was prepared, and a copy of such ordinance was posted in the Dupu Village Hall, commencing on February 5, 2018 and continuing for at least ten (10) days thereafter. Copies of such ordinance were also made available for public inspection upon request in the office of the Village Clerk.

DATED at Dupu, Illinois this 5<sup>th</sup> day of February, 2018.



MARK NADLER, Village Clerk

(SEAL)

STATE OF ILLINOIS     )  
  ) SS  
COUNTY OF ST. CLAIR    )

CERTIFICATE OF TRUE COPY

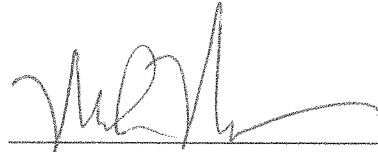
I, Mark Nadler, certify that I am the duly elected and acting Village Clerk of the Village of Dupo, Illinois, and as such I am the keeper of the books, records, files and corporate seal of said Village.

I do further certify that Ordinance No. 18-03, entitled:

**AN ORDINANCE RECONFIRMING, REINSTITUTING AND ADOPTING A  
GAS FRANCHISE FEE FOR THE VILLAGE OF DUPO, ILLINOIS**

to which this certificate is attached, is a true, perfect, complete and correct copy of said ordinance as adopted at a regular meeting of the Dupo, Illinois Village Council held on the 5<sup>th</sup> day of February, 2018.

IN WITNESS WHEREOF, I have made and delivered this certificate for the uses and purposes hereinabove set forth this 5th day of February, 2018.



MARK NADLER, Village Clerk

(SEAL)