ORDINANCE NO. 2026-04

AN ORDINANCE AMENDING THE VILLAGE CODE AND IMPOSING A MUNICIPAL TAX ON THE PURCHASE AND USE OF ELECTRICITY IN THE VILLAGE OF GRAND RIDGE, LASALLE COUNTY, ILLINOIS

Recitals

A. The Village of Grand Ridge, LaSalle County, Illinois (the "Village") has the authority to adopt ordinances and to promulgate rules and regulations that protect the public health, safety and welfare of its citizens.

B. The Illinois Municipal Code, in part, allows for the taxation of certain occupations or privileges, including the privilege of using or consuming electricity acquired in a retail purchase (65 ILCS 5/8-11-2.3.).

C. The Village's Board of Trustees deems it to be in the best interests to impose a utility tax on the purchase of electricity for consumption within the Village.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Village of Grand Ridge, LaSalle County, Illinois as follows below.

SECTION 1: Recitals. The Corporate Authorities hereby find the Recitals contained in this Ordinance are true and correct and are adopted as part of this Ordinance.

SECTION 2: Adoption of Tax. Chapter 33 of the Village Code is amended to add the sections as follows below.

CHAPTER 33
FINANCE AND REVENUE; TAXES AND FEES

Municipal Electricity Tax

§ 33-54: Definitions
§ 33-55: Tax Imposed
§ 33-56: Exceptions
§ 33-57: Additional Taxes
§ 33-58: Collection
§ 33-59: Reports to Village
§ 33-60: Credit for Overpayment
§ 33-61: Penalty
§ 33-62: Effective Date

§ 33-54: DEFINITIONS.

For the purpose of this Ordinance, the following definitions shall apply:

(A) "Gross Receipts" means the consideration received for the distributing, supplying, furnishing or selling electricity for use or consumption and not for resale, as the case may be; and for all services rendered in connection therewith valued in money, whether received in money or otherwise, including cash, credit, services and property of every kind and material and for all services rendered therewith; and shall be determined without any deduction on account of the cost of this service, product or commodity supplied, the cost of materials used, labor or service cost, or any other expenses whatsoever. Gross receipts shall not include receipts from the Village of Grand Ridge for the sale to that Village of any utility products or services.

(B) "Person" means any natural individual, firm, trust, estate, partnership, association, joint stock company, joint adventure, corporation, municipal corporation or political subdivision of this state, or a receiver, trustee, conservator or other representative appointed by order of any court.

§ 33-55: TAX IMPOSED.

(A) A tax is imposed on all persons engaged in the following occupations or privileges:

The privilege of using or consuming electricity acquired in a purchase at retail and used or consumed within the corporate limits of the Village at the following rates, calculated on a monthly basis for each purchaser:

(1) For the 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; 0.40 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; 0.31 cents 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.

§ 33-56: EXCEPTIONS.

None of the taxes authorized by this Ordinance may be imposed with respect to any transaction in interstate commerce or otherwise to the extent to which the business or privilege may not, under the Constitution and statutes of the United States, be made the subject of taxation by the State of Illinois or any political subdivision thereof; nor shall any persons engaged in the business of distributing, supplying, furnishing, or selling or transmitting gas, water, or electricity, or engaged in the business of transmitting messages, or using or consuming electricity acquired in a purchase at retail, be subject to taxation under the provisions of this Ordinance for those transactions that are or may become subject to taxation under the provisions of the "Municipal Retailers' Occupation Tax Act" authorized by 65 ILCS 5/8-11-1; nor shall any tax authorized by this Ordinance be imposed upon any person engaged in a business or on any privilege unless the tax is imposed in like manner and at the same rate upon all persons engaged in businesses of the same class in the Village, whether private or municipally owned or operated, or exercising the same privilege within the Village.

§ 33-57: ADDITIONAL TAXES.

Such tax shall be in addition to other taxes levied upon the taxpayer or its business.

§ 33-58: COLLECTION.

The tax authorized by this Ordinance shall be collected from the purchaser by the person maintaining a place of business in this state who delivers the electricity to the purchaser. This tax shall constitute a debt of the purchaser to the person who delivers the electricity to the purchaser and, if unpaid, is recoverable in the same manner as the original charge for delivering the electricity. Any tax required to be collected pursuant to this Ordinance and any such tax collected by a person delivering electricity shall constitute a debt owed to the Village by such person delivering the electricity, provided that the person delivering electricity shall be allowed a credit for such tax related to deliveries of electricity the charges for which are written off as uncollectible, and provided further, that if such charges are thereafter collected, the delivering supplier shall be obligated to remit such tax. Persons delivering electricity shall collect the tax from the purchaser by adding such tax to the gross charge for delivering the electricity. Persons delivering electricity shall also be authorized to add to such gross charge an amount equal to three percent of the tax to reimburse the person delivering electricity for the expense incurred in keeping records, billing customers, preparing and filing returns, remitting the tax and supplying data to the city upon request. If the person delivering electricity fails to collect the tax from the purchaser, then the purchaser shall be required to pay the tax directly to the Village in the manner prescribed by the Village. Persons delivering electricity that file returns pursuant to this section shall, at the time of filing such return, pay the Village the amount of the tax collected pursuant to this Ordinance.

§ 33-59: REPORTS TO VILLAGE.

On or before the last day of each month, each taxpayer shall make a return to the Village for the preceding month stating:

(A) Taxpayer name.

(B) Taxpayer principal place of business.

(C) Taxpayer gross receipts and kilowatt-hours usage during the month upon the basis of which the tax is imposed.

(D) Amount of tax.

(E) Such other reasonable and related information as the corporate authorities may require.

The taxpayer making the return herein provided for shall, at the time of making such return, pay to the Village, the amount of tax herein imposed; provided that in connection with any return, the taxpayer may, if the taxpayer so elects, report and pay an amount based upon total billing of business subject to the tax during the period for which the return is made (exclusive of any amounts previously billed) with prompt adjustments of later payments based upon any differences between such billing, and the taxable gross receipts.

§ 33-60: CREDIT FOR OVERPAYMENT.

If it shall appear that an amount of tax has been paid which was not due under the provisions of this Ordinance, whether as the result of a mistake or fact or an error of law, then such amount shall be credited against any tax due, or to become due, under this Ordinance from the taxpayer who made the erroneous payment; provided that no amounts erroneously paid more than three years prior to the filing of a claim therefor shall be so credited.

No action to recover any amount of tax due under the provisions of this Ordinance shall be commenced more than three years after the due date of such amount.

§ 33-61: PENALTY.

Any taxpayer who fails to make a return, or who makes a fraudulent return, or who willfully violates any other provisions of this Ordinance is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than $100.00 nor more than $750.00, and in addition, shall be liable in a civil action for the amount of tax due together with reasonable attorney's fees and court costs incurred by the Village in enforcing this Ordinance.

§ 33-62: EFFECTIVE DATE.

The taxes imposed by this Chapter shall take effect on October 1, 2026.

(Ord. 2026-04, passed 09-15-2026)

SECTION 3: Filing with Local Suppliers. The Village Clerk is directed to provide a certified copy of this Ordinance with local electricity suppliers.

SECTION 4: Provisions In Effect. Except as to the amendments heretofore mentioned, all titles, chapters, articles, and sections of the Village Code of Grand Ridge shall remain in full force and effect.

SECTION 5: Severability. If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such holding shall not affect any other provision of this Ordinance, or its application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance.

SECTION 6: Codification. The codifier may make non-substantive changes insofar as it is necessary to do so to incorporate this Ordinance into the Village Code of Grand Ridge.

SECTION 7: Effective Date and Publication. This Ordinance shall be in full force and effect upon its passage and approval and publication as required by law.

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PASSED at a meeting of the Village Board of the Village of Grand Ridge, Illinois on September 15, 2026, by roll call vote as follows:

Record of the Vote	Yes	No	Abstain	Absent
Hettel	✓			
Hill	✓			
Hinterlong	✓			
C. Koetz	✓			
K. Koetz	✓			
Rockey	✓			

APPROVED September 15, 2026.

Dennis Rockey

Dennis Rockey,
Village President *Pro Tem*

ATTEST:

Amanda Jaegle

Amanda Jaegle, Village Clerk

PUBLISHED in pamphlet form on September 16, 2026.

Amanda Jaegle

Amanda Jaegle, Village Clerk

STATE OF ILLINOIS)
) ss
COUNTY OF LASALLE)

CERTIFICATE OF MUNICIPAL CLERK

I, the undersigned, do hereby certify that I am the duly qualified and acting Clerk of the Village of Grand Ridge, the County and State aforesaid, and, as such Clerk, I am the keeper of the records and files of the Corporate Authorities of the Village. I do further certify that the attached and foregoing is a true and correct copy of ORDINANCE NO. 2026-04: AN ORDINANCE AMENDING THE VILLAGE CODE AND IMPOSING A MUNICIPAL TAX ON THE PURCHASE AND USE OF ELECTRICITY as passed by the Village Board of the Village of Grand Ridge, Illinois, at its meeting held on September 15, 2026, and as approved by the Village President *Pro Tem* on September 15, 2026.

IN WITNESS WHEREOF, I have hereunto affixed my official signature and the corporate seal of the Village of Grand Ridge, Illinois.

Amanda Jaegle

Amanda Jaegle, Village Clerk

(S E A L)