



Village of Westchester

10300 ROOSEVELT ROAD, WESTCHESTER, IL 60154

(708)345-0020 FAX (708)345-2873

WWW.WESTCHESTER-IL.ORG

Village President
PAUL GATTUSO

Village Clerk
STANLEY KOLODZIEJ

Trustees
ANGELO A. CALCAGNO
CATHY KURATKO
TRACY MARKEY
SHERBY MILLER
FRANK PERRY
NICK STEKER

Village Manager
Paul Nosek

Village Attorney
MICHAEL K. DURKIN

STATE OF ILLINOIS)
)
COUNTY OF COOK)

I, Greg Hribal, DO HEREBY CERTIFY that I am the duly qualified and appointed Deputy Clerk of the Village of Westchester, Cook County Illinois and that as such Deputy Clerk I do have charge of and custody of the books and records of the Village of Westchester, Illinois.

I DO HEREBY FURTHER CERTIFY that the attached is a full, true and correct copy of Ordinance No. 2019-2315 "An Ordinance Amending Title 3, Entitled "Revenue and Finance," of the Municipal Code of the Village of Westchester, Cook County Illinois", which was duly adopted and approved by the President and Board of Trustees on the 22nd day of October 2019.

I DO HEREBY FURTHER CERTIFY that the original, of which the attached Ordinance is a true, copy, is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my hand this 25th day of October 2019.



Greg Hribal
Deputy Village Clerk
Village of Westchester
Cook County, Illinois

ORDINANCE NO. 2019- 2315

AN ORDINANCE AMENDING TITLE 3, ENTITLED
“REVENUE AND FINANCE,” OF THE MUNICIPAL CODE OF
THE VILLAGE OF WESTCHESTER, COOK COUNTY, ILLINOIS

PASSED AND APPROVED BY THE
PRESIDENT AND BOARD OF TRUSTEES
THIS 22ND DAY OF OCTOBER, 2019

Published in pamphlet form by
Authority of the Corporate
Authorities of Westchester, Illinois
the 22 day of October, 2019

**AN ORDINANCE AMENDING TITLE 3, ENTITLED
“REVENUE AND FINANCE,” OF THE MUNICIPAL CODE OF
THE VILLAGE OF WESTCHESTER, COOK COUNTY, ILLINOIS**

WHEREAS, the Village of Westchester (the “Village”), located in Cook County, Illinois, a county with a population in excess of 3,000,000, is authorized pursuant to 65 ILCS 5/8-11-2.3 to impose a tax on motor fuel at a rate not to exceed \$0.03 per gallon;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Westchester, Cook County, Illinois, as follows:

SECTION 1. That Title 3, entitled “Revenue and Finance,” of the Municipal Code of the Village of Westchester, Cook County, Illinois be and is hereby amended by inserting therein Chapter 3.55, entitled “Motor Fuel Tax,” which shall read as follows:

CHAPTER 3.55. MOTOR FUEL TAX

3.55.010 DEFINITIONS. Whenever used herein, unless context otherwise requires, the words, terms or phrases used herein shall have the meaning ascribed to them in the Illinois Motor Fuel Tax Law, 35 ILCS 505/1 *et seq.*

3.55.020 IMPOSITION OF TAX.

- (a) Effective December 1, 2019, there is levied and imposed upon the privilege of using or consuming motor fuel that is purchased at retail or bulk within the corporate limits of the Village a motor fuel tax, irrespective of the unit of measure in which it is actually sold, at the rate of three cents (\$0.03) per gallon for motor fuel.
- (b) The tax herein levied shall be paid in addition to any and all other taxes and charges. The tax herein imposed is not based on the selling or purchase price or gross receipts from the sale or purchase of motor fuel.
- (c) The imposition of these taxes is in accordance with Section 8-11-2.3 of the Illinois Municipal Code, and as set forth therein, as far as practicable, Sections 2b, 2d, 6, 6a, 12, 12a, 13, 13a.2, 13a.8, 15.1 and 21 of the Motor Fuel Tax Law.

3.55.030 ADMINISTRATION BY THE ILLINOIS DEPARTMENT OF REVENUE. The taxes hereby imposed, and the civil penalties that may be assessed as an incident thereto, shall be collected and enforced by the Illinois Department of Revenue. The Illinois Department of Revenue shall have the full power to administer and enforce the provisions of this Ordinance. Further, the failure to timely collect or remit all taxes due hereunder is a violation of the Municipal Code of the Village of Westchester, Illinois, and may be subject to penalties thereunder.

SECTION 2. That the Motor Fuel Tax imposed pursuant to Section 1 above shall be effective December 1, 2019.

SECTION 3. All ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of the conflict, expressly repealed on the effective date of this Ordinance.

SECTION 4. If any provision of this Ordinance or application thereof to any person or circumstances is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

SECTION 5. The Village Clerk is hereby directed to file a certified copy of this Ordinance with the Illinois Department of Revenue on or before November 1, 2019.

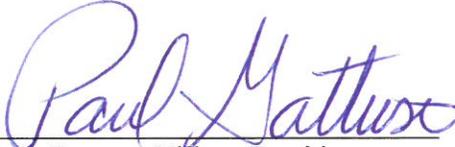
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SECTION 6. This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form.

ADOPTED this 22nd day of October, 2019, pursuant to a roll call vote as follows:

Angelo A. Calcagno	<u> A </u>	Sherby J. Miller	<u> A </u>
Cathy Kuratko	<u> </u>	Frank Perry	<u> A </u>
Tracy Hart Markey	<u> — </u>	Nick Steker	<u> A </u>
President Gattuso	<u> A </u>		

APPROVED this 22nd day of October, 2019.



Paul Gattuso, Village President

ATTEST:



Stanley V. Kolodziej, Village Clerk