

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 3.16.080 (SENIOR CITIZEN AND LOW INCOME RESIDENT REIMBURSEMENTS) OF CHAPTER 3.16 (UTILITY TAX) OF TITLE 3 (REVENUE AND FINANCE) OF THE COLLINSVILLE MUNICIPAL CODE WITH REGARD TO REBATES OF ELECTRIC AND NATURAL GAS UTILITY TAXES

WHEREAS, the City of Collinsville, Illinois (hereafter “the City”) presently imposes a tax on the delivery and use of electricity and natural gas to service addresses within its corporate limits, and;

WHEREAS, the City believes that the new tax rates increase could create a burden on senior citizens, disabled residents, and low income residents, and;

WHEREAS, it is desirable for the City to adopt a reimbursement program for those groups to help alleviate the increased tax burden, and;

WHEREAS, the City needs to modify the start date of the new taxes and rebate program, and the time period in which to claim a reimbursement, and;

WHEREAS, it is desirable for the City to mandate that filings for the rebate be conducted online only in order to streamline the rebate process and conserve City resources

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLINSVILLE, ILLINOIS, AS FOLLOWS:

Section 1: Section 3.16.080 (Senior Citizen and Low Income Resident Reimbursements) of Chapter 3.16 (Utility Tax) of Title 3 (Revenue and Finance) of the Collinsville Municipal Code is hereby amended so as to read in its entirety as follows:

Sec. 3.16.080. Senior Citizen and Low Income Resident Reimbursements

A. Any resident of the City of Collinsville who directly pays utility bills subject to the Collinsville Municipal Utility Tax shall be eligible for relief of those utility tax amounts up to an annual flat rate of fifty-five dollars (\$55.00) combined for electric and gas taxes for the preceding 12 month period from April 1 provided that said resident:

- (i) Is sixty-five (65) years of age or older; or
- (ii) During the year for which reimbursement is requested, qualifies for benefits under the State of Illinois Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act; or
- (iii) During the year for which reimbursement is requested, earns income at or below Section 8 Poverty Level Income Guidelines for the Madison County SMA, as established by the U.S. Department of Housing and Urban Development; and
- (iv) Is a homeowner or renter;

B. To obtain relief of annual utility taxes paid during the preceding 12 months, only a qualified resident shall:

- (i) Submit a completed request through the City's web based application between April 1 and May 31 following the preceding 12 month period of

April 1 through March 31, it is mandatory that all requests be made through the web based application; and

(ii) Provide a current property tax bill or current lease corresponding to the address for which the utility bills were paid by the resident and for which reimbursement is sought; and

(iii) Provide all utility tax bills from the preceding 12 month period for which the resident resided there; and

(iv) Provide a copy of a State or Federally issued identification to verify proof of age; or

(v) Provide an Illinois Person with a Disability Identification Card stating that the claimant is under a Class 2 disability; or

(vi) Provide a completed United States income tax return, IRS Notice 703 or an affidavit indicating that no income tax return was filed for the prior year.

C. The City shall reimburse a qualified applicant within thirty (30) days following receipt of a completed application provided that all of the requirements of this division have been satisfied.

Section 2: If any part of this Ordinance is found to be unconstitutional, invalid or unenforceable by a court of competent jurisdiction, such invalidity shall not affect the validity or effectiveness of the remaining provisions of this Ordinance or any part thereof and said Ordinance shall be read as if said invalid provision was struck therefrom and the context thereof changed accordingly with the remainder of the Ordinance to be and remain in full force and effect.

Section 3: The new tax rates and the rebate program in this Ordinance shall be effective retroactively to April 1, 2016, as provided by law.

Section 4. All ordinances, resolutions or orders, or parts thereof, which conflict with the provisions of this Ordinance, are, to the extent of such conflict, hereby repealed.

Section 5. This Ordinance shall be in full force and effect from and after its passage, approval, publication if necessary, as provided by law.

Passed by the City Council of the City of Collinsville, Illinois, on _____, 2016.

Ayes: _____

Nays: _____

Absent: _____

Approved: _____

APPROVED:

JOHN MILLER, MAYOR

ATTEST: _____
KIMBERLY WASSER, CITY CLERK

RECORDED: _____, 2016.