

**Item #14:**  
**Ordinance Amending Code Re: Increasing Telecommunications Tax**  
**(From 1% To 5.75%)**

**VILLAGE OF LONG GROVE**

**ORDINANCE NO. 2011-O-\_\_**

**AN ORDINANCE TO INCREASE THE MUNICIPAL TELECOMMUNICATIONS  
INFRASTRUCTURE MAINTENANCE FEE FROM 1% TO [5.75]%**

Adopted by the  
President and Board of Trustees  
of  
the Village of Long Grove  
this 22<sup>nd</sup> day of November, 2011

Published in pamphlet form by direction  
and authority of the Village of Long Grove  
Lake County, Illinois  
this 22<sup>nd</sup> day of November, 2011

**VILLAGE OF LONG GROVE**

**ORDINANCE NO. 2011-O-\_\_\_**

**AN ORDINANCE TO INCREASE THE MUNICIPAL TELECOMMUNICATIONS  
INFRASTRUCTURE MAINTENANCE FEE FROM 1% TO [5.75]%**

**WHEREAS**, the Village of Long Grove (the "Village") is a municipality in accordance with the Constitution of the State of Illinois of 1970; and

**WHEREAS**, 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; and

**WHEREAS**, this Ordinance is adopted pursuant to the provisions of the Illinois Telecommunications Municipal Infrastructure Maintenance Fee Act, Public Act 90-154 (the "Act") and all other applicable authority; and

**WHEREAS**, the Village heretofore adopted Ordinance 97-O-17 on October 28, 1997, which imposed a 1/4% municipal telecommunications infrastructure maintenance fee; and

**WHEREAS**, the Village heretofore adopted Ordinance 2000-O-07 on March 28, 2000, which increased the municipal telecommunications infrastructure maintenance fee from 1/4% to 1.0%; and

**WHEREAS**, it is the desire of the Village to amend said ordinance to increase the amount of said tax from 1.0% to 5.75%;

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Long Grove as follows:

**SECTION I:** The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

**SECTION II:** That Section 3-6-3 of Ordinance 200-O-17 heretofore adopted on March 28, 2000 is hereby amended to read as follows:

**TITLE 3  
CHAPTER 6  
TELECOMMUNICATIONS INFRASTRUCTURE MAINTENANCE FEE**

Section 3-6-3 Municipal telecommunications infrastructure maintenance fee:

- A. A Village telecommunications infrastructure maintenance fee is hereby imposed upon all telecommunications retailers in the amount of ~~4%~~ **[5.75%]** of all gross charges charged by the telecommunications retailer to service addresses within the Village for telecommunications originating or received in the Village.
- B. Upon the effective date of the infrastructure maintenance fee authorized in this Chapter, the Village infrastructure maintenance fee authorized hereunder shall be the only fee or compensation for the use of all public rights-of-way within the Village by telecommunications retailers, imposition of the infrastructure maintenance fee provided under this Chapter does not, however, serve as a limitation on the levying of any taxes or imposition of any fees otherwise authorized by law.
- C. The Village telecommunications infrastructure maintenance fee authorized by this Section shall be collected, enforced, and administered as set forth in Section 3-6-4 of this Chapter.

**SECTION III:** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent and only to the extent they are in conflict herewith.

**SECTION FOUR:** **Effective Date.** This Ordinance shall be in full force and effect after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED THIS 22<sup>ND</sup> DAY OF NOVEMBER, 2011.

AYES: (  ) Trustees Acuna, Barry, Marshall, Schmitt, Wachs, and Weber

NAYS: (  )

ABSENT: (  )

APPROVED THIS 22<sup>ND</sup> DAY OF NOVEMBER, 2011.

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Village President, Maria Rodriguez

ATTEST:

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Village Clerk, Karen Schultheis