
**THE VILLAGE OF SAUK VILLAGE
COOK AND WILL COUNTIES, ILLINOIS**

ORDINANCE

NUMBER 13-002

**AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE
VILLAGE OF SAUK VILLAGE THE QUESTION WHETHER THE VILLAGE SHALL
HAVE THE AUTHORITY TO ARRANGE FOR THE SUPPLY OF ELECTRICITY FOR
ITS RESIDENTIAL AND SMALL COMMERCIAL RETAIL CUSTOMERS WHO
HAVE NOT OPTED OUT OF SUCH PROGRAM**

**DAVID HANKS, Acting Mayor
DEBRA L. WILLIAMS, Clerk**

**ENOCH BENSON IV
DERRICK BURGESS
EDWARD MYERS
JOHN POSKIN
ROSIE WILLIAMS
Trustees**

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WHEREAS, the Village of Sauk Village, Cook and Will Counties, Illinois (the *Village*) is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, recently the Illinois Power Agency Act, Chapter 20, Illinois Compiled Statutes, Act 3855, added Section 1-92 entitled Aggregation of Electrical Load by Municipalities and Counties (hereinafter referred to as the "*Act*"); and

WHEREAS, under the Act, if the Village seeks to operate the aggregation program under the Act as an opt-out program for residential and small commercial retail customers, then prior to an adoption of an ordinance to establish a program, the Village must first submit a referendum to its residents to determine whether or not the aggregation program shall operate as an opt-out program for residential and small commercial retail customers. If the majority of the electors voting on the question vote in the affirmative, then the Village Board of Trustees may implement an opt-out aggregation program for residential and small commercial retail customers; and

WHEREAS, the Village Board of Trustees hereby find that it is in the best interest of the Village of Sauk Village to submit the question to the electors in a referendum pursuant to the Act in order to operate the aggregation program under the Act as an opt-out program.

NOW, THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Village of Sauk Village, Cook and Will Counties, Illinois, as follows:

Section 1: That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2: The Village Board of Trustees find and determine that it is in the best interest of the Village of Sauk Village to submit the question of electricity aggregation to referendum for the residents to decide if the Village shall have the authority to arrange for the supply of electricity to certain customers in operation of an aggregation program under the Act as an opt-out program.

Section 3: In the event such question is approved by a majority of the electors voting on the question at the regular election on April 9, 2013, the Village Board of Trustees may implement an opt-out aggregation program and if the Village Board of Trustees adopt the program the Village shall comply with all of the terms and provisions of the Act.

Section 4: The Village Clerk is directed to immediately certify and submit the following question to the Cook and Will County Clerk's to be placed on the ballot for the general election to be held on April 9, 2013, in the following form:

Shall the Village of Sauk Village have the authority to arrange for the supply of electricity for the residents and small commercial retail customers who have not opted out of such program?	YES
	NO

Section 5: In the event the State of Illinois amends the Act to revise the form of the question to be placed on the ballot, the Acting Mayor is authorized to direct the County Clerk's to change the form of the question to conform with the amended Act, if required.

Section 6: If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance.


Section 7: All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 8: This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

ADOPTED this 8th day of January 2013, pursuant to a roll call as follows:


	YES	NO	ABSTAIN	PRESENT
Benson			x	
Burgess	x			
Hanks	x			
Myers	x			
Poskin	x			
Williams	x			
TOTAL	5	1		

APPROVED by the Acting Mayor on January 8, 2013.



David Hanks, Acting Mayor

ATTEST:



Debra L. Williams, Village Clerk