

**AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF
THE CITY OF LEBANON, ST. CLAIR COUNTY, ILLINOIS
THE QUESTION WHETHER THE CITY OF LEBANON SHOULD HAVE THE
AUTHORITY UNDER PUBLIC ACT 096-0176 TO ARRANGE FOR THE
SUPPLY OF ELECTRICITY FOR THE RESIDENTIAL AND SMALL
COMMERCIAL RETAIL CUSTOMERS OF THE CITY OF LEBANON WHO
HAVE NOT OPTED OUT OF SUCH PROGRAM**

WHEREAS, the City of Lebanon, ST. CLAIR County, Illinois, ("CITY"), is a non home rule municipality duly established and operating in accordance with the provisions of the Illinois Municipal Code, Section 5/1-1-1 et seq. of Chapter 65 of the Illinois Compiled Statutes, the "**Illinois Municipal Code**"; and

WHEREAS, the Illinois power Agency Act, Chapter 20, Illinois Compiled Statutes, Act 3855, was amended by Public Act 96-176 which 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 City seeks to operate an aggregation program under the Act as an opt-out program for its residential and small commercial retail customers, then prior to an adoption of an ordinance to establish such a program, the City must first submit a referendum to its residents to determine whether or not the aggregation program shall operate as an opt-out aggregation program for residential and small commercial retail customers; and

WHEREAS, the corporate authorities find that it is in the best interest of the City to operate the aggregation program under the Act as an opt-out program and to submit the question to the electors in a referendum pursuant to the Act;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY of LEBANON, ST. CLAIR COUNTY, ILLINOIS, as follows:

Section 1: The corporate authorities of the City find the recitals set forth above are true and correct.

Section 2: The corporate authorities find and determine that it is in the best interest of the City to operate the aggregation program under the Act as an opt-out program.

Section 3: The City Clerk is directed to certify and submit on or before December 1, 2023, the following question to the ST. CLAIR County Clerk to be placed on the ballot for the General Primary election to be held on March 19, 2024; such question to be in the following form:

"Shall the City of Lebanon, ST. CLAIR COUNTY, ILLINOIS 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."
YES / NO.

Section 4: If a majority of the electors voting on the question vote in the affirmative, then the corporate authorities may implement an opt-out aggregation program

for residential and small commercial retail customers.

Section 5: That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law. That the City Clerk of the City of Lebanon shall be and hereby is authorized and instructed to publish this ordinance in pamphlet form.

This Ordinance adopted by the City Council of the City of Lebanon, Illinois and deposited and filed in the office of the City Clerk on the ____ day of ____, 2023, the vote taken by ayes and nays and entered upon the legislative records as follows:

AYES:

NAYS:

APPROVED:

Cheri Wright
Mayor
City of Lebanon,
St. Clair County, Illinois

ATTEST:

Luanne Holper
City Clerk
City of Lebanon,
St. Clair County, Illinois

