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AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE VILLAGE OF ORLAND PARK, COOK AND WILL COUNTIES, THE QUESTION OF WHETHER THE VILLAGE SHOULD HAVE THE AUTHORITY UNDER PUBLIC ACT 096-0176 TO ARRANGE FOR THE SUPPLY OF ELECTRICITY FOR ITS RESIDENTIAL AND SMALL COMMERCIAL RETAIL CUSTOMERS WHO HAVE NOT OPTED OUT OF SUCH PROGRAM

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WHEREAS, the Village of Orland Park is a municipal corporation duly organized and existing under the laws of the State of Illinois, and is a home rule unit of local government; and

WHEREAS, 20 ILCS 3855/1-92 provides that municipalities may, pursuant to approval by referendum, have the authority to arrange for the supply of electricity for the residential and small commercial customers who do not opt out of such program; and

WHEREAS, the President and Board of Trustees of the Village of Orland Park have determined that it is in the best interests of the Village of Orland Park that there shall be submitted, to the qualified electors of the Village of Orland Park, a binding public question concerning whether the Village of Orland Park should have the authority to arrange for the supply of electricity for its residential and small commercial retail customers who do not opt out of such program;

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

#### SECTION 1:

That the proposition hereinafter set forth be submitted to the voters of the Village of Orland Park (the "Village") at the General Primary Election to be held on Tuesday, the 20<sup>th</sup> day of March, 2012, between the hours of 6:00 o'clock A.M. and 7:00 o'clock P.M. on said day (the "Election").

#### SECTION 2:

That the Election shall be held in the voting precincts and at the polling places established by the Cook County Clerk and Will County Clerk (together the "County Clerks") for voters of the Village at the Election.

#### SECTION 3:

That the County Clerks shall give notice of the Election (the "Notice") by: (i) publishing the Notice once, not more than thirty (30) nor less than ten (10) days prior to the date of the Election, in a local, community newspaper having general circulation in the Village; and (ii) posting a copy of the Notice at least ten (10) days before the date of the Election at their respective principal offices, as required by Section 12-5 of the Election Code of the State of Illinois, as amended (the "Election Code"), 10 ILCS 5/12-5.

SECTION 4:

That the Village Clerk shall post a copy of the Notice at least ten (10) days before the date of the Election at the principal office of the Village.

SECTION 5:

That the Notice published by the Cook County Clerk, in a community newspaper having general circulation in the Village of Orland Park, shall be in substantially the following form, which includes a statement as to the purpose of the referendum as required by 20 ILCS 3855/1-92(a):

“NOTICE IS HEREBY GIVEN that at the General Primary Election to be held on Tuesday, the 20<sup>th</sup> day of March, 2012, the following proposition shall be submitted to the voters of the Village of Orland Park, Cook and Will Counties, Illinois:

Shall the Village of Orland Park 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?

The purpose of this referendum is to determine whether the Village of Orland Park shall be allowed to have the authority to arrange for the supply of electricity, for the residential and small commercial retail customers within the Village, in order to reduce the cost of the electricity for said customers, while allowing any such customer to have the option of opting out of the program, if said customer so chooses.

The polls at said election will be open at 6:00 o'clock A.M. and will continue to be open until 7:00 o'clock P.M. of that day.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Facsimile Signature  
Cook County Clerk, County of Cook, Illinois”

SECTION 6:

That the Notice published by the Will County Clerk, in a community newspaper having general circulation in the Village of Orland Park, shall be in substantially the following form, which includes a statement as to the purpose of the referendum as required by 20 ILCS 3855/1-92(a):

“NOTICE IS HEREBY GIVEN that at the General Primary Election to be held on Tuesday, the 20<sup>th</sup> day of March, 2012, the following proposition shall be submitted to the voters of the Village of Orland Park, Cook and Will Counties, Illinois:

Shall the Village of Orland Park 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?

The purpose of this referendum is to determine whether the Village of Orland Park shall be allowed to have the authority to arrange for the supplier of electricity, for the residential and small commercial retail customers within the Village, in order to reduce the cost of the electricity for said customers, while allowing any such customer to have the option of opting out of the program, if said customer so chooses.

The polls at said election will be open at 6:00 o'clock A.M. and will continue to be open until 7:00 o'clock P.M. of that day.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Facsimile Signature  
Will County Clerk, County of Will, Illinois”

SECTION 7:

That the ballot to be used at the Election shall be in substantially the same form as is set forth below, and shall meet the requirements of Articles 24A, 24B or 24C of the Election Code if an electronic, mechanical or electric voting system is used at the Election in Cook County:

(Face of Ballot)

**OFFICIAL BALLOT**

**BINDING PROPOSITION TO DETERMINE WHETHER  
THE VILLAGE OF ORLAND PARK SHOULD HAVE THE AUTHORITY  
TO ARRANGE FOR THE SUPPLY OF ELECTRICITY FOR ITS  
RESIDENTIAL AND SMALL COMMERCIAL RETAIL CUSTOMERS  
WHO DO NOT OPT OUT OF SUCH PROGRAM**

(INSTRUCTIONS TO VOTERS: Mark a cross (X) in the space  
opposite the word indicating the way you desire to vote.)

Shall the Village of Orland Park 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	

(Back of Ballot)

OFFICIAL BALLOT

Official ballot for voting at the general primary election held on March 20, 2012 on the binding proposition to determine whether the Village of Orland Park should have the authority to arrange for the supply of electricity for its residential and small commercial retail customers who do not opt out of such program.

Precinct Number: \_\_\_\_\_  
Polling Place: \_\_\_\_\_

\_\_\_\_\_  
Facsimile Signature  
Cook County Clerk, County of Cook, Illinois

SECTION 8:

That the ballot to be used at the Election shall be in substantially the same form as is set forth below, and shall meet the requirements of Articles 24A, 24B or 24C of the Election Code if an electronic, mechanical or electric voting system is used at the Election in Will County:

(Face of Ballot)

OFFICIAL BALLOT

**BINDING PROPOSITION TO DETERMINE WHETHER  
THE VILLAGE OF ORLAND PARK SHOULD HAVE THE AUTHORITY  
TO ARRANGE FOR THE SUPPLY OF ELECTRICITY FOR ITS  
RESIDENTIAL AND SMALL COMMERCIAL RETAIL CUSTOMERS  
WHO DO NOT OPT OUT OF SUCH PROGRAM**

(INSTRUCTIONS TO VOTERS: Mark a cross (X) in the space  
opposite the word indicating the way you desire to vote.)

Shall the Village of Orland Park 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	

## OFFICIAL BALLOT

Official ballot for voting at the general primary election held on March 20, 2012 on the binding proposition to determine whether the Village of Orland Park should have the authority to arrange for the supply of electricity for its residential and small commercial retail customers who do not opt out of such program.

Precinct Number: \_\_\_\_\_  
Polling Place: \_\_\_\_\_

\_\_\_\_\_  
Facsimile Signature  
Will County Clerk, County of Will, Illinois

### SECTION 9:

That the Election shall be conducted by the election judges appointed by the respective County Clerks to act in the voting precincts at which said proposition shall be submitted to the voters of the Village of Orland Park.

### SECTION 10:

That after the adoption hereof and not less than sixty-eight (68) days prior to the date of the Election, or January 12, 2012, the Village Clerk shall certify a copy hereof to the County Clerks in order that the advisory proposition set forth herein may be submitted to the voters of the Village of Orland Park.

### SECTION 11:

The Election shall be held and conducted and the returns thereof canvassed, all in the manner and time as provided by the Illinois Election Code (10 ILCS 5/1, *et seq.*).

### SECTION 12:

That all ordinances, orders and resolutions or parts thereof in conflict herewith be and the same are hereby repealed.

### SECTION 13:

This Ordinance shall be in full force and effect after its adoption and approval as provided by law.