

VILLAGE OF LEMONT

ORDINANCE NO. 0-03-05

**AN ORDINANCE OF THE VILLAGE OF LEMONT, ILLINOIS
AUTHORIZING THE ESTABLISHMENT OF TAX INCREMENT
FINANCING "INTERESTED PARTIES" REGISTRIES AND ADOPTING
REGISTRATION RULES FOR SUCH REGISTRIES**

**ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF LEMONT**

This 10th day of January, 2005

Published in pamphlet form by
authority of the President and
Board of Trustees of the Village of
Lemont, Counties of Cook, Will, and
DuPage, Illinois this 10th day
of January, 2005

ORDINANCE NO. 0-13-05

**AN ORDINANCE OF THE VILLAGE OF LEMONT, ILLINOIS
AUTHORIZING THE ESTABLISHMENT OF TAX INCREMENT
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ORDINANCE

WHEREAS, the Village of Lemont, Illinois (the "**Municipality**") is a non-home rule municipality as described in Section 7 (Counties and Municipalities Other Than Home Rule Units) of Article VII (Local Government) of the Constitution of the State of Illinois, and as such may exercise those powers and perform those functions as provided by applicable law, including the Illinois Municipal Code (65 ILCS 5/1-1-1 *et seq.*);

WHEREAS, pursuant to Section 11-74.4-4.2 of the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1, *et seq.* (as supplemented and amended, the "**TIF Act**"), the Municipality is required to establish certain "**interested parties**" registries and adopt registration rules for such registries, and the Municipality adopts this ordinance in order to comply with such requirements of the TIF Act.

NOW, THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, ILLINOIS, as follows;

SECTION 1. The above recitals are incorporated into this Section 1 and made a part hereof by this reference.

SECTION 2. The Village Clerk, assisted by the Village Administrator (or the Village Administrator's designee), is hereby authorized and directed, from time to time, to create and maintain an "**interested parties**" registry in accordance with Section 11-74.4-4.2 of the TIF Act for each proposed or active redevelopment project area created and established under the TIF Act, whether now existing or created and established after the adoption of this ordinance, and to cause to be published from time to time the related notices.

SECTION 3. In accordance with Section 11-74.4-4.2 of the TIF Act, the Municipality hereby adopts the registration rules attached as an exhibit hereto (the "**Registration Rules**") as registration rules for each "**interested parties**" registry. The Municipality, with the written approval of the Village Attorney as to form and legality, shall have the authority to amend or supplement such Registration Rules from time to time as may be necessary or desirable to comply with and carry out the purposes intended by, and not inconsistent with, the TIF Act.

SECTION 4. The appropriate officers of the Municipality will do, execute, acknowledge and deliver or cause to be done, executed and delivered, such agreements, instruments and documents supplemental hereto and such further acts, instruments, and other

actions as may be reasonably required or desirable for better clarifying, assuring, confirming and giving effect to this ordinance and the Registration Rules.

SECTION 5. If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance.

SECTION 6. All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 7. This ordinance shall be in full force and effect immediately upon its adoption.

Upon motion by Trustee _____, seconded by Trustee _____, adopted this 10th day of January, 2005 by roll call vote, as follows:

Voting "Aye" (names): Coules, Blatzer, Rosenthal,
Stapleton, Reavis, Virilio

Voting "Nay" (names): _____

Absent (names): _____

Attest:

Charlene Smoller
Village Clerk

Approved: January 10, 2005

J. J. Papp
Village President

STATE OF ILLINOIS)
COUNTY OF COOK) SS.
VILLAGE OF LEMONT)

CERTIFICATION OF ORDINANCE

I, Charlene M. Smollen, do hereby certify that I am the duly selected, qualified and acting Village Clerk of the Village of Lemont, Cook, DuPage and Will Counties, Illinois (the "**Municipality**"), and as such official I am the keeper of the records and files of the Municipality and of its President and Board of Trustees (the "**Corporate Authorities**").

I do further certify that the attached ordinance constitutes a full, true and correct excerpt from the proceedings of the Municipality's Corporate Authorities held on January 10, 2005, insofar as same relates to the adoption of Ordinance No. 0-3-05, entitled:

AN ORDINANCE OF THE VILLAGE OF LEMONT, ILLINOIS AUTHORIZING THE ESTABLISHMENT OF TAX INCREMENT FINANCING "INTERESTED PARTIES" REGISTRIES AND ADOPTING REGISTRATION RULES FOR SUCH REGISTRIES,

a true, correct and complete copy of which ordinance as adopted at such meeting appears in the minutes of such meeting and is hereto attached. Such ordinance was adopted and approved on the date thereon set forth by not less than a affirmative vote of a majority of the Corporate Authorities and approved by the Village President on the date indicated thereon.

I do further certify that the deliberations of the Corporate Authorities on the adoption of the above ordinance were taken openly, that the vote on the adoption of such ordinance was taken openly and was preceded by a public recital of the nature of the matter being considered and such other information as would inform the public of the business being conducted, that such meeting was held at a specified time and place convenient to the public, that notice of such meeting was duly given to all of the news media requesting such notice, that such meeting was called and held in strict compliance with the provisions of the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied with all of the applicable provisions of such laws and such Code and their procedural rules in the adoption of such ordinance.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of the Village of Lemont, Illinois, this 10 day of January, 2005.


Village Clerk

(SEAL)

Village of Lemont, Illinois

**TAX INCREMENT FINANCE INTERESTED PARTIES
REGISTRY REGISTRATION RULES**

- A. Definitions.** As used in these Registration Rules, the following terms shall have the definitions set forth below.

“**Act**” shall mean the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 et seq., as supplemented and amended from time to time.

“**Interested Party(s)**” shall mean (a) any organization(s) active within the Municipality (b) any resident(s) of the Municipality, and (c) any other entity or person otherwise entitled under the Act to register in a specific Registry who or which has registered in such Registry and whose registration has not been terminated in accordance with these Registration Rules.

“**Municipality**” shall mean Village of Lemont, Illinois, a non-home rule unit of local government under Section 7 of Article VII (Local Government) of the Constitution of the State of Illinois.

“**Redevelopment Project Area**” shall mean a redevelopment project area that (a) is intended to qualify (or has subsequently qualified) as a “redevelopment project area” under the Act and (b) is subject to the “interested parties” registry requirements of the Act.

“**Registration Form**” shall mean the form appended to these Registration Rules or such revised form as may be approved by the Municipality consistent with the requirements of the Act.

“**Registry**” or “**Registries**” shall mean each interested parties registry, and all such registries, collectively, established or authorized to be established by the Municipality pursuant to Section 11-74.4-4.2 of the Act for the applicable Redevelopment Project Area(s).

- B. Establishment of Registry.** The Municipality shall establish a separate interested parties registry for each Redevelopment Project Area, whether now existing or hereafter established. The Municipality shall establish a new registry whenever it has identified an area for study and possible designation as a Redevelopment Project Area. In any event the process of establishing the new

registry must be completed prior to the deadline for sending any of the notices required by paragraph J. of these Registration Rules or any other notices required by the Act with respect to the proposed Redevelopment Project Area which are to be sent to those on an applicable Registry.

- C. **Maintenance of Registry** The Registries shall be maintained by the office of the Village Clerk or his or her designee. In the event the Municipality determines that an officer other than the Village Clerk should maintain the Registries, the Municipality may transfer the responsibility for maintaining the Registries to such other office provided that the Municipality (i) gives prior written notice to all Interested Parties not less than thirty (30) days prior to such transfer and (ii) publishes notice of such transfer in a newspaper of general circulation in the Municipality.
- D. **Registration by Residents.** An individual seeking to register as an Interested Party with respect to a Redevelopment Project Area must complete a Registration Form and submit the Registration Form to the Village Clerk. Such individual must also submit a copy of a current driver's license, lease, utility bill, financial statement or such other evidence as may be acceptable to the Village Clerk to establish the individual's current residency.
- E. **Registration by Organizations.** An organization seeking to register as an Interested Party with respect to a Redevelopment Project Area must complete and submit a Registration Form to the Village Clerk. Such organization must also submit a copy of a one-page statement describing the organization's current operations in the Municipality.
- F. **Determination of Eligibility.** All individuals and organizations whose Registration Form and supporting documentation complies with these Registration Rules shall be registered in the applicable Registry within ten (10) business days of the Village Clerk's receipt of all such documents. The Village Clerk shall provide written notice to the registrant confirming such registration, but any failure in this connection shall not adversely affect a registration. Upon registration Interested Parties shall be entitled to receive all notices and documents required to be delivered under these Regulation Rules or as otherwise required under the Act with respect to the applicable Redevelopment Project Area. If the Village Clerk determines that a registrant's Registration Form and/or supporting documentation is incomplete or does not comply with these Registration Rules, the Village Clerk shall give written notice to the registrant specifying the defect(s). The registrant shall be entitled to correct any defects and resubmit a new Registration Form and supporting documentation.
- G. **Renewal land Termination.** An Interested Party's registration shall remain effective for a period of three (3) years. At any time after such three (3)-year period the Village Clerk may provide written notice by regular mail to the Interested Party stating that such registration shall terminate unless the Interested

Party renews such registration within thirty (30) days of the Village Clerk's mailing of written notice. Any failure to provide such a notice shall result in the registrant's continuing registration under these Registration Rules. To renew such registration, the Interested Party shall, within such thirty (30)-day period, complete and submit the same Registration Form and supporting documentation then required of initial registrants in order to permit the Village Clerk to confirm such person's residency or such organization's operations in the Municipality. The registration of all individuals and organizations whose Registration Form and supporting documentation is submitted in a timely manner and complies with these Registration Rules shall be renewed for an additional, consecutive three (3)-year period. If the Village Clerk determines that a registrant's renewal Registration Form and/or supporting documentation is incomplete or does not comply with these Registration Rules, the Village Clerk shall give written notice to the registrant at the address specified in the renewal Registration Form submitted by such registrant, specifying the defect(s). The registrant shall be entitled to correct any defects and resubmit a new Registration Form and supporting documentation within thirty (30) days of receipt of the Village Clerk's notice. If all defects are not corrected within thirty (30) days of the Interested Party's receipt of the Village Clerk's notice, the Interested Party's registration shall be terminated. Any Interested Party whose registration is terminated shall be entitled to register again as if a first-time registrant.

- H. Amendment to Registration.** An Interested Party may amend his, hers or its registration by giving written notice to the Village Clerk by mail of any of the following: (i) a change in address for notice purposes; (ii) in the case of organizations, a change in the name of the contact person; and (iii) a termination of registration. Upon receipt of such notice, the Village Clerk shall revise the applicable Registry accordingly.
- I. Registries Available for Public Inspection.** Each Registry shall be available for public inspection during normal business hours of the Municipality. The Registry shall include the name, address and telephone number of each Interested Party and for organizations, the name and phone number of a designated contact person.
- J. Notices to be Sent to Interested Parties.** Interested Parties shall be sent the following notices, which shall not limit any other notices required to be given under the Act, with respect to the applicable Redevelopment Project Area:
- (i) pursuant to Section 11-74.4-5(a) of the Act, notice of the availability of a proposed redevelopment plan and eligibility report, including how to obtain this information, such notice shall be sent by mail within a reasonable period of time after the adoption of the ordinance fixing the date, time and place for the public hearing for the proposed redevelopment plan;

- (ii) pursuant to Section 11-74.4-5(a) of the Act, notice of changes to proposed redevelopment plans that do not (1) add additional parcels of property to the proposed redevelopment project area, (2) substantially affect the general land uses proposed in the redevelopment plan, (3) substantially change the nature of or extend the life of the redevelopment project, or (4) increase the number of inhabited residential units to be displaced from the redevelopment project area, provided that measured from the time of creation of the redevelopment project area the total displacement of inhabited residential units will not exceed 10; and such notice shall be sent by mail not later than ten (10) days following the Municipality's adoption by ordinance of such changes;
- (iii) pursuant to Section 11-74.4-5(c) of the Act, notice of amendments to previously approved redevelopment plans that do not: (1) add additional parcels of property to the redevelopment project area, (2) substantially affect the general land uses in the redevelopment plan, (3) substantially change the nature of the redevelopment project, (4) increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted, (5) add additional redevelopment project costs to the itemized list of redevelopment project costs set out in the redevelopment plan or (6) increase the number of inhabited residential units to be displaced from the Redevelopment Project Area, provided that measured from the time of creation of the redevelopment project area the total displacement of inhabited residential units will not exceed 10; and such notice shall be sent by mail not later than 10 days following the Municipality's adoption by ordinance of any such amendment.
- (iv) pursuant to Section 11-74.4-5(d)(9) of the Act, for redevelopment plans or projects that would result in the displacement of residents from 10 or more inhabited residential units or that contain 75 or more inhabited residential units, notice of the availability of the annual report described by Section 74.4-5(d), including how to obtain the annual report; and such notice shall be sent by mail within a reasonable period of time after completion of the certified audit report.
- (v) pursuant to sub-section 11-74.4-6(e) of the Act, notice of the preliminary public meeting required under the Act for a proposed Redevelopment Project Area that will result in the displacement of 10 or more inhabited residential units or contains 75 or more inhabited residential units; and such notice shall be sent by

certified mail not less than 15 days before the date of such preliminary public meeting.

(vi) Other notices and communications as may be required by the Act.

K. Non Interference. These Registration Rules shall not be used to prohibit or otherwise interfere with the ability of eligible organizations and individuals to register for receipt of information to which they are entitled under the Act.

I. Amendment of Registration Rules. These Registration Rules may be amended by the Municipality subject to and consistent with the requirements of the Act. However, this Registration Rules in all cases will be given effect consistent with the provisions of the Act whether or not these Registration Rules are formally amended.

TAX INCREMENT FINANCE

TIF INTERESTED PARTIES REGISTRATION FORM

Registration for Village Residents: If you are a Village of Lemont, Illinois resident and would like to register on the Interested Parties Registry for one or more tax increment finance (TIF) redevelopment project areas, please complete Part A of this form. Proof of residency is required. Please attach a photocopy of one of the following (driver's license, lease, utility bill, financial statement, or such other evidence as may be suitable to establish your current residency in the Village of Lemont, Illinois) to this form.

Registration for Organizations: If your organization is active in the Village of Lemont, Illinois and would like to register on the Interested Parties Registry for one or more tax increment finance (TIF) redevelopment project areas, please complete Part B of this form. Please attach to this form a one-page statement which describes the organization's current operations in the Village of Lemont, Illinois. (Note: existing organizational documents that provide this information will also be accepted)

PART A: REGISTRATION FOR MUNICIPAL RESIDENTS (Please Print or Type)

Name _____

Street Address _____

Zip Code _____ Home Telephone _____ Work Telephone _____

I have attached a copy of _____ as proof that I am a resident of the Village of Lemont, Illinois as of the date of this registration form.

Please list the TIF(s) you are interested in below:

Signature _____

PART B: REGISTRATION FOR ORGANIZATIONS (Please Print or Type)

Organization Name _____

Signature _____

Contact Name _____

Street Address _____

Village _____ State _____ Zip Code _____

Telephone () _____ Fax () _____

Check here if a statement describing your organization's current operations in the Village of Lemont, Illinois is attached.

Please list the TIF(s) you are interested in below:

Signature/Title _____ Date _____

Please return this form to: TIF Interested Parties Registry / Attn: Village Clerk

Address: 418 Main Street
Lemont, Illinois 60439-3708
(630) 257-1550