

SB0189



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB0189

Introduced 1/30/2019, by Sen. Jim Oberweis

SYNOPSIS AS INTRODUCED:

See Index

Amends the Property Tax Code, the Local Government Financial Statement Act, the Illinois Municipal Budget Law, the Medical Service Facility Act, the Innovation Development and Economy Act, and the Illinois Municipal Code. Changes various provisions requiring notice by publication in newspapers to allow an option of publication on websites of municipalities and specified units of local government.

LRB101 06690 AWJ 51717 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning publication.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Property Tax Code is amended by changing
5 Sections 18-75, 18-120, and 27-30 as follows:

6 (35 ILCS 200/18-75)

7 Sec. 18-75. Notice; place of publication. If the taxing
8 district is located entirely in one county, the notice shall be
9 published in an English language newspaper of general
10 circulation published in the taxing district, or if there is no
11 such newspaper, in an English language newspaper of general
12 circulation published in the county and having circulation in
13 the taxing district.

14 If the taxing district is located primarily in one county
15 but extends into smaller portions of adjoining counties, the
16 notice shall be published in a newspaper of general circulation
17 published in the taxing district, or if there is no such
18 newspaper, in a newspaper of general circulation published in
19 each county in which any part of the district is located.

20 If the taxing district includes all or a large portion of 2
21 or more counties, the notice shall be published in a newspaper
22 of general circulation published in each county in which any
23 part of the district is located.

1 If a taxing district has a website maintained by the
2 full-time staff of the taxing district, then the notice may
3 ~~shall~~ be posted on the website in fulfillment of ~~in addition to~~
4 the other notice requirements of this Section. The failure of a
5 taxing district to post the notice on its website shall not
6 invalidate the notice or any action taken on the tax levy.

7 (Source: P.A. 99-367, eff. 1-1-16.)

8 (35 ILCS 200/18-120)

9 Sec. 18-120. Increase or decrease of rate limit. This Sec.
10 applies only to rates which are specifically made subject to
11 increase or decrease according to the referendum provisions of
12 the General Revenue Law of Illinois. The question of
13 establishing a maximum tax rate limit other than that
14 applicable to the next taxes to be extended may be presented to
15 the legal voters of any taxing district by resolution of the
16 corporate authorities of the taxing district at any regular
17 election. Whenever any taxing district establishes a maximum
18 tax rate lower than that otherwise applicable, it shall publish
19 the ordinance or resolution establishing the maximum tax rate
20 in one or more newspapers in the district within 10 days after
21 the maximum tax rate is established. If no newspaper is
22 published in the district, the ordinance or resolution shall be
23 published in a newspaper having general circulation within the
24 district. The publication requirement may also be satisfied by
25 publication of the ordinance or resolution on the taxing

1 district's website within 10 days after the maximum tax rate is
2 established. The publication of the ordinance or resolution
3 shall include a notice of (a) the specific number of voters
4 required to sign a petition requesting that the question of the
5 adoption of the maximum tax rate be submitted to the voters of
6 the district; (b) the time within which the petition must be
7 filed; and (c) the date of the prospective referendum. The
8 district clerk or secretary shall provide a petition form to
9 any individual requesting one.

10 Either in response to the taxing district's publication or
11 by the voters' own initiative, the question of establishing a
12 maximum tax rate lower than that in effect shall be submitted
13 to the voters of any taxing district at the regular election
14 for officers of the taxing district in accordance with the
15 general election law, but only if the voters have submitted a
16 petition signed by not fewer than 10% of the legal voters in
17 the taxing district. That percentage shall be based on the
18 number of votes cast at the last general election preceding the
19 filing of the petition. The petition shall specify the tax rate
20 to be submitted. The petition shall be filed with the clerk,
21 secretary or other recording officer of the taxing district not
22 more than 10 months nor less than 6 months prior to the
23 election at which the question is to be submitted to the
24 voters, and its validity shall be determined as provided by the
25 general election law. The officer receiving the petition shall
26 certify the question to the proper election officials, who

1 shall submit the question to the voters.

2 Notice shall be given in the manner provided by the general
3 election law.

4 (Source: P.A. 86-1253; 88-455.)

5 (35 ILCS 200/27-30)

6 Sec. 27-30. Manner of notice. Prior to or within 60 days
7 after the adoption of the ordinance proposing the establishment
8 of a special service area the municipality or county shall fix
9 a time and a place for a public hearing. The public hearing
10 shall be held not less than 60 days after the adoption of the
11 ordinance proposing the establishment of a special service
12 area. Notice of the hearing shall be given by publication and
13 mailing, except that notice of a public hearing to propose the
14 establishment of a special service area for weather
15 modification purposes may be given by publication only. Notice
16 by publication shall be given by publication at least once not
17 less than 15 days prior to the hearing in a newspaper of
18 general circulation within the municipality or county or on the
19 municipality's or county's website. Notice by mailing shall be
20 given by depositing the notice in the United States mails
21 addressed to the person or persons in whose name the general
22 taxes for the last preceding year were paid on each property
23 lying within the special service area. A notice shall be mailed
24 not less than 10 days prior to the time set for the public
25 hearing. In the event taxes for the last preceding year were

1 not paid, the notice shall be sent to the person last listed on
2 the tax rolls prior to that year as the owner of the property.

3 (Source: P.A. 97-1053, eff. 1-1-13.)

4 Section 10. The Local Government Financial Statement Act is
5 amended by changing Section 1 as follows:

6 (50 ILCS 305/1) (from Ch. 85, par. 601)

7 Sec. 1. The corporate authorities of all counties and
8 municipal corporations and all public officers who in the
9 discharge of their official duties receive all or any part of
10 their funds from the County Collector or the County Treasurer
11 and all fee officers other than city or village treasurers or
12 municipal officers who are required to file an annual report,
13 which report is required to be published, shall furnish as
14 herein provided, within 60 days after January 1st and July 1st
15 of each year a sworn, detailed and itemized statement of all
16 receipts and expenditures of any character for the preceding 6
17 months and showing the names, addresses, positions and salaries
18 of every employee of the county office or municipal
19 corporation.

20 A copy of such statement shall be furnished for reference,
21 on request, to all daily newspapers published in each city, in
22 such county, and to the city library of each city. A copy of
23 the statement may be published on the city's website for city
24 corporate authorities or officers or on the county's website

1 for county corporate authorities or officers instead of
2 providing the statement to daily newspapers. Copies shall also
3 be furnished to the clerk of the circuit court or to the clerk
4 of such municipal corporation, respectively, such copies to be
5 kept available for inspection by persons applying therefor. The
6 governing body of any such county or municipal corporation may
7 direct the publication of such reports, respectively, in one or
8 more daily newspapers respectively published therein, and the
9 city council of cities of 300,000 or more population shall so
10 direct the publication thereof.

11 Nothing in this Act shall apply to the corporate
12 authorities or any officer of a county which has a population
13 of more than 3,000,000.

14 (Source: P.A. 86-412.)

15 Section 15. The Illinois Municipal Budget Law is amended by
16 changing Section 3 as follows:

17 (50 ILCS 330/3) (from Ch. 85, par. 803)

18 Sec. 3. The governing body of each municipality of this
19 State, coming within the provisions of this Act, shall, within
20 or before the first quarter of each fiscal year, adopt a
21 combined annual budget and appropriation ordinance, by which
22 ordinance the governing body may appropriate such sum or sums
23 of money as may be deemed necessary to defray all necessary
24 expenses and liabilities of such municipality, and in such

1 annual budget and appropriation ordinance shall specify the
2 objects and purposes for which such appropriations are made,
3 and the amount appropriated for each object or purpose. The
4 municipality may pass a continuing annual budget ordinance. The
5 municipality may expend funds during the first quarter of the
6 fiscal year before the municipality has adopted the combined
7 annual budget and appropriation ordinance.

8 The budget included in such ordinance shall contain a
9 statement of the cash on hand at the beginning of the fiscal
10 year, an estimate of the cash expected to be received during
11 such fiscal year from all sources, an estimate of the
12 expenditures contemplated for such fiscal year, and a statement
13 of the estimated cash expected to be on hand at the end of such
14 year. The estimate of taxes to be received may be based upon
15 the amount of actual cash receipts that may reasonably be
16 expected by the municipality during such fiscal year, estimated
17 from the experience of the municipality in prior years and with
18 due regard for other circumstances that may substantially
19 affect such receipts. Provided, however, that nothing in this
20 Act shall be construed as requiring any municipality to change
21 or preventing any municipality from changing from a cash basis
22 of financing to a surplus or deficit basis of financing; or as
23 requiring any municipality to change or preventing any
24 municipality from changing its system of accounting.

25 The governing body of each municipality shall fix a fiscal
26 year therefor. If the beginning of the fiscal year of a

1 municipality is subsequent to the time that the tax levy for
2 such fiscal year shall be made, then such annual budget and
3 appropriation ordinance shall be adopted prior to the time such
4 tax levy shall be made.

5 Such budget and appropriation ordinance shall be prepared
6 in tentative form by some person or persons designated by the
7 governing body, and in such tentative form shall be made
8 conveniently available to public inspection for at least thirty
9 days prior to final action thereon. Provided, that in townships
10 such tentative ordinance for purposes other than the road and
11 bridge fund shall be prepared by the board of town trustees. At
12 least one public hearing shall be held as to such budget and
13 appropriation ordinance prior to final action thereon, notice
14 of which shall be given by publication in an English language
15 newspaper published in such municipality, at least 30 days
16 prior to the time of such hearing. If there is no newspaper
17 published in such municipality, then notice of such public
18 hearing shall be given by publication in an English language
19 newspaper published in the county in which such municipality is
20 located and having general circulation within such
21 municipality. If there is no such newspaper published in the
22 county, notice of such public hearing shall be given by posting
23 notices thereof in five of the most public places in such
24 municipality. The publication requirement may also be
25 satisfied by publication of the notice on the municipality's
26 website. Such notice shall state the time and place where

1 copies of the tentative budget and appropriation ordinance are
2 available for public inspection and the time and place of the
3 hearing. It shall be the duty of the clerk, secretary, or other
4 similar officer, of such municipality to make such tentative
5 budget and appropriation ordinance available to public
6 inspection, and to arrange for such public hearing or hearings.
7 Except as otherwise provided by law, no further appropriations
8 shall be made at any other time within such fiscal year,
9 provided that the governing body of such municipality may from
10 time to time make transfers between the various items in any
11 fund in such appropriation ordinance not exceeding in the
12 aggregate ten per cent of the total amount appropriated in such
13 fund by such ordinance, may transfer funds received by the
14 taxing district as the result of an erroneous distribution of
15 property taxes by a county treasurer back to that county
16 treasurer without amending the budget and appropriation
17 ordinance, and may amend such budget and appropriation
18 ordinance from time to time by the same procedure as is herein
19 provided for the original adoption of a budget and
20 appropriation ordinance; provided that nothing in this section
21 shall be construed to permit transfers between funds required
22 by law to be kept separate.

23 (Source: P.A. 89-548, eff. 1-1-97; 90-439, eff. 8-16-97.)

24 Section 20. The Medical Service Facility Act is amended by
25 changing Section 8 as follows:

1 (50 ILCS 450/8) (from Ch. 85, par. 928)

2 Sec. 8. The bonds shall be sold to the highest and best
3 bidder at not less than their par value and accrued interest.
4 The corporate authority shall advertise for proposals to
5 purchase the bonds. Such advertisement shall be published at
6 least once in a newspaper having circulation within the county
7 or municipality or on the county's or municipality's website,
8 as the case may be, at least 10 days before the date for
9 opening the bids. The corporate authority may reserve the right
10 to reject any and all bids and to readvertise for bids.

11 (Source: P.A. 76-660.)

12 Section 25. The Innovation Development and Economy Act is
13 amended by changing Section 20 as follows:

14 (50 ILCS 470/20)

15 Sec. 20. Approval of STAR bond projects. The governing body
16 of a political subdivision may establish one or more STAR bond
17 projects in any STAR bond district. A STAR bond project which
18 is partially outside the boundaries of a municipality must also
19 be approved by the governing body of the county by resolution.

20 (a) After the establishment of a STAR bond district, the
21 master developer may propose one or more STAR bond projects to
22 a political subdivision and the master developer shall, in
23 cooperation with the political subdivision, prepare a STAR bond

1 project plan in consultation with the planning commission of
2 the political subdivision, if any. The STAR bond project plan
3 may be implemented in separate development stages.

4 (b) Any political subdivision considering a STAR bond
5 project within a STAR bond district shall notify the
6 Department, which shall cause to be prepared an independent
7 feasibility study by a feasibility consultant with certified
8 copies provided to the political subdivision, the Director, and
9 the Department of Commerce and Economic Opportunity. The
10 feasibility study shall include the following:

11 (1) the estimated amount of pledged STAR revenues
12 expected to be collected in each year through the maturity
13 date of the proposed STAR bonds;

14 (2) a statement of how the jobs and taxes obtained from
15 the STAR bond project will contribute significantly to the
16 economic development of the State and region;

17 (3) visitation expectations;

18 (4) the unique quality of the project;

19 (5) an economic impact study;

20 (6) a market study;

21 (7) integration and collaboration with other resources
22 or businesses;

23 (8) the quality of service and experience provided, as
24 measured against national consumer standards for the
25 specific target market;

26 (9) project accountability, measured according to best

1 industry practices;

2 (10) the expected return on State and local investment
3 that the STAR bond project is anticipated to produce; and

4 (11) an anticipated principal and interest payment
5 schedule on the STAR bonds.

6 The feasibility consultant, along with the independent
7 economist and any other consultants commissioned to perform the
8 studies and other analysis required by the feasibility study,
9 shall be selected by the Director with the approval of the
10 political subdivision. The consultants shall be retained by the
11 Director and the Department shall be reimbursed by the master
12 developer for the costs to retain the consultants.

13 The failure to include all information enumerated in this
14 subsection in the feasibility study for a STAR bond project
15 shall not affect the validity of STAR bonds issued pursuant to
16 this Act.

17 (c) If the political subdivision determines the STAR bond
18 project is feasible, the STAR bond project plan shall include:

19 (1) a summary of the feasibility study;

20 (2) a reference to the STAR bond district plan that
21 identifies the STAR bond project area that is set forth in
22 the STAR bond project plan that is being considered;

23 (3) a legal description and map of the STAR bond
24 project area to be developed or redeveloped;

25 (4) a description of the buildings and facilities
26 proposed to be constructed or improved in such STAR bond

1 project area, including destination users and an
2 entertainment user, as applicable;

3 (5) a copy of letters of intent to locate within the
4 STAR bond district signed by both the master developer and
5 the appropriate corporate officer of at least one
6 destination user for the first STAR bond project proposed
7 within the district; and

8 (6) any other information the governing body of the
9 political subdivision deems reasonable and necessary to
10 advise the public of the intent of the STAR bond project
11 plan.

12 (d) Before a political subdivision may hold a public
13 hearing to consider a STAR bond project plan, the political
14 subdivision must apply to the Department for approval of the
15 STAR bond project plan. An application for approval of a STAR
16 bond project plan must not be approved unless all of the
17 components of the feasibility study set forth in items (1)
18 through (11) of subsection (b) have been completed and
19 submitted to the Department for review. In addition to
20 reviewing all of the other elements of the STAR bond project
21 plan required under subsection (c), which must be included in
22 the application (which plan must include a letter or letters of
23 intent as required under subdivision (c) (5) in order to receive
24 Director approval), the Director must review the feasibility
25 study and consider all of the components of the feasibility
26 study set forth in items (1) through (11) of subsection (b) of

1 Section 20, including without limitation the economic impact
2 study and the financial benefit of the proposed STAR bond
3 project to the local, regional, and State economies, the
4 proposed adverse impacts on similar businesses and projects as
5 well as municipalities within the market area, and the net
6 effect of the proposed STAR bond project on the local,
7 regional, and State economies. In addition to the economic
8 impact study, the political subdivision must also submit to the
9 Department, as part of its application, the financial and other
10 information that substantiates the basis for the conclusion of
11 the economic impact study, in the form and manner as required
12 by the Department, so that the Department can verify the
13 results of the study. In addition to any other criteria in this
14 subsection, to approve the STAR bond project plan, the Director
15 must be satisfied that the proposed destination user is in fact
16 a true destination user and also find that the STAR bond
17 project plan is in accordance with the purpose of this Act and
18 the public interest. The Director shall either approve or deny
19 the STAR bond project plan based on the criteria in this
20 subsection.

21 (e) Upon a finding by the planning and zoning commission of
22 the political subdivision that the STAR bond project plan is
23 consistent with the intent of the comprehensive plan for the
24 development of the political subdivision and upon issuance of
25 written approval of the STAR bond project plan from the
26 Director pursuant to subsection (d) of Section 20, the

1 governing body of the political subdivision shall adopt a
2 resolution stating that the political subdivision is
3 considering the adoption of the STAR bond project plan. The
4 resolution shall:

5 (1) give notice that a public hearing will be held to
6 consider the adoption of the STAR bond project plan and fix
7 the date, hour, and place of the public hearing;

8 (2) describe the general boundaries of the STAR bond
9 district within which the STAR bond project will be located
10 and the date of establishment of the STAR bond district;

11 (3) describe the general boundaries of the area
12 proposed to be included within the STAR bond project area;

13 (4) provide that the STAR bond project plan and map of
14 the area to be redeveloped or developed are available for
15 inspection during regular office hours in the offices of
16 the political subdivision; and

17 (5) contain a summary of the terms and conditions of
18 any proposed project development agreement with the
19 political subdivision.

20 (f) A public hearing shall be conducted to consider the
21 adoption of any STAR bond project plan.

22 (1) The date fixed for the public hearing to consider
23 the adoption of the STAR bond project plan shall be not
24 less than 20 nor more than 90 days following the date of
25 the adoption of the resolution fixing the date of the
26 hearing.

1 (2) A copy of the political subdivision's resolution
2 providing for the public hearing shall be sent by certified
3 mail, return receipt requested, to the governing body of
4 the county. A copy of the political subdivision's
5 resolution providing for the public hearing shall be sent
6 by certified mail, return receipt requested, to each person
7 or persons in whose name the general taxes for the last
8 preceding year were paid on each parcel of land lying
9 within the proposed STAR bond project area within 10 days
10 following the date of the adoption of the resolution. The
11 resolution shall be published once in a newspaper of
12 general circulation in the political subdivision or on the
13 political subdivision's website not less than one week nor
14 more than 3 weeks preceding the date fixed for the public
15 hearing. A map or aerial photo clearly delineating the area
16 of land proposed to be included within the STAR bond
17 project area shall be published with the resolution.

18 (3) The hearing shall be held at a location that is
19 within 20 miles of the STAR bond district, in a facility
20 that can accommodate a large crowd, and in a facility that
21 is accessible to persons with disabilities.

22 (4) At the public hearing, a representative of the
23 political subdivision or master developer shall present
24 the STAR bond project plan. Following the presentation of
25 the STAR bond project plan, all interested persons shall be
26 given an opportunity to be heard. The governing body may

1 continue the date and time of the public hearing.

2 (g) Upon conclusion of the public hearing, the governing
3 body of the political subdivision may adopt the STAR bond
4 project plan by a resolution approving the STAR bond project
5 plan.

6 (h) After the adoption by the corporate authorities of the
7 political subdivision of a STAR bond project plan, the
8 political subdivision may enter into a project development
9 agreement if the master developer has requested the political
10 subdivision to be a party to the project development agreement
11 pursuant to subsection (b) of Section 25.

12 (i) Within 30 days after the adoption by the political
13 subdivision of a STAR bond project plan, the clerk of the
14 political subdivision shall transmit a copy of the legal
15 description of the land and a list of all new and existing
16 mailing addresses within the STAR bond district, a copy of the
17 resolution adopting the STAR bond project plan, and a map or
18 plat indicating the boundaries of the STAR bond project area to
19 the clerk, treasurer, and governing body of the county and to
20 the Department of Revenue. Within 30 days of creation of any
21 new mailing addresses within a STAR bond district, the clerk of
22 the political subdivision shall provide written notice of such
23 new addresses to the Department of Revenue.

24 If a certified copy of the resolution adopting the STAR
25 bond project plan is filed with the Department on or before the
26 first day of April, the Department, if all other requirements

1 of this subsection are met, shall proceed to collect and
2 allocate any local sales tax increment and any State sales tax
3 increment in accordance with the provisions of this Act as of
4 the first day of July next following the adoption and filing.
5 If a certified copy of the resolution adopting the STAR bond
6 project plan is filed with the Department after April 1 but on
7 or before the first day of October, the Department, if all
8 other requirements of this subsection are met, shall proceed to
9 collect and allocate any local sales tax increment and any
10 State sales tax increment in accordance with the provisions of
11 this Act as of the first day of January next following the
12 adoption and filing.

13 Any substantial changes to a STAR bond project plan as
14 adopted shall be subject to a public hearing following
15 publication of notice thereof in a newspaper of general
16 circulation in the political subdivision and approval by
17 resolution of the governing body of the political subdivision.

18 The Department of Revenue shall not collect or allocate any
19 local sales tax increment or State sales tax increment until
20 the political subdivision also provides, in the manner
21 prescribed by the Department, the boundaries of the STAR bond
22 project area and each address in the STAR bond project area in
23 such a way that the Department can determine by its address
24 whether a business is located in the STAR bond project area.
25 The political subdivision must provide this boundary and
26 address information to the Department on or before April 1 for

1 administration and enforcement under this Act by the Department
2 beginning on the following July 1 and on or before October 1
3 for administration and enforcement under this Act by the
4 Department beginning on the following January 1. The Department
5 of Revenue shall not administer or enforce any change made to
6 the boundaries of a STAR bond project or any address change,
7 addition, or deletion until the political subdivision reports
8 the boundary change or address change, addition, or deletion to
9 the Department in the manner prescribed by the Department. The
10 political subdivision must provide this boundary change or
11 address change, addition, or deletion information to the
12 Department on or before April 1 for administration and
13 enforcement by the Department of the change, addition, or
14 deletion beginning on the following July 1 and on or before
15 October 1 for administration and enforcement by the Department
16 of the change, addition, or deletion beginning on the following
17 January 1. If a retailer is incorrectly included or excluded
18 from the list of those located in the STAR bond project, the
19 Department of Revenue shall be held harmless if it reasonably
20 relied on information provided by the political subdivision.

21 (j) Any STAR bond project must be approved by the political
22 subdivision prior to that date which is 23 years from the date
23 of the approval of the STAR bond district, provided however
24 that any amendments to such STAR bond project may occur
25 following such date.

26 (k) Any developer of a STAR bond project shall commence

1 work on the STAR bond project within 3 years from the date of
2 adoption of the STAR bond project plan. If the developer fails
3 to commence work on the STAR bond project within the 3-year
4 period, funding for the project shall cease and the developer
5 of the project or complex shall have one year to appeal to the
6 political subdivision for reapproval of the project and
7 funding. If the project is reapproved, the 3-year period for
8 commencement shall begin again on the date of the reapproval.

9 (l) After the adoption by the corporate authorities of the
10 political subdivision of a STAR bond project plan and approval
11 of the Director pursuant to subsection (d) of Section 20, the
12 political subdivision may authorize the issuance of the STAR
13 bonds in one or more series to finance the STAR bond project in
14 accordance with the provisions of this Act.

15 (m) The maximum maturity of STAR bonds issued to finance a
16 STAR bond project shall not exceed 23 years from the first date
17 of distribution of State sales tax revenues from such STAR bond
18 project to the political subdivision unless the political
19 subdivision extends such maturity by resolution up to a maximum
20 of 35 years from such first distribution date. Any such
21 extension shall require the approval of the Director. In no
22 event shall the maximum maturity date for any STAR bonds exceed
23 that date which is 35 years from the first distribution date of
24 the first STAR bonds issued in a STAR bond district.

25 (Source: P.A. 96-939, eff. 6-24-10.)

1 Section 30. The Illinois Municipal Code is amended by
2 changing Sections 1-2-4, 2-4-4, 3.1-35-65, 3.1-35-125, 4-5-16,
3 7-1-5.1, 7-1-5.2, 7-1-12, 7-1-13, 7-7-6, 8-1-12, 8-2-6, 8-2-9,
4 8-2-9.9, 8-3-19, 8-4-20, 8-10-7, 9-1-6, 9-1-11, 9-2-52,
5 9-2-53, 9-2-79, 9-2-84, 9-2-103, 9-2-108, 9-2-113, 9-2-115,
6 9-2-123, 9-2-129, 9-3-11, 9-3-13, 9-3-25, 9-3-32, 9-3-36,
7 9-3-46, 11-4-8, 11-7-3, 11-13-2, 11-13-6, 11-13-14, 11-13-26,
8 11-14-3, 11-15.1-3, 11-22-2, 11-23-3, 11-23-15, 11-29.1-2,
9 11-29.3-1, 11-31-1, 11-42-11, 11-48.3-11, 11-48.3-23,
10 11-48.3-25, 11-65-9, 11-71-3, 11-71-8, 11-74.2-4, 11-74.2-10,
11 11-74.2-11, 11-74.2-15, 11-74.2-18, 11-74.3-2, 11-74.3-6,
12 11-74.4-5, 11-74.4-6, 11-74.4-7, 11-74.6-22, 11-74.6-30,
13 11-76-4.1, 11-76-4.2, 11-76.1-3, 11-76.2-2, 11-84-7, 11-91-1,
14 11-92-8, 11-94-2, 11-102-4b, 11-102-7, 11-103-6, 11-103-12,
15 11-117-3, 11-118-3, 11-122-2, 11-122-8, 11-122.1-1, 11-123-9,
16 11-123-14, 11-126-1, 11-127-1, 11-128-2, 11-129-4, 11-130-4,
17 11-130-12, 11-133-2, 11-135-5, 11-136-5, and 11-137-2 as
18 follows:

19 (65 ILCS 5/1-2-4) (from Ch. 24, par. 1-2-4)

20 Sec. 1-2-4. All ordinances of cities, villages and
21 incorporated towns imposing any fine, penalty, imprisonment,
22 or forfeiture, or making any appropriation, shall (1) be
23 printed or published in book or pamphlet form, published by
24 authority of the corporate authorities, or (2) be published at
25 least once, within 30 days after passage:7 in one or more

1 newspapers published in the municipality, or if no newspaper is
2 published therein, then in one or more newspapers with a
3 general circulation within the municipality; or on the
4 municipality's website. If there is an error in printing, the
5 publishing requirement of this Act shall be satisfied if those
6 portions of the ordinance that were erroneously printed are
7 republished, correctly, within 30 days after the original
8 publication that contained the error. The fact that an error
9 occurred in publication shall not affect the effective date of
10 the ordinance so published. If the error in printing is not
11 corrected within 30 days after the date of the original
12 publication that contained the error, as provided in the
13 preceding sentence, the corporate authorities may by ordinance
14 declare the ordinance that was erroneously published to be
15 nevertheless valid and in effect no sooner than the tenth day
16 after the date of the original publication, notwithstanding the
17 error in publication, and shall order the original ordinance to
18 be published once more within 30 days after the passage of the
19 validating ordinance. In municipalities with less than 500
20 population in which no newspaper is published, publication may
21 instead be made by posting a notice in 3 prominent places
22 within the municipality. An annual appropriation ordinance
23 adopted under Section 8-2-9 shall take effect upon passage, but
24 no other ordinance described in this paragraph shall take
25 effect until 10 days after it is so published, except that an
26 ordinance imposing a municipal retailers' occupation tax

1 adopted under Section 8-11-1, or a Tourism, Convention and
2 Other Special Events Promotion Tax adopted under Section
3 8-3-13, or effecting a change in the rate thereof shall take
4 effect on the first day of the month next following the
5 expiration of the 30 day publication period. However,
6 ordinances establishing rules and regulations for the
7 construction of buildings or any part thereof, or for the
8 development or operation of camps accommodating persons in
9 house trailers, house cars, cabins or tents, where such rules
10 and regulations have been previously printed in book or
11 pamphlet form, may by their terms provide for the adoption of
12 such rules and regulations or portions thereof by reference
13 thereto without further printing, or publication, if not less
14 than one copy of such rules and regulations in book or pamphlet
15 form has been filed in the office of the clerk of the
16 municipality for use and examination by the public at least 30
17 days prior to the adoption thereof.

18 All other ordinances, resolutions and motions, shall take
19 effect upon their passage unless they otherwise provide.

20 This Section applies to incorporated towns even if the
21 Section's provisions are in conflict with the charters of such
22 incorporated towns.

23 Anything in this Section to the contrary notwithstanding,
24 any ordinance which contains a statement of its urgency in the
25 preamble or body thereof, other than an ordinance adopted under
26 Article 8 of this Code, may take effect immediately upon its

1 passage provided that the corporate authorities, by a vote of
2 2/3 of all the members then holding office, so direct. The
3 decision of the corporate authorities as to the urgency of any
4 ordinance shall not be subject to judicial review except for an
5 abuse of discretion.

6 (Source: P.A. 89-266, eff. 1-1-96.)

7 (65 ILCS 5/2-4-4) (from Ch. 24, par. 2-4-4)

8 Sec. 2-4-4. The corporate authorities shall fix the time
9 when such petition shall be considered, and publish a notice
10 thereof at least once, not more than 30 nor less than 15 days
11 before the hearing, in one or more newspapers published in the
12 municipality, or, if no newspaper is published therein, then in
13 one or more newspapers with a general circulation within the
14 municipality. The publication requirement may also be
15 satisfied by publication of the notice on the municipality's
16 website not more than 30 nor less than 15 days before the
17 hearing. In municipalities with less than 500 population in
18 which no newspaper is published, publication may instead be
19 made by posting a notice in 3 prominent places within the
20 municipality. The notice shall state that a change of the name
21 of the municipality has been requested, the time when action on
22 the petition will be taken, and that remonstrances, if any,
23 will be heard at that time.

24 (Source: Laws 1961, p. 576.)

1 (65 ILCS 5/3.1-35-65) (from Ch. 24, par. 3.1-35-65)

2 Sec. 3.1-35-65. Treasurer; annual accounts.

3 (a) Within 6 months after the end of each fiscal year, the
4 treasurer of each municipality having a population of less than
5 500,000, as determined by the last preceding federal census,
6 shall annually prepare and file with the clerk of the
7 municipality an account of moneys received and expenditures
8 incurred during the preceding fiscal year as specified in this
9 Section. The treasurer shall show in the account:

10 (1) All moneys received by the municipality,
11 indicating the total amounts, in the aggregate, received in
12 each account of the municipality, with a general statement
13 concerning the source of receipts. In this paragraph, the
14 term "account" does not mean each individual taxpayer,
15 householder, licensee, utility user, or other persons
16 whose payments to the municipality are credited to a
17 general account.

18 (2) Except as provided in paragraph (3) of this
19 subsection (a), all moneys paid out by the municipality
20 where the total amount paid during the fiscal year exceeds
21 \$2,500 in the aggregate, giving the name of each person to
22 whom moneys were paid and the total paid to each person.

23 (3) All moneys paid out by the municipality as
24 compensation for personal services, giving the name of each
25 person to whom moneys were paid and the total amount paid
26 to each person from each account, except that the treasurer

1 may elect to report the compensation for personal services
2 of all personnel by name, listing each employee in one of
3 the following categories:

- 4 (A) under \$25,000.00;
5 (B) \$25,000.00 to \$49,999.99;
6 (C) \$50,000.00 to \$74,999.99;
7 (D) \$75,000.00 to \$99,999.99;
8 (E) \$100,000.00 to \$124,999.99; or
9 (F) \$125,000.00 and over.

10 (4) A summary statement of operations for all funds and
11 account groups of the municipality, as excerpted from the
12 annual financial report as filed with the appropriate State
13 agency.

14 (b) Upon receipt of the account from the municipal
15 treasurer, the municipal clerk shall publish the account at
16 least once in one or more newspapers published in the
17 municipality or, if no newspaper is published in the
18 municipality, then in one or more newspapers having a general
19 circulation within the municipality. The publication
20 requirement may also be satisfied by publication of the account
21 on the municipality's website. In municipalities with a
22 population of less than 500 in which no newspaper is published,
23 however, publication may be made by posting a copy of the
24 account in 3 prominent places within the municipality.

25 (Source: P.A. 92-354, eff. 8-15-01.)

1 (65 ILCS 5/3.1-35-125) (from Ch. 24, par. 3.1-35-125)

2 Sec. 3.1-35-125. Collector; reports. When required by the
3 corporate authorities or by ordinance, the collector shall make
4 a written report to the corporate authorities (or to any
5 officer designated by the corporate authorities) of all money
6 collected by the collector, the account on which collected, or
7 of any other official matter. Between the first and tenth of
8 April of each year, the collector shall file with the clerk a
9 statement of (i) all the money collected by the collector
10 during the year, (ii) the particular warrant, special
11 assessment, or account on which collected, (iii) the balance of
12 money uncollected on all warrants in the collector's
13 possession, and (iv) the balance remaining uncollected at the
14 time of the return on all warrants that the collector returned
15 to the clerk during the preceding fiscal year. The clerk shall
16 publish the statement at least once, within 10 days, in one or
17 more newspapers published in the municipality or, if no
18 newspaper is published in the municipality, then in one or more
19 newspapers with a general circulation within the municipality.
20 The publication requirement may also be satisfied by
21 publication of the statement on the municipality's website
22 within 10 days of filing the statement. In municipalities with
23 less than 500 population in which no newspaper is published, a
24 publication may instead be made by posting a notice in 3
25 prominent places within the municipality.

26 (Source: P.A. 87-1119.)

1 (65 ILCS 5/4-5-16) (from Ch. 24, par. 4-5-16)

2 Sec. 4-5-16. Statement of receipts and expenses;
3 examination of books and accounts; expenditure greater than
4 appropriation.

5 (a) In municipalities with 25,000 or more inhabitants, the
6 council each month shall print in pamphlet form, a detailed
7 itemized statement of all receipts and expenses of the
8 municipality and a summary of its proceedings during the
9 preceding month. In municipalities with fewer than 25,000
10 inhabitants, the council shall print a similar statement
11 annually instead of monthly. The council shall furnish printed
12 copies of each statement to (i) the State Library, (ii) the
13 city library, (iii) all the daily and weekly newspapers with a
14 general circulation in the municipality, and (iv) persons who
15 apply for a copy at the office of the municipal clerk. If each
16 statement is published on the municipality's website, the
17 council does not need to furnish printed copies of each
18 statement to daily and weekly newspapers under this subsection.

19 (b) At the end of each fiscal year, the council shall have
20 licensed Certified Public Accountants permitted to perform
21 audits under the Illinois Public Accounting Act make a full and
22 complete examination of all books and accounts of the
23 municipality and shall distribute the result of that
24 examination in the manner provided in this Section.

25 (c) It is unlawful for the council or any commissioner to

1 expend, directly or indirectly, a greater amount for any
2 municipal purpose than the amount appropriated for that purpose
3 in the annual appropriation ordinance passed for that fiscal
4 year. A violation of this provision by any member of the
5 council shall constitute a petty offense.

6 (Source: P.A. 93-486, eff. 1-1-04; 94-465, eff. 8-4-05.)

7 (65 ILCS 5/7-1-5.1) (from Ch. 24, par. 7-1-5.1)

8 Sec. 7-1-5.1. (a) This Section shall apply when the
9 following conditions are met with respect to any tract within
10 the territory sought to be annexed:

11 (1) the tract is commercial or industrial property;

12 (2) the tract is owned by a single owner;

13 (3) the tract is all or part of a parcel that lies on both
14 sides of the Illinois and Michigan Canal;

15 (4) the tract is all or part of a parcel containing more
16 than 800 acres; and

17 (5) the tract is located entirely within a county having a
18 population of at least 300,000 but not more than 400,000.

19 (b) If the conditions of subsection (a) are met, then the
20 following shall apply:

21 (1) Notwithstanding the provisions of Section 7-1-2, the
22 notice of the annexation petition or ordinance, as the case may
23 be, shall be given by the petitioner or corporate authorities,
24 as the case may be, by publishing such notice in one newspaper
25 of general circulation or on the municipality's website for 3

1 consecutive days, the third day of publication being not less
2 than 30 and not more than 45 days prior to the date fixed for
3 the hearing.

4 (2) Every owner of record of commercial or industrial
5 property of 50 acres or more which lies within the territory to
6 be annexed shall be notified by the petitioner or corporate
7 authorities, as the case may be, by certified mail, of the
8 public hearing, any meeting of the corporate authorities where
9 a vote is to be taken in regard to the proposed annexation, and
10 any impending referendum to annex, at least 30 days prior to
11 any such public hearing, meeting, or referendum.

12 (3) Notwithstanding the provisions of Section 7-1-5, the
13 ordinance shall be enacted not less than 30 and not more than
14 45 days after the public hearing.

15 (4) No territory shall be annexed by any proceeding which
16 does not require the consent of the owner of record unless at
17 least one-third of such territory is used and occupied for
18 residential purposes at the time of annexation.

19 (Source: P.A. 85-1421.)

20 (65 ILCS 5/7-1-5.2) (from Ch. 24, par. 7-1-5.2)

21 Sec. 7-1-5.2. Annexation of contiguous territory
22 contributing to groundwater contamination.

23 (a) The corporate authorities of a municipality adjoining
24 unincorporated territory in which the majority of residential,
25 business, commercial, and industrial structures and

1 improvements are contaminating the groundwater of the State
2 through the direct discharge of sanitary sewerage into
3 underground mines and Class 5 injection wells, as defined by
4 the Illinois Groundwater Pollution Control Code, may annex that
5 territory, in whole or in part, after adopting an ordinance to
6 that effect and filing it with the clerk of the circuit court
7 of the county in which the territory is located. The ordinance
8 shall certify the following:

9 (1) That the territory sought to be annexed is
10 contiguous to the municipality seeking annexation and not
11 within the corporate boundaries of any other municipality.

12 (2) That a survey of all residential, business,
13 commercial, and industrial structures and improvements in
14 the territory sought to be annexed has shown that a
15 majority of those structures and improvements are
16 discharging untreated sanitary sewerage directly into
17 underground mines or Class 5 injection wells as defined by
18 the Illinois Groundwater Pollution Control Code.

19 (3) That the corporate authorities of the municipality
20 seeking annexation have approved a plan for eliminating
21 groundwater contamination by providing sanitary sewerage
22 collection and treatment facilities to serve the territory
23 sought to be annexed within 5 years from the date of
24 annexation to the municipality.

25 (4) That no tract of land in excess of 10 acres has
26 been included in the ordinance without the express consent

1 of the owner or owners of the tract.

2 The circuit court shall enter an order fixing the date and
3 time for a hearing on the proposed annexation. The date for the
4 hearing shall be not less than 20 nor more than 30 days after
5 the filing of the ordinance. The corporate authorities shall
6 give notice of the proposed annexation not more than 30 nor
7 less than 15 days before the date fixed for the hearing. This
8 notice shall state that an ordinance has been filed and shall
9 give the substance of the ordinance, including a description of
10 the territory to be annexed, the name of the annexing
11 municipality, and the date fixed for the hearing. This notice
12 shall be given by publishing it at least once in one or more
13 newspapers published in the annexing municipality or on the
14 annexing municipality's website. A copy of this notice shall be
15 filed with the clerk of the annexing municipality.

16 The corporate authorities shall pay to the clerk of the
17 circuit court \$10 as a filing and service fee, and no ordinance
18 shall be filed until this fee is paid.

19 (b) After the filing of the ordinance, but not less than 5
20 days before the date fixed for the hearing, any interested
21 person may file with the clerk of the circuit court objections
22 (i) that the territory described in the ordinance is not
23 contiguous to the annexing municipality, (ii) that all or a
24 portion of the territory described in the ordinance is included
25 within the boundaries of another municipality, (iii) that a
26 majority of all residential, business, commercial, and

1 industrial structures and improvements in the territory sought
2 to be annexed are not discharging untreated sanitary sewerage
3 directly into underground mines or Class 5 injection wells as
4 defined by the Illinois Groundwater Pollution Control Code,
5 (iv) that the corporate authorities of the municipality seeking
6 annexation do not have a plan for eliminating groundwater
7 contamination by providing sanitary sewerage collection and
8 treatment facilities to serve the territory sought to be
9 annexed within 5 years from the date of annexation to the
10 municipality, (v) that the description of the territory
11 contained in the ordinance is inadequate, or (vi) that a tract
12 of land in excess of 10 acres has been included in the
13 ordinance without the express consent of the owner or owners of
14 the tract.

15 (c) The cause shall be heard without further pleadings. At
16 the hearing the objectors may be heard in person or by counsel.
17 The court shall hear and determine only objections set forth in
18 subsection (b). The only matters for determination at the
19 hearing shall be the validity of the annexation ordinance, and
20 the decision of the court shall be final. If the court finds
21 (i) that the territory described in the ordinance is not
22 contiguous to the annexing municipality, (ii) that all or a
23 portion of the territory described in the ordinance is included
24 within the boundaries of another municipality, (iii) that a
25 majority of all residential, business, commercial, and
26 industrial structures and improvements in the territory sought

1 to be annexed are not discharging untreated sanitary sewerage
2 directly into underground mines or Class 5 injection wells as
3 defined by the Illinois Groundwater Pollution Control Code,
4 (iv) that the corporate authorities of the municipality seeking
5 annexation do not have a plan for eliminating groundwater
6 contamination by providing sanitary sewerage collection and
7 treatment facilities to serve the territory sought to be
8 annexed within 5 years from the date of annexation to the
9 municipality, (v) that the description of the territory
10 contained in the ordinance is inadequate, or (vi) that a tract
11 of land in excess of 10 acres has been included in the
12 ordinance without the express consent of the owner or owners of
13 the tract, then the court shall find the ordinance invalid and
14 dismiss the petition.

15 If the court finds that the ordinance is valid, the court
16 shall (i) enter an order describing the territory to be
17 annexed, (ii) find that the ordinance complies with this
18 Section, and (iii) direct that the question of annexation be
19 submitted to the corporate authorities of the annexing
20 municipality for final action. A certified copy of the order of
21 the court directing that the question of annexation be
22 submitted to the corporate authorities shall be sent to the
23 clerk of the annexing municipality. A final order of the court
24 may be appealed as in other civil actions.

25 (d) After the municipal clerk receives the certified copy
26 of the court order, the corporate authorities of the annexing

1 municipality shall proceed to consider the question of the
2 annexation of the described territory. A majority vote of the
3 corporate authorities then holding office is required to annex
4 the territory. The vote shall be by "ayes" and "nays" entered
5 on the legislative records of the municipality. Except as
6 otherwise provided in Section 7-1-1, this decision of the
7 corporate authorities shall be effective after the expiration
8 of 30 days.

9 (Source: P.A. 87-1196.)

10 (65 ILCS 5/7-1-12) (from Ch. 24, par. 7-1-12)

11 Sec. 7-1-12. Upon a written petition which is signed by a
12 majority of the owners of record of land in any contiguous
13 unincorporated territory wholly bounded by 2 or more
14 municipalities and after the notice required by this Section
15 has been given, the specified territory may be annexed by any
16 one of the specified municipalities by the passage of an
17 ordinance providing therefor. The corporate authorities of the
18 annexing municipality shall cause notice of the filing of such
19 petition to be published once, in a newspaper of general
20 circulation within the territory to be annexed or on the
21 annexing municipality's website, not less than 10 days before
22 the passage of the annexation ordinance. When the territory to
23 be annexed lies wholly or partially within a township other
24 than that township where the municipality is situated, the
25 annexing municipality shall give at least 10 days prior written

1 notice of the time and place of the passage of the annexation
2 ordinance to the township supervisor of the township where the
3 territory to be annexed lies. The ordinance shall describe the
4 territory annexed, which may not exceed 1/3 the area of the
5 annexing municipality before the annexation. A copy of the
6 annexing ordinance and an accurate map of the annexed territory
7 shall be recorded by the recorder of the county wherein the
8 annexed territory is situated and a document of annexation
9 shall be filed with the county clerk and County Election
10 Authority.

11 (Source: P.A. 86-769.)

12 (65 ILCS 5/7-1-13) (from Ch. 24, par. 7-1-13)

13 Sec. 7-1-13. Annexation.

14 (a) Whenever any unincorporated territory containing 60
15 acres or less, is wholly bounded by (a) one or more
16 municipalities, (b) one or more municipalities and a creek in a
17 county with a population of 400,000 or more, or one or more
18 municipalities and a river or lake in any county, (c) one or
19 more municipalities and the Illinois State boundary, (d) except
20 as provided in item (h) of this subsection (a), one or more
21 municipalities and property owned by the State of Illinois,
22 except highway right-of-way owned in fee by the State, (e) one
23 or more municipalities and a forest preserve district or park
24 district, (f) if the territory is a triangular parcel of less
25 than 10 acres, one or more municipalities and an interstate

1 highway owned in fee by the State and bounded by a frontage
2 road, (g) one or more municipalities in a county with a
3 population of more than 800,000 inhabitants and less than
4 2,000,000 inhabitants and either a railroad or operating
5 property, as defined in the Property Tax Code (35 ILCS
6 200/11-70), being immediately adjacent to, but exclusive of
7 that railroad property, (h) one or more municipalities located
8 within a county with a population of more than 800,000
9 inhabitants and less than 2,000,000 inhabitants and property
10 owned by the State, including without limitation a highway
11 right-of-way owned in fee by the State, or (i) one or more
12 municipalities and property on which a federally funded
13 research facility in excess of 2,000 acres is located, that
14 territory may be annexed by any municipality by which it is
15 bounded in whole or in part, by the passage of an ordinance to
16 that effect after notice is given as provided in subsection (b)
17 of this Section. Land or property that is used for agricultural
18 purposes or to produce agricultural goods shall not be annexed
19 pursuant to item (g). Nothing in this Section shall subject any
20 railroad property to the zoning or jurisdiction of any
21 municipality annexing the property under this Section. The
22 ordinance shall describe the territory annexed and a copy
23 thereof together with an accurate map of the annexed territory
24 shall be recorded in the office of the recorder of the county
25 wherein the annexed territory is situated and a document of
26 annexation shall be filed with the county clerk and County

1 Election Authority. Nothing in this Section shall be construed
2 as permitting a municipality to annex territory of a forest
3 preserve district in a county with a population of 3,000,000 or
4 more without obtaining the consent of the district pursuant to
5 Section 8.3 of the Cook County Forest Preserve District Act nor
6 shall anything in this Section be construed as permitting a
7 municipality to annex territory owned by a park district
8 without obtaining the consent of the district pursuant to
9 Section 8-1.1 of the Park District Code.

10 (b) The corporate authorities shall cause notice, stating
11 that annexation of the territory described in the notice is
12 contemplated under this Section, to be published once, in a
13 newspaper of general circulation within the territory to be
14 annexed or on the annexing municipality's website, not less
15 than 10 days before the passage of the annexation ordinance,
16 and for land annexed pursuant to item (g) of subsection (a) of
17 this Section, notice shall be given to the impacted land
18 owners. The corporate authorities shall also, not less than 15
19 days before the passage of the annexation ordinance, serve
20 written notice, either in person or, at a minimum, by certified
21 mail, on the taxpayer of record of the proposed annexed
22 territory as appears from the authentic tax records of the
23 county. When the territory to be annexed lies wholly or
24 partially within a township other than the township where the
25 municipality is situated, the annexing municipality shall give
26 at least 10 days prior written notice of the time and place of

1 the passage of the annexation ordinance to the township
2 supervisor of the township where the territory to be annexed
3 lies. If the territory to be annexed lies within the
4 unincorporated area of a county, then the annexing municipality
5 shall give at least 10 days' prior written notice of the time
6 and place of the passage of the annexation ordinance to the
7 corporate authorities of the county where the territory to be
8 annexed lies.

9 (c) When notice is given as described in subsection (b) of
10 this Section, no other municipality may annex the proposed
11 territory for a period of 60 days from the date the notice is
12 mailed or delivered to the taxpayer of record unless that other
13 municipality has initiated annexation proceedings or a valid
14 petition as described in Section 7-1-2, 7-1-8, 7-1-11 or 7-1-12
15 of this Code has been received by the municipality prior to the
16 publication and mailing of the notices required in subsection
17 (b).

18 (Source: P.A. 96-1000, eff. 7-2-10; 96-1048, eff. 7-14-10;
19 96-1049, eff. 7-14-10; 97-333, eff. 8-12-11; 97-446, eff.
20 8-19-11.)

21 (65 ILCS 5/7-7-6) (from Ch. 24, par. 7-7-6)

22 Sec. 7-7-6. Publication of consolidation ordinance. At any
23 time not less than 30 nor more than 60 days prior to the
24 referendum thereon, the consolidation ordinance shall be
25 published by the clerk in a newspaper of general circulation in

1 each of the consolidating municipalities. The publication
2 requirement may also be satisfied by publication of the
3 consolidation ordinance on each of the consolidating
4 municipalities' websites.

5 (Source: P.A. 85-1159.)

6 (65 ILCS 5/8-1-12) (from Ch. 24, par. 8-1-12)

7 Sec. 8-1-12. Each warrant issued under Section 8-1-11 may
8 be made payable at the time fixed in the warrant and shall bear
9 interest, payable only out of the taxes against which it is
10 drawn, at a rate not to exceed the maximum rate authorized by
11 the Bond Authorization Act, as amended at the time of the
12 making of the contract, from the date of its issuance until
13 paid, or until notice that the money for its payment is
14 available, and that it will be paid on presentation, is given
15 by publication in one or more newspapers published in the
16 municipality, or, if no newspaper is published therein, then in
17 one or more newspapers with a general circulation within the
18 municipality. The publication requirement may also be
19 satisfied by publication of the notice on the municipality's
20 website. In municipalities with less than 500 population in
21 which no newspaper is published, publication may instead be
22 made by posting a notice in 3 prominent places within the
23 municipality. However, a lower rate of interest may be
24 specified in the warrant, in which case the interest shall be
25 computed and paid at that lower rate. The amendatory Acts of

1 1971, 1972 and 1973 are not a limit upon any municipality which
2 is a home rule unit.

3 With respect to instruments for the payment of money issued
4 under this Section either before, on, or after the effective
5 date of this amendatory Act of 1989, it is and always has been
6 the intention of the General Assembly (i) that the Omnibus Bond
7 Acts are and always have been supplementary grants of power to
8 issue instruments in accordance with the Omnibus Bond Acts,
9 regardless of any provision of this Act that may appear to be
10 or to have been more restrictive than those Acts, (ii) that the
11 provisions of this Section are not a limitation on the
12 supplementary authority granted by the Omnibus Bond Acts, and
13 (iii) that instruments issued under this Section within the
14 supplementary authority granted by the Omnibus Bond Acts are
15 not invalid because of any provision of this Act that may
16 appear to be or to have been more restrictive than those Acts.
17 (Source: P.A. 86-4.)

18 (65 ILCS 5/8-2-6) (from Ch. 24, par. 8-2-6)

19 Sec. 8-2-6. Budget document; availability; hearing;
20 limitations on appropriations.

21 (a) The corporate authorities in municipalities specified
22 in Section 8-2-1 shall make the budget document as submitted by
23 the mayor conveniently available to public inspection for at
24 least 10 days before the passage of the annual appropriation
25 ordinance, by publication in the journal of the proceedings of

1 the corporate authorities or in another form prescribed by the
2 corporate authorities.

3 (b) Not less than one week after the publication of the
4 budget document, and before final action on the appropriation
5 ordinance, the corporate authorities shall hold at least one
6 public hearing on the budget document. Notice of this hearing
7 shall be given by publication in a newspaper having a general
8 circulation in the municipality or on the municipality's
9 website at least one week before the time of the hearing. After
10 the public hearing and before final action is taken on the
11 appropriation ordinance, the corporate authorities may revise,
12 alter, increase, or decrease the items contained in the budget
13 document. Upon completion of its action on the budget document,
14 the corporate authorities shall enact the budget document as so
15 revised as the annual appropriation ordinance.

16 (c) All of the requirements pertaining to the form and
17 substance of the budget document, including limitations, as
18 prescribed in Sections 8-2-1 through 8-2-8, shall be applicable
19 to the appropriation ordinance. Detailed schedules supporting
20 the appropriation ordinance shall be attached to the ordinance
21 and shall be published in the official record of the
22 municipalities simultaneously with the appropriation
23 ordinance, but shall not be considered as an official part of
24 the ordinance.

25 (d) The aggregate amount finally appropriated by the
26 appropriation ordinance, including any subsequent amendment of

1 the ordinance, from any fund or for any purpose (including
2 amounts appropriated for judgments and all other unpaid
3 liabilities and all other purposes for which the corporate
4 authorities are by this Section or otherwise by law required to
5 appropriate) shall not exceed the aggregate amount available in
6 that fund or for that purpose as shown by the estimates of the
7 available assets thereof at the beginning of the fiscal year
8 for which appropriations are made and of taxes and other
9 current revenue set forth in the budget document as submitted
10 to the corporate authorities or as revised by the budget
11 director. If the appropriations from any fund as set forth in
12 the appropriation ordinance as finally adopted exceed in the
13 aggregate the maximum amount that the corporate authorities are
14 authorized by this Section to appropriate from the fund, all
15 appropriations made from that fund by the appropriation
16 ordinance are void. In this latter event, the several amounts
17 appropriated for current operation and maintenance expense in
18 the appropriation ordinance of the last preceding fiscal year
19 shall be deemed to be appropriated for the fiscal year for
20 which the void appropriations were made for the objects and
21 purposes, respectively, as specified in the last preceding
22 appropriation ordinance. The several amounts so deemed to be
23 appropriated shall constitute lawful appropriations upon which
24 taxes for the fiscal year for which the void appropriations
25 were made may be levied under Section 8-3-1.

26 (e) The corporate authorities may amend the annual

1 appropriation ordinance at their next regular meeting
2 occurring not less than 5 days after the passage of the
3 ordinance, in the same manner as other ordinances. If any item
4 of appropriation contained in the appropriation ordinance is
5 vetoed by the mayor, with a recommendation for a change in that
6 item, the adoption of the recommendation by a yea and nay vote
7 shall be regarded as the equivalent of an amendment of the
8 annual appropriation ordinance with the same effect as if an
9 amendatory ordinance were duly passed. The appropriation
10 ordinance, as originally passed or as subsequently amended,
11 also may be amended at any regular or special meeting of the
12 corporate authorities held not more than 15 days after the
13 first regular meeting of the corporate authorities occurring
14 not less than 5 days after the passage of the ordinance, by
15 repealing or reducing the amount of any item of appropriation
16 contained in the ordinance.

17 (Source: P.A. 87-1119.)

18 (65 ILCS 5/8-2-9) (from Ch. 24, par. 8-2-9)

19 Sec. 8-2-9. In municipalities with less than 500,000
20 inhabitants, the corporate authorities shall pass an ordinance
21 within the first quarter of each fiscal year, to be termed the
22 annual appropriation ordinance. In this ordinance, the
23 corporate authorities (i) may appropriate sums of money deemed
24 necessary to defray all necessary expenses and liabilities of
25 the municipalities, including the amounts to be deposited in

1 the reserves provided for in the Illinois Pension Code and (ii)
2 shall specify the objects and purposes for which these
3 appropriations are made and the amount appropriated for each
4 object or purpose. Among the objects and purposes specified
5 shall be the reserves provided for in the Illinois Pension
6 Code. Except as otherwise provided, no further appropriations
7 shall be made at any other time within the same fiscal year,
8 unless a proposition to make each additional appropriation has
9 been first sanctioned by a petition signed by electors of the
10 municipality numbering more than 50% of the number of votes
11 cast for the candidates for mayor or president at the last
12 preceding general municipal election at which a mayor or
13 president was elected, by a petition signed by them, or by a
14 majority of those voting on the question at a regular election
15 or at an emergency referendum authorized in accordance with the
16 general election law. The corporate authorities may by
17 ordinance initiate the submission of the proposition. During
18 any fiscal year, the corporate authorities in municipalities
19 subject to this Section may adopt a supplemental appropriation
20 ordinance in an amount not in excess of the aggregate of any
21 additional revenue available to the municipality, or estimated
22 to be received by the municipality after the adoption of the
23 annual appropriation ordinance for that fiscal year, or from
24 fund balances available when the annual appropriation
25 ordinance was adopted but that were not appropriated at that
26 time. The provisions of this Section prohibiting further

1 appropriations without sanction by petition or election shall
2 not be applicable to the supplemental appropriation for that
3 fiscal year. The corporate authorities at any time, however, by
4 a two-thirds vote of all the members of the body, may make
5 transfers within any department or other separate agency of the
6 municipal government of sums of money appropriated for one
7 corporate object or purpose to another corporate object or
8 purpose, but no appropriation for any object or purpose shall
9 thereby be reduced below an amount sufficient to cover all
10 obligations incurred or to be incurred against the
11 appropriation. Nothing in this Section shall deprive the
12 corporate authorities of the power to provide for and cause to
13 be paid from the funds of the municipality any charge imposed
14 by law without the action of the corporate authorities, the
15 payment of which is ordered by a court of competent
16 jurisdiction.

17 At least 10 days before the adoption of the annual
18 appropriation ordinance, the corporate authorities of
19 municipalities over 2,000 in population shall make the proposed
20 appropriation ordinance or a formally prepared appropriation
21 or budget document upon which the annual appropriation
22 ordinance will be based conveniently available to public
23 inspection. In addition, the corporate authorities shall hold
24 at least one public hearing on that proposed appropriation
25 ordinance. Notice of this hearing shall be given publication in
26 one or more newspapers published in the municipality or, if

1 there is none published in the municipality, in a newspaper
2 published in the county and having general circulation in the
3 municipality at least 10 days before the time of the public
4 hearing. The publication requirement may also be satisfied by
5 publication of the notice on the municipality's website at
6 least 10 days before the public hearing. The notice shall state
7 the time and place of the hearing and the place where copies of
8 the proposed appropriation ordinance or formally prepared
9 appropriation or budget document will be accessible for
10 examination. The annual appropriation ordinance may be adopted
11 at the same meeting at which the public hearing is held or at
12 any time after that public hearing.

13 After the public hearing and before final action is taken
14 on the appropriation ordinance, the corporate authorities may
15 revise, alter, increase, or decrease the items contained in the
16 ordinance.

17 Notwithstanding any above provision of this Section, any
18 municipality in which Article 5 becomes effective after the
19 annual appropriation ordinance has been passed for the current
20 fiscal year may amend the appropriation ordinance in any manner
21 necessary to make Article 5 fully operative in that
22 municipality for that fiscal year. No amendment shall be
23 construed, however, to affect any tax levy made on the basis of
24 the original appropriation ordinance.

25 This Section does not apply to municipalities operating
26 under special charters.

1 (Source: P.A. 86-1470; 87-365.)

2 (65 ILCS 5/8-2-9.9) (from Ch. 24, par. 8-2-9.9)

3 Sec. 8-2-9.9. The corporate authorities shall make the
4 tentative annual budget conveniently available to public
5 inspection for at least ten days prior to the passage of the
6 annual budget, by publication in the journal of the proceedings
7 of the corporate authorities or in such other form as the
8 corporate authorities may prescribe. Not less than one week
9 after the publication of the tentative annual budget, and prior
10 to final action on the budget, the corporate authorities shall
11 hold at least one public hearing on the tentative annual
12 budget, after which hearing or hearings the tentative budget
13 may be further revised and passed without any further
14 inspection, notice or hearing. Notice of this hearing shall be
15 given by publication in a newspaper having a general
16 circulation in the municipality or on the municipality's
17 website at least one week prior to the time of the hearing.

18 (Source: P.A. 76-1117.)

19 (65 ILCS 5/8-3-19)

20 Sec. 8-3-19. Home rule real estate transfer taxes.

21 (a) After the effective date of this amendatory Act of the
22 93rd General Assembly and subject to this Section, a home rule
23 municipality may impose or increase a tax or other fee on the
24 privilege of transferring title to real estate, on the

1 privilege of transferring a beneficial interest in real
2 property, and on the privilege of transferring a controlling
3 interest in a real estate entity, as the terms "beneficial
4 interest", "controlling interest", and "real estate entity"
5 are defined in Article 31 of the Property Tax Code. Such a tax
6 or other fee shall hereafter be referred to as a real estate
7 transfer tax.

8 (b) Before adopting a resolution to submit the question of
9 imposing or increasing a real estate transfer tax to
10 referendum, the corporate authorities shall give public notice
11 of and hold a public hearing on the intent to submit the
12 question to referendum. This hearing may be part of a regularly
13 scheduled meeting of the corporate authorities. The notice
14 shall be published not more than 30 nor less than 10 days prior
15 to the hearing in a newspaper of general circulation within the
16 municipality or on the municipality's website. The notice shall
17 be published in the following form:

18 Notice of Proposed (Increased) Real Estate Transfer
19 Tax for (commonly known name of municipality).

20 A public hearing on a resolution to submit to
21 referendum the question of a proposed (increased) real
22 estate transfer tax for (legal name of the municipality) in
23 an amount of (rate) to be paid by the buyer (seller) of the
24 real estate transferred will be held on (date) at (time) at
25 (location). The current rate of real estate transfer tax
26 imposed by (name of municipality) is (rate).

1 Any person desiring to appear at the public hearing and
2 present testimony to the taxing district may do so.

3 (c) A notice that includes any information not specified
4 and required by this Section is an invalid notice. All hearings
5 shall be open to the public. At the public hearing, the
6 corporate authorities of the municipality shall explain the
7 reasons for the proposed or increased real estate transfer tax
8 and shall permit persons desiring to be heard an opportunity to
9 present testimony within reasonable time limits determined by
10 the corporate authorities. A copy of the proposed ordinance
11 shall be made available to the general public for inspection
12 before the public hearing.

13 (d) Except as provided in subsection (i), no home rule
14 municipality shall impose a new real estate transfer tax after
15 the effective date of this amendatory Act of 1996 without prior
16 approval by referendum. Except as provided in subsection (i),
17 no home rule municipality shall impose an increase of the rate
18 of a current real estate transfer tax without prior approval by
19 referendum. A home rule municipality may impose a new real
20 estate transfer tax or may increase an existing real estate
21 transfer tax with prior referendum approval. The referendum
22 shall be conducted as provided in subsection (e). An existing
23 ordinance or resolution imposing a real estate transfer tax may
24 be amended without approval by referendum if the amendment does
25 not increase the rate of the tax or add transactions on which
26 the tax is imposed.

1 (e) The home rule municipality shall, by resolution,
2 provide for submission of the proposition to the voters. The
3 home rule municipality shall certify the resolution and the
4 proposition to the proper election officials in accordance with
5 the general election law. If the proposition is to impose a new
6 real estate transfer tax, it shall be in substantially the
7 following form: "Shall (name of municipality) impose a real
8 estate transfer tax at a rate of (rate) to be paid by the buyer
9 (seller) of the real estate transferred, with the revenue of
10 the proposed transfer tax to be used for (purpose)?" If the
11 proposition is to increase an existing real estate transfer
12 tax, it shall be in the following form: "Shall (name of
13 municipality) impose a real estate transfer tax increase of
14 (percent increase) to establish a new transfer tax rate of
15 (rate) to be paid by the buyer (seller) of the real estate
16 transferred? The current rate of the real estate transfer tax
17 is (rate), and the revenue is used for (purpose). The revenue
18 from the increase is to be used for (purpose).".

19 If a majority of the electors voting on the proposition
20 vote in favor of it, the municipality may impose or increase
21 the municipal real estate transfer tax or fee.

22 (f) Nothing in this amendatory Act of 1996 shall limit the
23 purposes for which real estate transfer tax revenues may be
24 collected or expended.

25 (g) A home rule municipality may not impose real estate
26 transfer taxes other than as authorized by this Section. This

1 Section is a denial and limitation of home rule powers and
2 functions under subsection (g) of Section 6 of Article VII of
3 the Illinois Constitution.

4 (h) Notwithstanding subsection (g) of this Section, any
5 real estate transfer taxes adopted by a municipality at any
6 time prior to January 17, 1997 (the effective date of Public
7 Act 89-701) and any amendments to any existing real estate
8 transfer tax ordinance adopted after that date, in accordance
9 with the law in effect at the time of the adoption of the
10 amendments, are not preempted by this amendatory Act of the
11 93rd General Assembly.

12 (i) Within 6 months after the effective date of this
13 amendatory Act of the 95th General Assembly, by ordinance
14 adopted without a referendum, a home rule municipality with a
15 population in excess of 1,000,000 may increase the rate of an
16 existing real estate transfer tax by a rate of up to \$1.50 for
17 each \$500 of value or fraction thereof, or in the alternative
18 may impose a real estate transfer tax at a rate of up to \$1.50
19 for each \$500 of value or fraction thereof, which may be on the
20 buyer or seller of real estate, or jointly and severally on
21 both, for the sole purpose of providing financial assistance to
22 the Chicago Transit Authority. All amounts collected under such
23 supplemental tax, after fees for costs of collection, shall be
24 provided to the Chicago Transit Authority pursuant to an
25 intergovernmental agreement as promptly as practicable upon
26 their receipt. Such municipality shall file a copy of any

1 ordinance imposing or increasing such tax with the Illinois
2 Department of Revenue and shall file a report with the
3 Department each month certifying the amount paid to the Chicago
4 Transit Authority in the previous month from the proceeds of
5 such tax.

6 (Source: P.A. 95-708, eff. 1-18-08.)

7 (65 ILCS 5/8-4-20) (from Ch. 24, par. 8-4-20)

8 Sec. 8-4-20. After the ordinance providing for the issuance
9 of the refunding revenue bonds has been passed, it shall be
10 published at least once within 10 days after its passage in one
11 or more newspapers published in the municipality, or, if no
12 newspaper is published therein, then in one or more newspapers
13 with a general circulation within the municipality. The
14 publication requirement may also be satisfied by publication of
15 the ordinance on the municipality's website at least once
16 within 10 days after its passage. In municipalities with less
17 than 500 population in which no newspaper is published,
18 publication may instead be made by posting a notice in 3
19 prominent places within the municipality. The ordinance shall
20 not become effective until 10 days after its publication.

21 (Source: Laws 1961, p. 576.)

22 (65 ILCS 5/8-10-7) (from Ch. 24, par. 8-10-7)

23 Sec. 8-10-7. All proposals to award purchase orders or
24 contracts involving amounts in excess of \$10,000 shall be

1 published at least 10 days, excluding Sundays and legal
2 holidays, in advance of the date announced for the receiving of
3 bids, in a secular English language daily newspaper of general
4 circulation throughout such municipality or on the
5 municipality's website and shall simultaneously be posted on
6 readily accessible bulletin boards in the office of the
7 purchasing agent. Nothing contained in this section shall be
8 construed to prohibit the purchasing agent from placing
9 additional announcements in recognized trade journals.
10 Advertisements for bids shall describe the character of the
11 proposed contract or agreement in sufficient detail to enable
12 the bidders thereon to know what their obligations will be,
13 either in the advertisement itself, or by reference to detailed
14 plans and specifications on file at the time of the publication
15 of the first announcement. Such advertisement shall also state
16 the date, time and place assigned for the opening of bids, and
17 no bids shall be received at any time subsequent to the time
18 indicated in the announcement. However, an extension of time
19 may be granted for the opening of such bids upon publication in
20 a secular English newspaper of general circulation throughout
21 such municipality of the date to which the bid opening has been
22 extended. The time of the bid extension opening shall not be
23 less than 5 days after the publication thereof, Sundays and
24 legal holidays excluded.

25 Cash, cashier's check, a certified check, a comptroller's
26 certificate of moneys owed the particular vendor, or a bid bond

1 with adequate surety approved by the purchasing agent as a
2 deposit of good faith, in a reasonable amount, but not in
3 excess of 10% of the contract amount may be required of each
4 bidder by the purchasing agent on all bids involving amounts in
5 excess of \$10,000 and, if so required, the advertisement for
6 bids shall so specify.

7 (Source: P.A. 84-1269.)

8 (65 ILCS 5/9-1-6) (from Ch. 24, par. 9-1-6)

9 Sec. 9-1-6. Before the money so remaining undistributed or
10 unclaimed and in the possession of a municipality is set aside
11 and transferred into the unclaimed rebate fund, the board of
12 local improvements, or the committee on local improvements, as
13 the case may be, of the municipality shall have a notice
14 published at least once a week for 8 successive weeks in a
15 newspaper published in the municipality, or, if no newspaper is
16 published therein, then in a newspaper with a general
17 circulation within the municipality. The publication
18 requirement may also be satisfied by publication of the notice
19 on the municipality's website at least once a week for 8
20 successive weeks. In municipalities with less than 500
21 population in which no newspaper is published, publication may
22 be made by posting a notice in 3 prominent places within the
23 municipality.

24 The notice shall describe in a general manner the
25 improvement in which there is an undistributed or unclaimed

1 rebate or refund, giving the location of the improvement and
2 the warrant number, and shall give notice that the
3 municipality, by ordinance after the expiration of 60 days from
4 the date of the first publication of this notice, will set
5 aside and transfer all money which has remained for a period of
6 4 years, or more, undistributed or unclaimed as a rebate or
7 refund, into the unclaimed rebate fund, and shall state that
8 unless the money is claimed by the person entitled thereto
9 within the 60 day period, and the passage of an ordinance by
10 the municipality, all interest therein and all right and title
11 thereto shall be forfeited and barred.

12 A certificate of the publication of this notice, with a
13 copy thereof, accompanied by the affidavit of the publisher
14 that the publication has been made and setting forth the date
15 of the first and last publication thereof shall be filed in the
16 office of the board of local improvements, or the committee on
17 local improvements, as the case may be. The board or committee
18 thereupon shall certify the fact of the publication to the
19 corporate authorities of the municipality and shall therewith
20 recommend the passage of an ordinance making transfer of the
21 specified money into the unclaimed rebate fund.

22 (Source: P.A. 80-179.)

23 (65 ILCS 5/9-1-11) (from Ch. 24, par. 9-1-11)

24 Sec. 9-1-11. Whenever the treasurer of any municipality has
25 petitioned a court of record for directions as to the

1 distribution of undistributed or unclaimed money received from
2 the making of any local improvement paid for wholly or in part
3 by special assessment or special taxation, and, under order of
4 the court, public notice has been given of the amounts of
5 rebates payable and of the names of the persons entitled to
6 them by publication one time in a secular newspaper of general
7 circulation in the county where the municipality is located or
8 on the municipality's website, and more than one year has
9 elapsed since the publication of the notice, the judge of the
10 court of record may order the money remaining unclaimed to be
11 paid to the treasurer of the municipality in trust. However, in
12 all cases where all special assessment bonds in a special
13 assessment warrant have been paid and retired and where
14 reimbursements have been made, all moneys remaining in such
15 warrants shall be paid over and transferred to the general
16 corporate fund of the municipality.

17 (Source: Laws 1961, p. 576.)

18 (65 ILCS 5/9-2-52) (from Ch. 24, par. 9-2-52)

19 Sec. 9-2-52. Whenever sufficient funds are on hand, the
20 corporate authorities of the municipality issuing improvement
21 bonds shall direct the treasurer, or such other officer as may
22 be designated by ordinance for that purpose, to select by lot,
23 bonds of series to be paid, or the corporate authorities shall
24 direct the treasurer or the other officer so designated to make
25 a pro rata payment on all unpaid bonds in the series. The

1 treasurer or other officer so designated shall send notice by
2 registered mail to the address of the known owner of each of
3 the designated bonds as set out in the treasurer's records,
4 specifying a day not less than 30 days after the date of the
5 notice, upon which the designated bonds will be paid either in
6 full or in part, as the case may be, at his office. He shall
7 also supplement this notice by publishing a notice of the
8 number of bonds to be so paid, not less than 15 days prior to
9 the day set for payment, in one or more newspapers published in
10 the municipality, or, if no newspaper is published therein,
11 then in one or more newspapers with a general circulation
12 within the municipality. The publication requirement may also
13 be satisfied by publication of the notice on the municipality's
14 website not less than 15 days prior to the day set for payment.

15 In municipalities with less than 500 population in which no
16 newspaper is published, publication may instead be made by
17 posting a notice in 3 prominent places within the municipality,
18 the series thereof, the assessment to which they relate and the
19 particular bonds so selected to be paid if payment is to be
20 made in full or in case a pro rata payment is to be made, naming
21 the particular series upon which the partial payment is to be
22 made, and that the same will be paid at a place to be
23 specified.

24 Thereupon from the specified date of payment these bonds
25 shall be payable on demand either in full or in part, as the
26 case may be, at the place so appointed. No further interest

1 shall accrue on the bonds selected to be paid in full or on
2 that portion of the principal on bonds to be paid in part.
3 However, in municipalities, having a population of 100,000 or
4 more, the selection by lot and the mailing and publishing of
5 notice may be omitted if bonds or vouchers in any series having
6 sufficient funds on hand are presented for payment. In this
7 latter case the bonds so presented may be paid in full, both as
8 to principal and interest, in their order of presentation,
9 within the limits of the funds available.

10 The provisions of this section shall apply to all
11 proceedings now pending, proceedings in which judgment has been
12 entered, and all future proceedings, except that the provisions
13 of this section shall not apply to bonds issued under Section
14 9-2-127.

15 (Source: Laws 1961, p. 576.)

16 (65 ILCS 5/9-2-53) (from Ch. 24, par. 9-2-53)

17 Sec. 9-2-53. Petitioner, in addition to other notices
18 hereinbefore provided for, shall publish a notice at least
19 twice, not more than 30 nor less than 15 days in advance of the
20 time at which confirmation of the specified assessment is to be
21 sought, in one or more newspapers published in the municipality
22 or, if no newspaper is published therein, then in one or more
23 newspapers with a general circulation within the municipality.
24 The publication requirement may also be satisfied by
25 publication of the notice on the municipality's website at

1 least twice not more than 30 nor less than 15 days in advance
2 of the time at which confirmation of the specified assessment
3 is to be sought. In municipalities with less than 500
4 population in which no newspaper is published, publication may
5 be made by posting a notice in 3 prominent places within the
6 municipality. The notice shall be over the name of the officer
7 levying the assessment, and shall be substantially as follows:

8 "SPECIAL ASSESSMENT NOTICE"

9 "Notice is hereby given to all persons interested that the
10 city council (or board of trustees, or other corporate
11 authority, as the case may be) of having ordered that
12 (here insert a brief description of the nature of the
13 improvement), the ordinance for the improvement being on file
14 in the office of the clerk, having applied to the
15 court of county for an assessment of the costs of the
16 improvement, according to benefits, and an assessment therefor
17 having been made and returned to that court, the final hearing
18 thereon will be had on (insert date), or as soon thereafter as
19 the business of the court will permit. All persons desiring may
20 file objections in that court before that day and may appear on
21 the hearing and make their defense."

22 (Here give date.)

23

24 Where the assessment is payable in installments, the number
25 of installments and the rate of interest also shall be stated.

1 (Source: P.A. 91-357, eff. 7-29-99.)

2 (65 ILCS 5/9-2-79) (from Ch. 24, par. 9-2-79)

3 Sec. 9-2-79. The collector receiving such a warrant shall
4 give notice thereof within 10 days by publishing a notice once
5 each week for 2 successive weeks in one or more newspapers
6 published in the municipality, or, if no newspaper is published
7 therein, then in one or more newspapers with a general
8 circulation within the municipality. The publication
9 requirement may also be satisfied by publication of the notice
10 on the municipality's website beginning no later than 10 days
11 after the collector receives a warrant and once each week for 2
12 successive weeks. In municipalities with less than 500
13 population in which no newspaper is published, publication may
14 instead be made by posting a notice in 3 prominent places
15 within the municipality. This notice may be substantially in
16 the following form:

17 "SPECIAL ASSESSMENT NOTICE

18 Special Warrant, No.

19 Notice: Publication is hereby given that the (here insert title
20 of court) has rendered judgment for a special assessment (or
21 special tax) upon property benefited by the following
22 improvement: (here describe the character and location of the
23 improvement in general terms) as will more fully appear from
24 the certified copy of the judgment on file in my office; that
25 the warrant for the collection of this assessment (or special

1 tax) is in my possession. All persons interested are hereby
2 notified to call and pay the amount assessed at the collector's
3 office (here insert location of office) within 30 days from the
4 date hereof.

5 Dated (insert date).

6 (Collector)."

7 When such an assessment or special tax is levied to be paid
8 in installments, the notice shall contain also the amount of
9 each installment, the rate of interest deferred installments
10 bear, and the date when payable.

11 (Source: P.A. 91-357, eff. 7-29-99.)

12 (65 ILCS 5/9-2-84) (from Ch. 24, par. 9-2-84)

13 Sec. 9-2-84. In counties having a population of less than
14 1,000,000, the collector of the municipality, at any time after
15 August 15 in each year, shall publish an advertisement that a
16 return will be made to the general officer of the county having
17 authority to receive State and county taxes of all unpaid
18 special assessments or installments thereof matured and
19 payable, or interest thereon, or interest due to the preceding
20 January 2 on installments not yet matured on all warrants in
21 his hands. This advertisement (1) shall contain a list of the
22 delinquent lands, town lots, and real property upon which the
23 special assessment or installments thereof or interest thereon
24 remain unpaid, the name of the person shown by the county

1 collector's current warrant book to be the party in whose name
2 the general real estate taxes were last assessed for each such
3 property, the total amount due thereon, and the year for which
4 the same are due; (2) shall give notice that the general
5 officer of the county having authority to receive State and
6 county taxes in the county in which those lands, town lots, or
7 real property may be located, will make application on the day
8 specified therein, for judgment against those lands, town lots,
9 and real property for those special assessments, matured
10 installments of special assessments, interest and costs due
11 thereon, and for an order to sell those lands, town lots, and
12 real property for the satisfaction thereof; and (3) shall give
13 notice that on the Monday fixed by that general officer of the
14 county for sale, all the lands, town lots, and real property,
15 for the sale of which an order is made, will be exposed to
16 public sale at the court house in that county for the amount of
17 special assessments and matured installments of special
18 assessments, interest and costs due thereon. The advertisement
19 shall be sufficient notice of the intended application for
20 judgment and of the sale of those lands, town lots, and real
21 property under the order of the court.

22 Publication of the advertisement shall be made at least
23 once not more than 30 nor less than 15 days in advance of the
24 date upon which the judgment is to be sought. Such publication
25 shall be made in one or more newspapers published in the
26 municipality, or if no newspaper is published therein then in

1 one or more newspapers with a general circulation in the
2 municipality. The publication requirement may also be
3 satisfied by publication of the notice on the municipality's
4 website not more than 30 nor less than 15 days in advance of
5 the date upon which the judgment is to be sought. In
6 municipalities with less than 500 inhabitants, publication may
7 instead be made by posting a notice in 3 prominent places
8 within the municipality.

9 The municipal collector shall add to all special
10 assessments and matured installments of special assessments
11 and the interest thereon, when paid after August 15 in the year
12 when they became due and payable, an amount equal to the actual
13 costs, not to exceed 0.2% of the assessed value of each lot,
14 tract, or parcel of land upon which payment is made, to cover
15 the cost of the advertisement as required in this Division 2.

16 (Source: P.A. 91-864, eff. 6-22-00.)

17 (65 ILCS 5/9-2-103) (from Ch. 24, par. 9-2-103)

18 Sec. 9-2-103. Except as otherwise provided in Section
19 9-2-113, notice shall be given by the board of local
20 improvements that bids will be received for the construction of
21 such an improvement, either as a whole or in such sections as
22 the board shall specify in its notice, in accordance with the
23 ordinance therefor. This notice shall state the time of opening
24 of the bids, and shall further state where the specifications
25 for the improvement are to be found, and whether the contracts

1 are to be paid in cash or in bonds, and if in bonds, then the
2 rate of interest the vouchers or bonds shall draw. The notice
3 shall be published at least twice, not more than 30 nor less
4 than 15 days in advance of the opening of the bids, in one or
5 more newspapers designated by the board of local improvements
6 in an order entered in its records, published in the
7 municipality, or, if no newspaper is published therein, then in
8 one or more newspapers with a general circulation within the
9 municipality. The publication requirement may also be
10 satisfied by publication of the notice on the municipality's
11 website at least twice not more than 30 nor less than 15 days
12 of the opening of the bids. In municipalities with less than
13 500 population in which no newspaper is published, publication
14 may instead be made by posting a notice in 3 prominent places
15 within the municipality.

16 Proposals or bids may be made either for the work as a
17 whole or for specified sections thereof. All proposals or bids
18 offered shall be accompanied by cash, or by a check payable to
19 the order of the president of the board of local improvements
20 in his official capacity, certified by a responsible bank, for
21 an amount which shall not be less than 10% of the aggregate of
22 the proposal, or by a bid bond, for an amount which shall be
23 not less than 10% of the aggregate of the proposal. These
24 proposals or bids shall be delivered to the board of local
25 improvements. That board, in open session, at the time and
26 place fixed in the specified notice, shall examine and publicly

1 declare the proposals or bids. However, no proposals or bids
2 shall be considered unless accompanied by such a check or cash.
3 (Source: P.A. 91-296, eff. 1-1-00.)

4 (65 ILCS 5/9-2-108) (from Ch. 24, par. 9-2-108)

5 Sec. 9-2-108. Except as otherwise provided in Section
6 9-2-113, a notice of such an award of contract shall be
7 published in one or more newspapers, designated by the board of
8 local improvements in an order entered in its records,
9 published in the municipality, or, if no newspaper is published
10 therein, then in one or more newspapers with a general
11 circulation within the municipality. The publication
12 requirement may also be satisfied by publication of the notice
13 on the municipality's website. In municipalities with less than
14 500 population in which no newspaper is published, publication
15 may instead be made by posting a notice in 3 prominent places
16 within the municipality.

17 (Source: Laws 1961, p. 576.)

18 (65 ILCS 5/9-2-113) (from Ch. 24, par. 9-2-113)

19 Sec. 9-2-113. In any case where an improvement is to be
20 constructed with the aid and assistance of any agency of the
21 Federal Government, or any other governmental agency, the
22 provisions of Sections 9-2-100 through 9-2-112 shall not apply
23 where they conflict with this section. The board of local
24 improvements in cities having a population of 500,000 or more

1 and the corporate authorities in municipalities having a
2 population of less than 500,000 may proceed at any time within
3 90 days after the judgment of confirmation has been entered in
4 the construction of the work. Within 90 days after the judgment
5 of confirmation the board of local improvements in cities
6 having a population of 500,000 or more and the corporate
7 authorities in municipalities having a population of less than
8 500,000, shall adopt a resolution determining to proceed with
9 the construction of the work, publish the resolution within 10
10 days in one or more newspapers published in the municipality,
11 or, if no newspaper is published therein, then in one or more
12 newspapers with a general circulation within the municipality.
13 The publication requirement may also be satisfied by
14 publication of the resolution on the municipality's website
15 within 10 days after the resolution's passage. In
16 municipalities with less than 500 population in which no
17 newspaper is published, publication may instead be made by
18 posting a notice in 3 prominent places within the municipality.

19 Ten days after the publishing of this resolution a copy
20 thereof, properly certified, shall be filed in the court in
21 which the judgment of confirmation was entered. This resolution
22 shall be authority for the issuing of the warrant to the
23 collector for the collection of the assessment. Each assessment
24 shall draw interest from the date of passage of the resolution
25 of intention to proceed with the work, as provided in Sections
26 9-2-48 through 9-2-51.

1 After this resolution has been filed and a warrant issued
2 to the collector for the collection of the assessment, the
3 municipality may issue bonds or vouchers to anticipate the
4 collection of the unpaid portions of all installments of the
5 assessment, including the first installment if it has not been
6 certified delinquent, for the purpose of applying the proceeds
7 of the bonds toward paying the cost of the improvement,
8 including all expenses of making, levying, collecting the
9 assessment and engineering and attorneys' fees. These bonds if
10 issued shall be sold for not less than par and accrued interest
11 and the proceeds used for that purpose, or the bonds may be
12 issued, for not less than par and accrued interest, in payment
13 for materials, labor, or services.

14 No person furnishing materials or supplying labor for the
15 construction of any such local improvement shall have any claim
16 or lien against the municipality except from the collection of
17 the special assessments or special taxes made or to be made for
18 that work, or from the proceeds of the sale of bonds to
19 anticipate the collection of the same in case such bonds have
20 been sold.

21 (Source: Laws 1961, p. 576.)

22 (65 ILCS 5/9-2-115) (from Ch. 24, par. 9-2-115)

23 Sec. 9-2-115. In every assessment proceeding in which the
24 assessment is divided into installments, the board of local
25 improvements shall state in the certificate whether or not the

1 improvement conforms substantially to the requirements of the
2 original ordinance for the construction of the improvements,
3 and shall make an application to the court to consider and
4 determine whether or not the facts stated in the certificate
5 are true. Thereupon the court, upon such an application, shall
6 fix a time and place for a hearing upon the application, and
7 shall record the application. The time of this hearing shall be
8 not less than 15 days after the filing of the certificate and
9 application. Public notice shall be given at least twice of the
10 time and place fixed for that hearing by publishing in a
11 newspaper or at least twice on the municipality's website, in
12 the same manner and for the same period as provided in this
13 Division 2 for publishing notice of application for the
14 confirmation of the original assessment, the publication of
15 this notice to be not more than 30 nor less than 15 days before
16 the day fixed by the order for that hearing.

17 At the time and place fixed by the notice or at any time
18 thereafter, the court shall proceed to hear the application and
19 any objection which may be filed thereto within the time fixed
20 in the order. Upon that hearing the specified certificate of
21 the board of local improvements shall be prima facie evidence
22 that the matters and things stated are true, but if any part
23 thereof is controverted by objections duly filed thereto, the
24 court shall hear and determine the objections in a summary
25 manner and shall enter an order according to the fact.

26 (Source: P.A. 79-1361.)

1 (65 ILCS 5/9-2-123) (from Ch. 24, par. 9-2-123)

2 Sec. 9-2-123. Accompanying the petition there shall be
3 filed an assessment roll setting forth a description of the
4 lots, blocks, tracts, and parcels of land assessed in the
5 original proceeding, the total amount of the unpaid
6 installments, and the interest thereon proposed to be extended
7 against each tract, the amount, number and due date of each
8 installment of the proposed extended assessment.

9 The assessment as extended shall be collected in the same
10 manner as the original assessment.

11 When this petition is filed it shall be presented to the
12 court and if found to be in proper form the court shall set the
13 petition for hearing at such date as will enable the clerk of
14 the court to give at least 10 days' notice of the hearing
15 thereon, and it is the duty of the clerk to publish a notice at
16 least twice, not more than 30 nor less than 15 days before the
17 date set for hearing, in one or more newspapers published in
18 the municipality, or, if no newspaper is published therein,
19 then in one or more newspapers with a general circulation
20 within the municipality. The publication requirement may also
21 be satisfied by having the municipality publish the notice on
22 the municipality's website not more than 30 nor less than 15
23 days before the hearing. In municipalities with less than 500
24 population in which no newspaper is published, publication may
25 instead be made by posting a notice in 3 prominent places

1 within the municipality. This notice shall set forth the filing
2 of the petition, the docket and warrant number of the
3 assessment and the installment or installments thereof
4 proposed to be extended and the number of installments in which
5 it is proposed to divide the extended assessment. The notice
6 shall also state when and where the court will hear objections
7 to the petition.

8 At this hearing the court may extend the time of payment of
9 one or more installments of the assessment, change the number
10 of installments in which the assessment is divided, and subject
11 to the provisions of Sections 9-2-120 through 9-2-124, provide
12 for the details of the issuance of the refunding securities, in
13 accordance with the prayer of the petition, and enter an order
14 confirming the assessment as extended.

15 Any property owner may pay the original assessment or any
16 installment to be extended within 10 days after the entry of
17 such an order. Upon the expiration of 10 days after the entry
18 of such an order the corporate authorities shall issue the
19 refunding securities authorized by the order of the court, but
20 the delivery of the refunding securities shall be simultaneous
21 with the surrender of the securities to be refunded or paid.
22 The securities so surrendered shall be immediately cancelled.
23 The collection and payment of the extended assessment and the
24 securities issued under Sections 9-2-120 through 9-2-124 shall
25 be in the manner as now provided by law.

26 (Source: P.A. 79-1361.)

1 (65 ILCS 5/9-2-129) (from Ch. 24, par. 9-2-129)

2 Sec. 9-2-129. The municipality shall have the right to call
3 and pay the bonds authorized in Section 9-2-127, or any number
4 thereof, in the following manner:

5 Whenever there are sufficient funds in the hands of the
6 treasurer to redeem one or more of the bonds, after the payment
7 of all interest due, and after the establishment of such
8 reserve, if any, as the treasurer in his discretion may deem
9 advisable to pay interest to become due at the next interest
10 coupon date, the treasurer, by publication or posting of notice
11 as provided in this section, shall call and pay such bond or
12 bonds. The treasurer shall cause notice of such call for
13 payment to be published in a newspaper published in the
14 municipality, or if no newspaper is published therein, then in
15 a newspaper with a general circulation within the municipality,
16 and if there be no such newspaper, then by posting in at least
17 3 prominent places within the municipality The publication
18 requirement may also be satisfied by publication of the notice
19 on the municipality's website.. The notice shall specify the
20 number or numbers of the bonds called, designating the
21 assessment against which the bonds have been issued, and
22 directing presentation of such bonds for payment and
23 cancellation, and indicating that interest will cease on the
24 bonds not less than 5 nor more than 30 days from the date of
25 publication of such notice or posting, and thereafter the bonds

1 shall cease to bear interest. The presentation of any bond to
2 the treasurer for payment shall waive the necessity of giving
3 notice of its call for payment.

4 The treasurer upon accumulation of sufficient funds shall
5 pay one or more bonds and shall call and pay such bonds. Any
6 bondholder or holder of any interest coupon appertaining to any
7 bond, after giving reasonable notice, shall be entitled to
8 summary relief by mandamus or injunction to enforce these
9 provisions.

10 When bonds are issued under Section 9-2-127, all
11 collections of the special assessment installments and all
12 interest collected shall constitute a single fund which shall
13 be applied first to the payment of interest due, and to the
14 establishment of such reserve, if any, as the treasurer in his
15 discretion may deem advisable to pay interest to become due at
16 the next interest coupon date, and then to the redemption and
17 payment of bonds as provided herein. However, in municipalities
18 having a population of less than 500,000, where the ordinance
19 for the improvement provides for the collection of costs,
20 collections made on the first installment shall be used first
21 to pay such costs, and any surplus shall be used to pay bonds
22 and interest thereon as provided herein. Provision as to
23 redemption and call of the bonds shall be inserted in each of
24 the bonds issued in accordance with the provisions of this
25 Section 9-2-129.

26 (Source: Laws 1961, p. 576.)

1 (65 ILCS 5/9-3-11) (from Ch. 24, par. 9-3-11)

2 Sec. 9-3-11. Any local improvement ordinance passed by the
3 corporate authorities shall be published one time in a
4 newspaper published and of general circulation in such
5 municipality, if there be one, and if there be no such
6 newspaper, then such ordinance shall be posted in not less than
7 3 public places in such municipality. The publication
8 requirement may also be satisfied by publication of the
9 ordinance on the municipality's website. Such ordinance shall
10 not become effective until 10 days after publication or
11 posting, as the case may be.

12 (Source: Laws 1961, p. 576.)

13 (65 ILCS 5/9-3-13) (from Ch. 24, par. 9-3-13)

14 Sec. 9-3-13. After filing of the petition as provided in
15 Section 9-3-12, the court shall enter an order setting a date
16 for hearing on the question of benefits, and direct that notice
17 be given by the committee on local improvements of the pendency
18 of the proceeding. The notice shall state generally the nature
19 of the improvement, the pendency of the proceeding, the time
20 and place of filing the petition therefor, that an assessment
21 roll has been filed, and the time and place at which an
22 application will be made for confirmation of the assessment,
23 the same to be not less than 15 days after the mailing of such
24 notice. Such notice shall be sent by mail, postpaid, to each

1 person paying the taxes on the respective parcels during the
2 last preceding year during which taxes were paid, at his
3 residence as shown in the assessment roll, or if not shown,
4 then to each person so paying the taxes directed generally to
5 the municipality in which the improvement is proposed to be
6 made. Such notice shall also state the amount assessed, the
7 person to whom the same is directed for the improvement
8 proposed, and the total cost of such improvement, and the total
9 amount assessed as benefit upon the public, and if the
10 assessment is to be payable in installments, the number of
11 installments thereof and the rate of interest it shall bear. An
12 affidavit shall be filed before the final hearing thereon by
13 the committee on local improvements showing a compliance with
14 the requirements of this section and also showing that the
15 committee on local improvements caused to be made under its
16 direction, or that it made a careful examination of the county
17 collector's books showing the payments of general taxes during
18 the last preceding year, in which the taxes were paid thereon,
19 to ascertain the person who last paid the taxes on the
20 respective parcels, and a diligent search for such person's
21 residence, and that the assessment roll filed in court
22 correctly states the same as ascertained by the committee on
23 local improvements, or as ascertained under its direction. If
24 the report and affidavit shall be found in any respect wilfully
25 false, the persons making the same shall be guilty of perjury,
26 and subject to the pains and penalties provided for such

1 offense by the laws of this State.

2 In addition to the mailing of the notice, notice shall also
3 be given by the committee on local improvements at least 15
4 days prior to the date set for the hearing by posting notice in
5 at least 4 public places in such municipality, all of which
6 shall be in the neighborhood of such proposed improvement, and
7 within the boundaries of the area described as probably
8 benefited, and as in this Division 3 provided, and by
9 publishing the same once each week for 2 successive weeks in a
10 daily or weekly newspaper published in the municipality, the
11 first publication thereof to be at least 15 days prior to the
12 date set for the hearing on benefits, or if there be no
13 newspaper published and of general circulation in such
14 municipality, then by publication in a newspaper published in
15 the county and of general circulation therein. The newspaper
16 publication requirement may also be satisfied by publication of
17 the notice on the municipality's website once each week for 2
18 successive weeks. Such notice shall state the pendency of the
19 proceedings, set forth a brief general description of the
20 nature of the improvement, refer to the fact that the ordinance
21 for the same is on file in the office of the municipal clerk
22 for public inspection, together with plans, specifications and
23 an estimate of cost of the improvements, and that such
24 municipality has applied to the court, designating the court,
25 for the levying of a special assessment, that the assessment
26 roll has been filed in court and stating the date when the

1 hearing thereon will be had, and that all persons desiring may
2 file objections to the assessment on any particular lot, parcel
3 or tract before the date set for said hearing, and may appear
4 at the hearing and make their defense as to the question of
5 benefits. If the assessment is to be payable in installments,
6 then such notice shall state the number of installments and the
7 rate of interest the installment shall bear.

8 (Source: Laws 1961, p. 576.)

9 (65 ILCS 5/9-3-25) (from Ch. 24, par. 9-3-25)

10 Sec. 9-3-25. Notice for bids for the construction of the
11 improvement shall be published in at least one issue of a
12 newspaper published and of general circulation in such
13 municipality, if there is one, and if there is no such
14 newspaper then by publishing such notice in some newspaper
15 published in and of general circulation in the county in which
16 such municipality is located. The publication requirement may
17 also be satisfied by publication of the notice on the
18 municipality's website. Such publication shall be made at least
19 10 days prior to the date fixed for the opening of bids for
20 such work, and an additional notice may be published in trade
21 journals or other newspapers as the governing body may
22 determine. The notice for bids shall state (1) the general
23 nature and character of the work to be done; (2) the engineer's
24 estimate of the amount to be paid the contractor, and that no
25 contract will be awarded in excess thereof; (3) when and where

1 bids will be opened; (4) that plans, profiles and
2 specifications for such work and form of contract and bond for
3 completion and maintenance of work are on file in the office of
4 the clerk of such municipality for public inspection; and (5)
5 that each bidder must file with his bid cash or a certified
6 check satisfactory to the governing body in an amount equal to
7 10% of the estimated amount to be paid the contractor, such
8 cash or certified check to be held by the municipality as
9 damages for failure to execute the contract and bond for
10 performance of such work. Right shall be reserved to reject any
11 or all bids. Such notice shall also state the number of
12 installments the assessment has been divided into and the rate
13 of interest the bonds to be issued in anticipation of the
14 assessment shall bear. Such notice shall be signed by the
15 municipal clerk. If bonds are to be issued in anticipation of
16 the collection of the assessments, the corporate authorities
17 shall, prior to the date set for receiving the bids, fix the
18 rate of interest the bonds are to bear. Such interest rate
19 shall be one per cent less than the interest rate the
20 installments of the assessments are to bear. It shall be stated
21 in the notice whether payment will be made in bonds or cash.

22 (Source: Laws 1961, p. 576.)

23 (65 ILCS 5/9-3-32) (from Ch. 24, par. 9-3-32)

24 Sec. 9-3-32. Within 30 days after the completion of the
25 work, the committee on local improvements shall certify the

1 fact that the work has been completed and accepted by the
2 corporate authorities of such municipality, setting forth the
3 total amount due the contractor for the construction of the
4 work, the amount of the vouchers payable either in cash or
5 bonds that have been delivered to the contractor from time to
6 time as the work progressed, and the amount still due the
7 contractor. The corporate authorities upon receipt of the
8 certificate shall set a date for consideration and hearing upon
9 the question of whether or not the work has been completed in
10 substantial compliance with the plans, specifications and
11 contract for the construction thereof, and shall direct the
12 clerk to give notice of the date set for the hearing. Such
13 notice shall be published at least once each week for 2
14 successive weeks in a daily or weekly newspaper published and
15 of general circulation in such municipality, if there is such a
16 newspaper. If there is no such newspaper, then notice shall be
17 given by posting in not less than 4 public places in such
18 municipality, and in at least 4 places within the boundaries of
19 the area designated by the committee on local improvements as
20 probably benefited by the improvement. The publication
21 requirement may also be satisfied by publication of the notice
22 on the municipality's website at least once each week for 2
23 successive weeks. The first publication or the first posting of
24 such notice shall be at least 15 days prior to the date fixed
25 for such hearing. Any person interested may, prior to the date
26 fixed for such hearing, file written objections to the

1 acceptance of such work, stating specifically the reasons
2 therefor, and shall have the right to be heard at the time and
3 place fixed by the governing body to hear and consider the
4 same. At the time and place fixed, the corporate authorities
5 shall hear any and all objections that have been filed in
6 writing to the acceptance of the completed work and the
7 corporate authorities shall have authority to continue the
8 hearing from time to time, but for a period of not more than 30
9 days from the date set for such hearing, to consider written
10 objections filed to the acceptance of the work and to give all
11 persons an opportunity to be heard thereon. At such hearing the
12 certificate of the committee on local improvements shall be
13 prima facie evidence that the matter and things stated therein
14 are true, but if any parts thereof are controverted by written
15 objections duly filed, the corporate authorities shall hear and
16 determine the same in a summary manner and shall enter an order
17 according to the facts. Such order shall be conclusive upon all
18 parties and no party shall be allowed to review or reverse the
19 order of the corporate authorities. If upon such hearing the
20 corporate authorities shall find the allegations of the
21 certificate to be incorrect, it shall enter an order
22 accordingly and it shall then be the duty of the committee on
23 local improvements to procure the completion of such
24 improvement in substantial compliance with the ordinance and
25 the plans and specifications therefor. The committee on local
26 improvements shall from time to time file additional or

1 supplemental applications to the corporate authorities for
2 final acceptance of the work until the corporate authorities
3 shall eventually be satisfied that the allegations in such
4 certificates are true and that the improvement has been
5 constructed in substantial compliance with the plans,
6 specification and ordinance.

7 (Source: Laws 1961, p. 576.)

8 (65 ILCS 5/9-3-36) (from Ch. 24, par. 9-3-36)

9 Sec. 9-3-36. Whenever there are sufficient funds in the
10 hands of the treasurer after the payment of all interest due
11 and to become due within 6 months, the treasurer shall on the
12 first day of October of any year, or at any other time there
13 are sufficient funds for that purpose on hand during the year,
14 give notice by registered mail, addressed to the last
15 registered holder of the bonds called at the address appearing
16 upon his registry, that there are funds sufficient to pay the
17 designated bonds and interest thereon to date 30 days hence
18 from the date of such notice and directing presentation of such
19 bonds for payment and cancellation, and the bonds shall cease
20 to bear interest after the expiration of the 30 days and upon
21 payment and cancellation of the bonds proper entry thereof
22 shall be made upon the books of the treasurer. The treasurer,
23 upon accumulation of sufficient funds, as herein provided,
24 shall pay one or more bonds and shall call and pay such bonds,
25 and any bondholder or holder of any interest coupon

1 appertaining to any bond shall be entitled to summary relief by
2 mandamus or injunction to enforce the provisions hereof. In
3 addition to giving notice by registered mail to the last
4 registered holder of such bonds, the treasurer shall cause to
5 be published in a newspaper published and of general
6 circulation in such municipality, if there is such a newspaper.
7 If there is no such newspaper, the notice shall be given by
8 posting in at least 3 places within the area designated as
9 probably benefited by the improvement. The publication
10 requirement may also be satisfied by publication of the notice
11 on the municipality's website. Such notice shall be a notice of
12 call and redemption addressed to all unknown bondholders
13 specifying the number of the bonds called and designating the
14 assessment against which the bonds have been issued, and
15 indicating that interest will cease on the bonds 30 days from
16 and after the date of publication of such notice, and
17 thereafter the bonds shall cease to bear interest. Provisions
18 as to redemption and call of the bonds shall be inserted in
19 each of the bonds issued in accordance with the provisions of
20 this Division 3.

21 (Source: Laws 1961, p. 576.)

22 (65 ILCS 5/9-3-46) (from Ch. 24, par. 9-3-46)

23 Sec. 9-3-46. Subsequent to the issuance of the certificate
24 of sale and 30 days prior to the expiration of the period of
25 redemption the purchaser or his assignee shall cause written

1 notice of the date of the expiration of the period of
2 redemption to be served on the occupant of the premises
3 described in the certificate, if the premises are occupied and
4 proof of such notice shall be made to the court. The purchaser
5 or his assignee shall also cause notice to be published in at
6 least one issue of some newspaper published and of general
7 circulation in the municipality where the real estate is
8 situated, if there is such newspaper. Otherwise such
9 publication shall be made in some newspaper published and of
10 general circulation in the county, addressed to "All Owners,
11 Parties Concerned and Persons Interested", setting forth a
12 description of the real estate sold and not then redeemed, the
13 date of sale, the date of the expiration of the period of
14 redemption, when and where application will be made for deed to
15 be issued pursuant to the provisions of this Division 3, and
16 the docket number of the foreclosure proceedings. If the
17 purchaser or assignee is a municipality, the publication
18 requirement may also be satisfied by publication of the notice
19 on the municipality's website. Such notice shall be published
20 subsequent to the issuance of the certificate of sale and at
21 least 30 days prior to the date of the expiration of the period
22 of redemption.

23 (Source: Laws 1961, p. 576.)

24 (65 ILCS 5/11-4-8) (from Ch. 24, par. 11-4-8)

25 Sec. 11-4-8. The county board and the board of trustees of

1 any village or incorporated town, in any county in this state,
2 in which a house of correction is established, may enter into
3 an agreement with the corporate authorities of such city, or
4 with any authorized agent or officer in behalf of such city, to
5 receive and keep in the house of correction any person or
6 persons who may be sentenced or committed thereto, by any
7 court, in any of such counties. Whenever such agreement is
8 made, the county board for any county in behalf of which such
9 agreement is made, or of the trustees of the village or
10 incorporated town, in behalf of which, such agreement is made,
11 as the case may be, shall give public notice thereof in some
12 newspaper printed and published within the county for a period
13 not less than 4 weeks. The publication requirement may also be
14 satisfied by publication of the notice on the county's website
15 for not less than 4 weeks. Such notice shall state the period
16 of time for which such agreement will remain in force.

17 (Source: P.A. 77-1295.)

18 (65 ILCS 5/11-7-3) (from Ch. 24, par. 11-7-3)

19 Sec. 11-7-3. In any municipality which is authorized to
20 levy a tax under Section 11-7-1 of this Division 7, the tax
21 rate limit so authorized may be increased to not to exceed
22 .40%, or beginning in taxable year 2000, .60%, of the value of
23 all the taxable property in such municipality, provided the
24 proposition for such tax rate increase has been submitted to
25 the electors of that municipality and approved by a majority of

1 those voting on the question. The referendum authorized by the
2 terms of this section may be ordered by the corporate
3 authorities, the question to be certified by the clerk and
4 submitted at an election in accordance with the general
5 election law.

6 However, any municipality whose rate limitation for fire
7 protection purposes is .30% on July 1, 1967 may by ordinance
8 increase its rate limit in the future for such purposes to .40%
9 and any municipality which levied a tax for fire protection
10 purposes in 1960 and whose rate limitation for such purposes is
11 less than .30% on July 29, 1969 may by ordinance increase its
12 rate limit to .30%. A notice of the passage of the ordinance
13 establishing such rate limit at not to exceed .40% or .30%, as
14 the case may be, shall be published once in a newspaper having
15 a general circulation in the municipality or on the
16 municipality's website. The publication of the notice of the
17 ordinance shall include a notice of (1) the specific number of
18 voters required to sign a petition requesting that the question
19 of the increased rate limit be submitted to the voters of the
20 municipality; (2) the time within which the petition must be
21 filed; and (3) the date of the prospective referendum. The
22 municipal clerk shall provide a petition form to any individual
23 requesting one.

24 The ordinance shall take effect 30 days after publication
25 of that notice unless within that time a petition, signed by
26 not less than a number of voters in the municipality equal to

1 10% or more of the registered voters of the municipality is
2 filed with the municipal clerk requesting the submission to a
3 referendum of the question of whether the municipality shall
4 have the authority to levy a tax for fire protection purposes
5 at not to exceed the rate limit specified in the ordinance. Any
6 such election shall be conducted in accordance with the general
7 election law.

8 (Source: P.A. 91-299, eff. 7-29-99.)

9 (65 ILCS 5/11-13-2) (from Ch. 24, par. 11-13-2)

10 Sec. 11-13-2. The corporate authorities in each
11 municipality which desires to exercise the powers conferred by
12 this Division 13, or who have exercised such power and desire
13 to adopt a new ordinance, shall provide for a zoning commission
14 with the duty to recommend the boundaries of districts and
15 appropriate regulations to be enforced therein. The commission
16 shall be appointed by the mayor or president, subject to
17 confirmation by the corporate authorities. The commission
18 shall prepare a tentative report and a proposed zoning
19 ordinance for the entire municipality. After the preparation of
20 such a tentative report and ordinance, the commission shall
21 hold a hearing thereon and shall afford persons interested an
22 opportunity to be heard. Notice of the hearing shall be
23 published at least once, not more than 30 nor less than 15 days
24 before the hearing, in one or more newspapers published in the
25 municipality, or, if no newspaper is published therein, then in

1 one or more newspapers published in the county in which the
2 municipality is located and having a general circulation within
3 the municipality. The publication requirement may also be
4 satisfied by publication of the notice on the municipality's
5 website not more than 30 nor less than 15 days before the
6 hearing. The notice shall state the time and place of the
7 hearing and the place where copies of the proposed ordinance
8 will be accessible for examination by interested persons. The
9 hearing may be adjourned from time to time.

10 Within 30 days after the final adjournment of the hearing
11 the commission shall make a final report and submit a proposed
12 ordinance for the entire municipality to the corporate
13 authorities. The corporate authorities may enact the ordinance
14 with or without change, or may refer it back to the commission
15 for further consideration. The zoning commission shall cease to
16 exist upon the adoption of a zoning ordinance for the entire
17 municipality.

18 (Source: P.A. 80-452.)

19 (65 ILCS 5/11-13-6) (from Ch. 24, par. 11-13-6)

20 Sec. 11-13-6. No variation shall be made by the board of
21 appeals in municipalities of 500,000 or more population or by
22 ordinance in municipalities of lesser population except in a
23 specific case and after a public hearing before the board of
24 appeals of which there shall be a notice of the time and place
25 of the hearing published at least once, not more than 30 nor

1 less than 15 days before the hearing, in one or more newspapers
2 published in the municipality, or, if no newspaper is published
3 therein, then in one or more newspapers with a general
4 circulation within the municipality which is published in the
5 county where the municipality is located. The publication
6 requirement may also be satisfied by publication of the notice
7 on the municipality's website not more than 30 nor less than 15
8 days before the hearing. This notice shall contain the
9 particular location for which the variation is requested as
10 well as a brief statement of what the proposed variation
11 consists. Any notice required by this Section need not include
12 a metes and bounds legal description of the location for which
13 the variation is requested, provided that the notice includes:
14 (i) the common street address or addresses and (ii) the
15 property index number ("PIN") or numbers of all the parcels of
16 real property contained in the area for which the variation is
17 requested.

18 (Source: P.A. 97-336, eff. 8-12-11.)

19 (65 ILCS 5/11-13-14) (from Ch. 24, par. 11-13-14)

20 Sec. 11-13-14. The regulations imposed and the districts
21 created under the authority of this Division 13 may be amended
22 from time to time by ordinance after the ordinance establishing
23 them has gone into effect, but no such amendments shall be made
24 without a hearing before some commission or committee
25 designated by the corporate authorities. Notice shall be given

1 of the time and place of the hearing, not more than 30 nor less
2 than 15 days before the hearing, by publishing a notice thereof
3 at least once in one or more newspapers published in the
4 municipality, or, if no newspaper is published therein, then in
5 one or more newspapers with a general circulation within the
6 municipality. The publication requirement may also be
7 satisfied by publication of the notice on the municipality's
8 website not more than 30 nor less than 15 days before the
9 hearing. In municipalities with less than 500 population in
10 which no newspaper is published, publication may be made
11 instead by posting a notice in 3 prominent places within
12 municipality. In case of a written protest against any proposed
13 amendment of the regulations or districts, signed and
14 acknowledged by the owners of 20% of the frontage proposed to
15 be altered, or by the owners of 20% of the frontage immediately
16 adjoining or across an alley therefrom, or by the owners of the
17 20% of the frontage directly opposite the frontage proposed to
18 be altered, is filed with the clerk of the municipality, the
19 amendment shall not be passed except by a favorable vote of
20 two-thirds of the aldermen or trustees of the municipality then
21 holding office. In such cases, a copy of the written protest
22 shall be served by the protestor or protestors on the applicant
23 for the proposed amendments and a copy upon the applicant's
24 attorney, if any, by certified mail at the address of such
25 applicant and attorney shown in the application for the
26 proposed amendment. Any notice required by this Section need

1 not include a metes and bounds legal description, provided that
2 the notice includes: (i) the common street address or addresses
3 and (ii) the property index number ("PIN") or numbers of all
4 the parcels of real property contained in the affected area.
5 (Source: P.A. 97-336, eff. 8-12-11.)

6 (65 ILCS 5/11-13-26)

7 Sec. 11-13-26. Wind farms. Notwithstanding any other
8 provision of law:

9 (a) A municipality may regulate wind farms and
10 electric-generating wind devices within its zoning
11 jurisdiction and within the 1.5 mile radius surrounding its
12 zoning jurisdiction. There shall be at least one public
13 hearing not more than 30 days prior to a siting decision by
14 the corporate authorities of a municipality. Notice of the
15 hearing shall be published in a newspaper of general
16 circulation in the municipality or on the municipality's
17 website. A commercial wind energy facility owner, as
18 defined in the Renewable Energy Facilities Agricultural
19 Impact Mitigation Act, must enter into an agricultural
20 impact mitigation agreement with the Department of
21 Agriculture prior to the date of the required public
22 hearing. A commercial wind energy facility owner seeking an
23 extension of a permit granted by a municipality prior to
24 July 24, 2015 (the effective date of Public Act 99-132)
25 must enter into an agricultural impact mitigation

1 agreement with the Department of Agriculture prior to a
2 decision by the municipality to grant the permit extension.
3 A municipality may allow test wind towers to be sited
4 without formal approval by the corporate authorities of the
5 municipality. Test wind towers must be dismantled within 3
6 years of installation. For the purposes of this Section,
7 "test wind towers" are wind towers that are designed solely
8 to collect wind generation data.

9 (b) A municipality may not require a wind tower or
10 other renewable energy system that is used exclusively by
11 an end user to be setback more than 1.1 times the height of
12 the renewable energy system from the end user's property
13 line. A setback requirement imposed by a municipality on a
14 renewable energy system may not be more restrictive than as
15 provided under this subsection. This subsection is a
16 limitation of home rule powers and functions under
17 subsection (i) of Section 6 of Article VII of the Illinois
18 Constitution on the concurrent exercise by home rule units
19 of powers and functions exercised by the State.

20 (Source: P.A. 99-123, eff. 1-1-16; 99-132, eff. 7-24-15;
21 99-642, eff. 7-28-16; 100-598, eff. 6-29-18.)

22 (65 ILCS 5/11-14-3) (from Ch. 24, par. 11-14-3)

23 Sec. 11-14-3. The regulations imposed under the authority
24 of this Division 14 may be amended from time to time by
25 ordinance after the ordinance establishing the regulations has

1 gone into effect, but no amendment shall be made without a
2 hearing before a commission or committee designated by the
3 corporate authorities of the municipality. A notice of the time
4 and place of such a hearing shall be given at least once, not
5 more than 30 nor less than 15 days before the hearing, by
6 publishing a notice thereof in one or more newspapers published
7 in the municipality, or, if no newspaper is published therein,
8 then in one or more newspapers with a general circulation
9 within the municipality. The publication requirement may also
10 be satisfied by publication of the notice on the municipality's
11 website not more than 30 nor less than 15 days before the
12 hearing. In municipalities with less than 500 population in
13 which no newspaper is published, publication may instead be
14 made by posting a notice in 3 prominent places within the
15 municipality. An amendment shall not be passed except by a
16 favorable vote of two-thirds of the members of the city council
17 then holding office in cities or members of the board of
18 trustees then holding office in villages or incorporated towns.
19 (Source: Laws 1967, p. 3425.)

20 (65 ILCS 5/11-15.1-3) (from Ch. 24, par. 11-15.1-3)

21 Sec. 11-15.1-3. Any such agreement executed after July 31,
22 1963 and all amendments of annexation agreements, shall be
23 entered into in the following manner. The corporate authorities
24 shall fix a time for and hold a public hearing upon the
25 proposed annexation agreement or amendment, and shall give

1 notice of the proposed agreement or amendment not more than 30
2 nor less than 15 days before the date fixed for the hearing.
3 This notice shall be published at least once in one or more
4 newspapers published in the municipality, or, if no newspaper
5 is published therein, then in one or more newspapers with a
6 general circulation within the annexing municipality. The
7 publication requirement may also be satisfied by publication of
8 the notice on the municipality's website not more than 30 nor
9 less than 15 days before the hearing. After such hearing the
10 agreement or amendment may be modified before execution
11 thereof. The annexation agreement or amendment shall be
12 executed by the mayor or president and attested by the clerk of
13 the municipality only after such hearing and upon the adoption
14 of a resolution or ordinance directing such execution, which
15 resolution or ordinance must be passed by a vote of two-thirds
16 of the corporate authorities then holding office.

17 (Source: P.A. 76-912.)

18 (65 ILCS 5/11-22-2) (from Ch. 24, par. 11-22-2)

19 Sec. 11-22-2. In the event any municipality has established
20 a public hospital in accordance with the provisions of this
21 Division 22 and in the further event the corporate authorities
22 shall determine that the hospital is no longer needed for the
23 purposes for which it was established, or that those purposes
24 would be better served through the operation of the hospital by
25 a corporation, hospital, health care facility, unit of local

1 government or institution of higher education, the corporate
2 authorities may by ordinance authorize the transfer, sale or
3 lease of the hospital to such corporation, hospital, health
4 care facility, unit of local government or institution of
5 higher education within or without the corporate limits of the
6 municipality, or may authorize the sale or lease of the
7 hospital to any mental health clinic which obtains any portion
8 of its funds from the Department of Human Services (as
9 successor to the Department of Mental Health and Developmental
10 Disabilities). Such transfer, sale or lease may be on such
11 terms and under such conditions as the corporate authorities
12 may deem proper without regard to any provisions of Division 9
13 or 10 of Article 8 or Divisions 75, 76, 77 and 78 of this
14 Article 11. At least 10 days prior to the adoption of an
15 ordinance under this Section, the corporate authorities shall
16 make the proposed ordinance conveniently available for public
17 inspection and shall hold at least one public hearing thereon.
18 Notice of this hearing shall be published in one or more
19 newspapers published in the municipality, or if there is none
20 published in the municipality, in a newspaper having general
21 circulation in the municipality, at least 10 days prior to the
22 time of the public hearing. The publication requirement may
23 also be satisfied by publication of the notice on the
24 municipality's website at least 10 days prior to the public
25 hearing. Such notice shall state the time and place of the
26 hearing and the place where copies of the proposed ordinance

1 will be accessible for examination.

2 In the event that prior to the sale or lease of the
3 hospital pursuant to this Section, a labor organization has
4 been recognized by the hospital as the exclusive representative
5 of the majority of employees in a bargaining unit for purposes
6 of collective bargaining, and in the further event that a
7 purchaser or lessor subject to the National Labor Relations Act
8 retains or hires a majority of the employees in such a
9 bargaining unit, such purchaser or lessor shall recognize the
10 labor organization as the exclusive representative of the
11 majority of employees in that bargaining unit for purposes of
12 collective bargaining, provided that the labor organization
13 makes a timely written assertion of its representational
14 capacity to the purchaser or lessor.

15 (Source: P.A. 89-507, eff. 7-1-97.)

16 (65 ILCS 5/11-23-3) (from Ch. 24, par. 11-23-3)

17 Sec. 11-23-3. In the event any municipality has established
18 a city public hospital in accordance with the provisions of
19 Section 11-23-1 and in the further event the corporate
20 authorities shall determine that the hospital is no longer
21 needed for the purposes for which it was established or that
22 those purposes would be better served through the operation of
23 the city hospital by a corporation, hospital, health care
24 facility, unit of local government or institution of higher
25 education, the corporate authorities by ordinance may

1 authorize the transfer, sale or lease of the hospital to such
2 corporation, hospital, health care facility, unit of local
3 government or institution of higher education within or without
4 the corporate limits of the city, or may authorize the sale or
5 lease of the hospital to any mental health clinic which obtains
6 any portion of its funds from the Department of Human Services
7 (as successor to the Department of Mental Health and
8 Developmental Disabilities). Such transfer, sale or lease may
9 be on such terms and under such conditions as the corporate
10 authorities may deem proper without regard to any provisions of
11 Division 9 of Article 8 or Divisions 75, 76, 77 and 78 of this
12 Article 11. At least 10 days prior to the adoption of an
13 ordinance under this Section the corporate authorities shall
14 make the proposed ordinance conveniently available for public
15 inspection and shall hold at least one public hearing thereon.
16 Notice of this hearing shall be published in one or more
17 newspapers published in the municipality, or if there is none
18 published in the municipality, in a newspaper having general
19 circulation in the municipality, at least 10 days prior to the
20 time of the public hearing. The publication requirement may
21 also be satisfied by publication of the notice on the
22 municipality's website at least 10 days prior to the public
23 hearing. Such notice shall state the time and place of the
24 hearing and the place where copies of the proposed ordinance
25 will be accessible for examination.

26 If a city public hospital is transferred, sold or leased as

1 authorized by this section and if no bonds issued under the
2 provisions of Section 11-23-6 or Section 11-23-13 are
3 outstanding, the city council may transfer any excess funds
4 remaining in the Hospital Fund to the general fund of the city
5 to be expended for capital expenditures only and not for
6 operating expenses of the city.

7 In the event that prior to the sale or lease of the
8 hospital pursuant to this Section, a labor organization has
9 been recognized by the hospital as the exclusive representative
10 of the majority of employees in a bargaining unit for purposes
11 of collective bargaining, and in the further event that a
12 purchaser or lessor subject to the National Labor Relations Act
13 retains or hires a majority of the employees in such a
14 bargaining unit, such purchaser or lessor shall recognize the
15 labor organization as the exclusive representative of the
16 majority of employees in that bargaining unit for purposes of
17 collective bargaining, provided that the labor organization
18 makes a timely written assertion of its representational
19 capacity to the purchaser or lessor.

20 (Source: P.A. 89-507, eff. 7-1-97.)

21 (65 ILCS 5/11-23-15) (from Ch. 24, par. 11-23-15)

22 Sec. 11-23-15. Revenue bonds issued on or after March 1,
23 1965 under Sections 11-23-13 and 11-23-14 may be redeemed by
24 the municipality issuing them on such terms, at such time, upon
25 such notice and with or without premium all as may be provided

1 in the ordinance authorizing them.

2 Revenue bonds issued prior to March 1, 1965 under Sections
3 11-23-13 and 11-23-14 may be redeemed on any interest-paying
4 date, by proceeding as follows: (1) a written notice shall be
5 mailed to the holder of such bond 30 days prior to an
6 interest-paying date, notifying the holder that the bond will
7 be redeemed on the next interest-paying date; or (2) if the
8 holder of such bond is unknown, then a notice describing the
9 bond to be redeemed and the date of its redemption shall be
10 published 30 days prior to an interest-paying date in one or
11 more newspapers published in the city, or, if no newspaper is
12 published therein, then in one or more newspapers having a
13 general circulation within the city. The publication
14 requirement may also be satisfied by publication of the notice
15 on the municipality's website 30 days prior to an
16 interest-paying date. When notice has been mailed to the holder
17 of such bond, or when notice has been published in a newspaper
18 in case the holder of the bond is unknown, the bond shall cease
19 bearing interest from and after the next interest-paying date.

20 (Source: Laws 1965, p. 13.)

21 (65 ILCS 5/11-29.1-2) (from Ch. 24, par. 11-29.1-2)

22 Sec. 11-29.1-2. Whenever any municipality first levies the
23 tax authorized in Section 11-29.1-1, it shall cause the
24 ordinance levying the tax to be published in one or more
25 newspapers published in the municipality within 10 days after

1 the levy is made. If no newspaper is published in the
2 municipality, the ordinance shall be published in a newspaper
3 having general circulation within the municipality. The
4 publication requirement may also be satisfied by publication of
5 the ordinance on the municipality's website within 10 days
6 after the levy is made. The publication of the ordinance shall
7 include a notice of (1) the specific number of voters required
8 to sign a petition requesting that the question of the adoption
9 of the tax levy be submitted to the voters of the municipality;
10 (2) the time within which the petition must be filed; and (3)
11 the date of the prospective referendum. The municipal clerk
12 shall provide a petition form to any individual requesting one.
13 Any taxpayer in such municipality may, within 30 days after
14 such publication, file with the municipal clerk a petition
15 signed by a number of the voters of the municipality equal to
16 10% or more of the registered voters of the municipality
17 requesting the submission to a referendum of the following
18 proposition:

19 "Shall (insert name) be authorized to levy a tax for (state
20 purpose) in excess of the rate for other municipal purposes but
21 not in excess of .1%?"

22 The municipal clerk shall certify the proposition for
23 submission by the proper election authority at an election in
24 accordance with the general election law.

25 If a majority of the voters voting on the proposition vote
26 in favor thereof or if no petition is filed pursuant to this

1 Section 11-29.1-2, such tax levy shall be authorized. If a
2 majority of the vote is against such proposition, such tax levy
3 shall not be authorized.

4 (Source: P.A. 86-1253; 87-767.)

5 (65 ILCS 5/11-29.3-1) (from Ch. 24, par. 11-29.3-1)

6 Sec. 11-29.3-1. It being considered essential to the
7 welfare of any municipality that decent, safe and sanitary
8 housing be provided for senior citizens; any such municipality
9 shall have the following powers with respect to senior citizens
10 housing:

11 (1) To construct, own, manage, acquire, lease,
12 purchase, reconstruct, improve, or rehabilitate any real
13 estate or personal property.

14 (2) To employ or contract with others for management.

15 (3) To donate land.

16 (4) To acquire by any means, including eminent domain,
17 any property deemed necessary and convenient.

18 (5) To mortgage real and personal property.

19 (6) To borrow money, and secure the payment of such
20 borrowing by a pledge of revenue.

21 (7) To guarantee the repayment of money borrowed to
22 finance any purpose hereunder.

23 (8) To sell or convey real and personal property upon
24 such terms as deemed necessary.

25 (9) To accept grants, contributions, and gifts.

1 (10) To charge rents and fees of residents.

2 (11) To enter into leases.

3 (12) To expend municipal funds in the exercise of its
4 powers hereunder.

5 (13) To make all such contracts as may be necessary in
6 the exercise of its powers hereunder.

7 Senior citizen housing shall mean housing where at least
8 50% of the tenants are intended to be of age 55 or older.

9 After the effective date of this amendatory Act of 1994,
10 any municipality, except for municipalities with a population
11 in excess of 10,000 located within a county having a population
12 in excess of 2,000,000, may borrow money or guarantee the
13 repayment of money after the question has been submitted to the
14 electors of that municipality and has been approved by a
15 majority of the electors voting upon that question. The clerk
16 shall certify the proposition of the corporate authorities to
17 the proper election authority who shall submit the question at
18 an election in accordance with the general election law. The
19 proposition shall be in substantially the following form:

20 Shall (name of municipality) be authorized to borrow
21 \$(amount) to provide senior citizen housing under Division
22 29.3 of the Illinois Municipal Code?

23 The votes shall be recorded as "Yes" or "No".

24 No municipality with a population in excess of 10,000
25 located within a county having a population in excess of
26 2,000,000 may borrow money or guarantee the repayment of money

1 unless it adopts an ordinance declaring its intention to do so
2 and directs that notice of such intention be published at least
3 once in a newspaper having a general circulation in the
4 municipality or on the municipality's website. The notice shall
5 set forth (1) the intention of the municipality to borrow money
6 or guarantee the repayment of money; (2) the specific number of
7 voters required to sign a petition requesting that the
8 proposition to borrow money or guarantee the repayment of money
9 be submitted to the voters of the municipality; (3) the time
10 within which a petition must be filed requesting the submission
11 of the proposition; and (4) the date of the prospective
12 referendum. At the time of publication of the notice and for 30
13 days thereafter, the Clerk shall provide a petition form to any
14 person requesting one. If within 30 days after the publication
15 a petition is filed with the Clerk, signed by not less than 10%
16 of the voters of the municipality requesting that the
17 proposition to borrow money or guarantee the repayment of money
18 be submitted to the voters thereof then the municipality shall
19 not be authorized to so act until the proposition has been
20 certified to the proper election authorities and has been
21 submitted to and approved by a majority of the voters voting on
22 the proposition at any regularly scheduled election. If no such
23 petition is so filed, or if any and all petitions filed are
24 invalid, the municipality may proceed to borrow money or
25 guarantee the repayment of money. In addition to the
26 requirements of the general election law the notice of the

1 referendum election shall set forth the intention of the
2 municipality to borrow money or guarantee the repayment of
3 money under this Division. The proposition shall be in
4 substantially the following form:

5 Shall (name of village) be authorized to borrow
6 \$(amount) (or guarantee the repayment of \$(amount)) to
7 provide senior citizen housing under Division 29.3 of the
8 Illinois Municipal Code?

9 The votes shall be recorded as "Yes" or "No".

10 Notwithstanding the provisions of this Section, municipalities
11 with a population in excess of 10,000 and less than 15,000 and
12 located within a county having a population in excess of
13 2,000,000 may borrow money or guarantee the repayment of money
14 for new construction of senior citizen housing only after the
15 question has been submitted to the electors of that
16 municipality and has been approved by a majority of the
17 electors voting upon that question.

18 (Source: P.A. 87-1153; 87-1208; 88-45; 88-646, eff. 1-1-95.)

19 (65 ILCS 5/11-31-1) (from Ch. 24, par. 11-31-1)

20 Sec. 11-31-1. Demolition, repair, enclosure, or
21 remediation.

22 (a) The corporate authorities of each municipality may
23 demolish, repair, or enclose or cause the demolition, repair,
24 or enclosure of dangerous and unsafe buildings or uncompleted
25 and abandoned buildings within the territory of the

1 municipality and may remove or cause the removal of garbage,
2 debris, and other hazardous, noxious, or unhealthy substances
3 or materials from those buildings. In any county having adopted
4 by referendum or otherwise a county health department as
5 provided by Division 5-25 of the Counties Code or its
6 predecessor, the county board of that county may exercise those
7 powers with regard to dangerous and unsafe buildings or
8 uncompleted and abandoned buildings within the territory of any
9 city, village, or incorporated town having less than 50,000
10 population.

11 The corporate authorities shall apply to the circuit court
12 of the county in which the building is located (i) for an order
13 authorizing action to be taken with respect to a building if
14 the owner or owners of the building, including the lien holders
15 of record, after at least 15 days' written notice by mail so to
16 do, have failed to put the building in a safe condition or to
17 demolish it or (ii) for an order requiring the owner or owners
18 of record to demolish, repair, or enclose the building or to
19 remove garbage, debris, and other hazardous, noxious, or
20 unhealthy substances or materials from the building. It is not
21 a defense to the cause of action that the building is boarded
22 up or otherwise enclosed, although the court may order the
23 defendant to have the building boarded up or otherwise
24 enclosed. Where, upon diligent search, the identity or
25 whereabouts of the owner or owners of the building, including
26 the lien holders of record, is not ascertainable, notice mailed

1 to the person or persons in whose name the real estate was last
2 assessed is sufficient notice under this Section.

3 The hearing upon the application to the circuit court shall
4 be expedited by the court and shall be given precedence over
5 all other suits. Any person entitled to bring an action under
6 subsection (b) shall have the right to intervene in an action
7 brought under this Section.

8 The cost of the demolition, repair, enclosure, or removal
9 incurred by the municipality, by an intervenor, or by a lien
10 holder of record, including court costs, attorney's fees, and
11 other costs related to the enforcement of this Section, is
12 recoverable from the owner or owners of the real estate or the
13 previous owner or both if the property was transferred during
14 the 15 day notice period and is a lien on the real estate; the
15 lien is superior to all prior existing liens and encumbrances,
16 except taxes, if, within 180 days after the repair, demolition,
17 enclosure, or removal, the municipality, the lien holder of
18 record, or the intervenor who incurred the cost and expense
19 shall file a notice of lien for the cost and expense incurred
20 in the office of the recorder in the county in which the real
21 estate is located or in the office of the registrar of titles
22 of the county if the real estate affected is registered under
23 the Registered Titles (Torrens) Act.

24 The notice must consist of a sworn statement setting out
25 (1) a description of the real estate sufficient for its
26 identification, (2) the amount of money representing the cost

1 and expense incurred, and (3) the date or dates when the cost
2 and expense was incurred by the municipality, the lien holder
3 of record, or the intervenor. Upon payment of the cost and
4 expense by the owner or persons interested in the property
5 after the notice of lien has been filed, the lien shall be
6 released by the municipality, the person in whose name the lien
7 has been filed, or the assignee of the lien, and the release
8 may be filed of record as in the case of filing notice of lien.
9 Unless the lien is enforced under subsection (c), the lien may
10 be enforced by foreclosure proceedings as in the case of
11 mortgage foreclosures under Article XV of the Code of Civil
12 Procedure or mechanics' lien foreclosures. An action to
13 foreclose this lien may be commenced at any time after the date
14 of filing of the notice of lien. The costs of foreclosure
15 incurred by the municipality, including court costs,
16 reasonable attorney's fees, advances to preserve the property,
17 and other costs related to the enforcement of this subsection,
18 plus statutory interest, are a lien on the real estate and are
19 recoverable by the municipality from the owner or owners of the
20 real estate.

21 All liens arising under this subsection (a) shall be
22 assignable. The assignee of the lien shall have the same power
23 to enforce the lien as the assigning party, except that the
24 lien may not be enforced under subsection (c).

25 If the appropriate official of any municipality determines
26 that any dangerous and unsafe building or uncompleted and

1 abandoned building within its territory fulfills the
2 requirements for an action by the municipality under the
3 Abandoned Housing Rehabilitation Act, the municipality may
4 petition under that Act in a proceeding brought under this
5 subsection.

6 (b) Any owner or tenant of real property within 1200 feet
7 in any direction of any dangerous or unsafe building located
8 within the territory of a municipality with a population of
9 500,000 or more may file with the appropriate municipal
10 authority a request that the municipality apply to the circuit
11 court of the county in which the building is located for an
12 order permitting the demolition, removal of garbage, debris,
13 and other noxious or unhealthy substances and materials from,
14 or repair or enclosure of the building in the manner prescribed
15 in subsection (a) of this Section. If the municipality fails to
16 institute an action in circuit court within 90 days after the
17 filing of the request, the owner or tenant of real property
18 within 1200 feet in any direction of the building may institute
19 an action in circuit court seeking an order compelling the
20 owner or owners of record to demolish, remove garbage, debris,
21 and other noxious or unhealthy substances and materials from,
22 repair or enclose or to cause to be demolished, have garbage,
23 debris, and other noxious or unhealthy substances and materials
24 removed from, repaired, or enclosed the building in question. A
25 private owner or tenant who institutes an action under the
26 preceding sentence shall not be required to pay any fee to the

1 clerk of the circuit court. The cost of repair, removal,
2 demolition, or enclosure shall be borne by the owner or owners
3 of record of the building. In the event the owner or owners of
4 record fail to demolish, remove garbage, debris, and other
5 noxious or unhealthy substances and materials from, repair, or
6 enclose the building within 90 days of the date the court
7 entered its order, the owner or tenant who instituted the
8 action may request that the court join the municipality as a
9 party to the action. The court may order the municipality to
10 demolish, remove materials from, repair, or enclose the
11 building, or cause that action to be taken upon the request of
12 any owner or tenant who instituted the action or upon the
13 municipality's request. The municipality may file, and the
14 court may approve, a plan for rehabilitating the building in
15 question. A court order authorizing the municipality to
16 demolish, remove materials from, repair, or enclose a building,
17 or cause that action to be taken, shall not preclude the court
18 from adjudging the owner or owners of record of the building in
19 contempt of court due to the failure to comply with the order
20 to demolish, remove garbage, debris, and other noxious or
21 unhealthy substances and materials from, repair, or enclose the
22 building.

23 If a municipality or a person or persons other than the
24 owner or owners of record pay the cost of demolition, removal
25 of garbage, debris, and other noxious or unhealthy substances
26 and materials, repair, or enclosure pursuant to a court order,

1 the cost, including court costs, attorney's fees, and other
2 costs related to the enforcement of this subsection, is
3 recoverable from the owner or owners of the real estate and is
4 a lien on the real estate; the lien is superior to all prior
5 existing liens and encumbrances, except taxes, if, within 180
6 days after the repair, removal, demolition, or enclosure, the
7 municipality or the person or persons who paid the costs of
8 demolition, removal, repair, or enclosure shall file a notice
9 of lien of the cost and expense incurred in the office of the
10 recorder in the county in which the real estate is located or
11 in the office of the registrar of the county if the real estate
12 affected is registered under the Registered Titles (Torrens)
13 Act. The notice shall be in a form as is provided in subsection
14 (a). An owner or tenant who institutes an action in circuit
15 court seeking an order to compel the owner or owners of record
16 to demolish, remove materials from, repair, or enclose any
17 dangerous or unsafe building, or to cause that action to be
18 taken under this subsection may recover court costs and
19 reasonable attorney's fees for instituting the action from the
20 owner or owners of record of the building. Upon payment of the
21 costs and expenses by the owner of or a person interested in
22 the property after the notice of lien has been filed, the lien
23 shall be released by the municipality or the person in whose
24 name the lien has been filed or his or her assignee, and the
25 release may be filed of record as in the case of filing a
26 notice of lien. Unless the lien is enforced under subsection

1 (c), the lien may be enforced by foreclosure proceedings as in
2 the case of mortgage foreclosures under Article XV of the Code
3 of Civil Procedure or mechanics' lien foreclosures. An action
4 to foreclose this lien may be commenced at any time after the
5 date of filing of the notice of lien. The costs of foreclosure
6 incurred by the municipality, including court costs,
7 reasonable attorneys' fees, advances to preserve the property,
8 and other costs related to the enforcement of this subsection,
9 plus statutory interest, are a lien on the real estate and are
10 recoverable by the municipality from the owner or owners of the
11 real estate.

12 All liens arising under the terms of this subsection (b)
13 shall be assignable. The assignee of the lien shall have the
14 same power to enforce the lien as the assigning party, except
15 that the lien may not be enforced under subsection (c).

16 (c) In any case where a municipality has obtained a lien
17 under subsection (a), (b), or (f), the municipality may enforce
18 the lien under this subsection (c) in the same proceeding in
19 which the lien is authorized.

20 A municipality desiring to enforce a lien under this
21 subsection (c) shall petition the court to retain jurisdiction
22 for foreclosure proceedings under this subsection. Notice of
23 the petition shall be served, by certified or registered mail,
24 on all persons who were served notice under subsection (a),
25 (b), or (f). The court shall conduct a hearing on the petition
26 not less than 15 days after the notice is served. If the court

1 determines that the requirements of this subsection (c) have
2 been satisfied, it shall grant the petition and retain
3 jurisdiction over the matter until the foreclosure proceeding
4 is completed. The costs of foreclosure incurred by the
5 municipality, including court costs, reasonable attorneys'
6 fees, advances to preserve the property, and other costs
7 related to the enforcement of this subsection, plus statutory
8 interest, are a lien on the real estate and are recoverable by
9 the municipality from the owner or owners of the real estate.
10 If the court denies the petition, the municipality may enforce
11 the lien in a separate action as provided in subsection (a),
12 (b), or (f).

13 All persons designated in Section 15-1501 of the Code of
14 Civil Procedure as necessary parties in a mortgage foreclosure
15 action shall be joined as parties before issuance of an order
16 of foreclosure. Persons designated in Section 15-1501 of the
17 Code of Civil Procedure as permissible parties may also be
18 joined as parties in the action.

19 The provisions of Article XV of the Code of Civil Procedure
20 applicable to mortgage foreclosures shall apply to the
21 foreclosure of a lien under this subsection (c), except to the
22 extent that those provisions are inconsistent with this
23 subsection. For purposes of foreclosures of liens under this
24 subsection, however, the redemption period described in
25 subsection (b) of Section 15-1603 of the Code of Civil
26 Procedure shall end 60 days after the date of entry of the

1 order of foreclosure.

2 (d) In addition to any other remedy provided by law, the
3 corporate authorities of any municipality may petition the
4 circuit court to have property declared abandoned under this
5 subsection (d) if:

6 (1) the property has been tax delinquent for 2 or more
7 years or bills for water service for the property have been
8 outstanding for 2 or more years;

9 (2) the property is unoccupied by persons legally in
10 possession; and

11 (3) the property contains a dangerous or unsafe
12 building for reasons specified in the petition.

13 All persons having an interest of record in the property,
14 including tax purchasers and beneficial owners of any Illinois
15 land trust having title to the property, shall be named as
16 defendants in the petition and shall be served with process. In
17 addition, service shall be had under Section 2-206 of the Code
18 of Civil Procedure as in other cases affecting property.

19 The municipality, however, may proceed under this
20 subsection in a proceeding brought under subsection (a) or (b).
21 Notice of the petition shall be served in person or by
22 certified or registered mail on all persons who were served
23 notice under subsection (a) or (b).

24 If the municipality proves that the conditions described in
25 this subsection exist and (i) the owner of record of the
26 property does not enter an appearance in the action, or, if

1 title to the property is held by an Illinois land trust, if
2 neither the owner of record nor the owner of the beneficial
3 interest of the trust enters an appearance, or (ii) if the
4 owner of record or the beneficiary of a land trust, if title to
5 the property is held by an Illinois land trust, enters an
6 appearance and specifically waives his or her rights under this
7 subsection (d), the court shall declare the property abandoned.
8 Notwithstanding any waiver, the municipality may move to
9 dismiss its petition at any time. In addition, any waiver in a
10 proceeding under this subsection (d) does not serve as a waiver
11 for any other proceeding under law or equity.

12 If that determination is made, notice shall be sent in
13 person or by certified or registered mail to all persons having
14 an interest of record in the property, including tax purchasers
15 and beneficial owners of any Illinois land trust having title
16 to the property, stating that title to the property will be
17 transferred to the municipality unless, within 30 days of the
18 notice, the owner of record or any other person having an
19 interest in the property files with the court a request to
20 demolish the dangerous or unsafe building or to put the
21 building in safe condition, or unless the owner of record
22 enters an appearance and proves that the owner does not intend
23 to abandon the property.

24 If the owner of record enters an appearance in the action
25 within the 30 day period, but does not at that time file with
26 the court a request to demolish the dangerous or unsafe

1 building or to put the building in safe condition, or
2 specifically waive his or her rights under this subsection (d),
3 the court shall vacate its order declaring the property
4 abandoned if it determines that the owner of record does not
5 intend to abandon the property. In that case, the municipality
6 may amend its complaint in order to initiate proceedings under
7 subsection (a), or it may request that the court order the
8 owner to demolish the building or repair the dangerous or
9 unsafe conditions of the building alleged in the petition or
10 seek the appointment of a receiver or other equitable relief to
11 correct the conditions at the property. The powers and rights
12 of a receiver appointed under this subsection (d) shall include
13 all of the powers and rights of a receiver appointed under
14 Section 11-31-2 of this Code.

15 If a request to demolish or repair the building is filed
16 within the 30 day period, the court shall grant permission to
17 the requesting party to demolish the building within 30 days or
18 to restore the building to safe condition within 60 days after
19 the request is granted. An extension of that period for up to
20 60 additional days may be given for good cause. If more than
21 one person with an interest in the property files a timely
22 request, preference shall be given to the owner of record if
23 the owner filed a request or, if the owner did not, the person
24 with the lien or other interest of the highest priority.

25 If the requesting party (other than the owner of record)
26 proves to the court that the building has been demolished or

1 put in a safe condition in accordance with the local safety
2 codes within the period of time granted by the court, the court
3 shall issue a quitclaim judicial deed for the property to the
4 requesting party, conveying only the interest of the owner of
5 record, upon proof of payment to the municipality of all costs
6 incurred by the municipality in connection with the action,
7 including but not limited to court costs, attorney's fees,
8 administrative costs, the costs, if any, associated with
9 building enclosure or removal, and receiver's certificates.
10 The interest in the property so conveyed shall be subject to
11 all liens and encumbrances on the property. In addition, if the
12 interest is conveyed to a person holding a certificate of
13 purchase for the property under the Property Tax Code, the
14 conveyance shall be subject to the rights of redemption of all
15 persons entitled to redeem under that Act, including the
16 original owner of record. If the requesting party is the owner
17 of record and proves to the court that the building has been
18 demolished or put in a safe condition in accordance with the
19 local safety codes within the period of time granted by the
20 court, the court shall dismiss the proceeding under this
21 subsection (d).

22 If the owner of record has not entered an appearance and
23 proven that the owner did not intend to abandon the property,
24 and if no person with an interest in the property files a
25 timely request or if the requesting party fails to demolish the
26 building or put the building in safe condition within the time

1 specified by the court, the municipality may petition the court
2 to issue a judicial deed for the property to the municipality.
3 A conveyance by judicial deed shall operate to extinguish all
4 existing ownership interests in, liens on, and other interest
5 in the property, including tax liens, and shall extinguish the
6 rights and interests of any and all holders of a bona fide
7 certificate of purchase of the property for delinquent taxes.
8 Any such bona fide certificate of purchase holder shall be
9 entitled to a sale in error as prescribed under Section 21-310
10 of the Property Tax Code.

11 (e) Each municipality may use the provisions of this
12 subsection to expedite the removal of certain buildings that
13 are a continuing hazard to the community in which they are
14 located.

15 If a residential or commercial building is 3 stories or
16 less in height as defined by the municipality's building code,
17 and the corporate official designated to be in charge of
18 enforcing the municipality's building code determines that the
19 building is open and vacant and an immediate and continuing
20 hazard to the community in which the building is located, then
21 the official shall be authorized to post a notice not less than
22 2 feet by 2 feet in size on the front of the building. The
23 notice shall be dated as of the date of the posting and shall
24 state that unless the building is demolished, repaired, or
25 enclosed, and unless any garbage, debris, and other hazardous,
26 noxious, or unhealthy substances or materials are removed so

1 that an immediate and continuing hazard to the community no
2 longer exists, then the building may be demolished, repaired,
3 or enclosed, or any garbage, debris, and other hazardous,
4 noxious, or unhealthy substances or materials may be removed,
5 by the municipality.

6 Not later than 30 days following the posting of the notice,
7 the municipality shall do all of the following:

8 (1) Cause to be sent, by certified mail, return receipt
9 requested, a Notice to Remediate to all owners of record of
10 the property, the beneficial owners of any Illinois land
11 trust having title to the property, and all lienholders of
12 record in the property, stating the intent of the
13 municipality to demolish, repair, or enclose the building
14 or remove any garbage, debris, or other hazardous, noxious,
15 or unhealthy substances or materials if that action is not
16 taken by the owner or owners.

17 (2) Cause to be published, in a newspaper published or
18 circulated in the municipality where the building is
19 located or on the municipality's website, a notice setting
20 forth (i) the permanent tax index number and the address of
21 the building, (ii) a statement that the property is open
22 and vacant and constitutes an immediate and continuing
23 hazard to the community, and (iii) a statement that the
24 municipality intends to demolish, repair, or enclose the
25 building or remove any garbage, debris, or other hazardous,
26 noxious, or unhealthy substances or materials if the owner

1 or owners or lienholders of record fail to do so. This
2 notice shall be published for 3 consecutive days.

3 (3) Cause to be recorded the Notice to Remediate mailed
4 under paragraph (1) in the office of the recorder in the
5 county in which the real estate is located or in the office
6 of the registrar of titles of the county if the real estate
7 is registered under the Registered Title (Torrens) Act.

8 Any person or persons with a current legal or equitable
9 interest in the property objecting to the proposed actions of
10 the corporate authorities may file his or her objection in an
11 appropriate form in a court of competent jurisdiction.

12 If the building is not demolished, repaired, or enclosed,
13 or the garbage, debris, or other hazardous, noxious, or
14 unhealthy substances or materials are not removed, within 30
15 days of mailing the notice to the owners of record, the
16 beneficial owners of any Illinois land trust having title to
17 the property, and all lienholders of record in the property, or
18 within 30 days of the last day of publication of the notice,
19 whichever is later, the corporate authorities shall have the
20 power to demolish, repair, or enclose the building or to remove
21 any garbage, debris, or other hazardous, noxious, or unhealthy
22 substances or materials.

23 The municipality may proceed to demolish, repair, or
24 enclose a building or remove any garbage, debris, or other
25 hazardous, noxious, or unhealthy substances or materials under
26 this subsection within a 120-day period following the date of

1 the mailing of the notice if the appropriate official
2 determines that the demolition, repair, enclosure, or removal
3 of any garbage, debris, or other hazardous, noxious, or
4 unhealthy substances or materials is necessary to remedy the
5 immediate and continuing hazard. If, however, before the
6 municipality proceeds with any of the actions authorized by
7 this subsection, any person with a legal or equitable interest
8 in the property has sought a hearing under this subsection
9 before a court and has served a copy of the complaint on the
10 chief executive officer of the municipality, then the
11 municipality shall not proceed with the demolition, repair,
12 enclosure, or removal of garbage, debris, or other substances
13 until the court determines that that action is necessary to
14 remedy the hazard and issues an order authorizing the
15 municipality to do so. If the court dismisses the action for
16 want of prosecution, the municipality must send the objector a
17 copy of the dismissal order and a letter stating that the
18 demolition, repair, enclosure, or removal of garbage, debris,
19 or other substances will proceed unless, within 30 days after
20 the copy of the order and the letter are mailed, the objector
21 moves to vacate the dismissal and serves a copy of the motion
22 on the chief executive officer of the municipality.
23 Notwithstanding any other law to the contrary, if the objector
24 does not file a motion and give the required notice, if the
25 motion is denied by the court, or if the action is again
26 dismissed for want of prosecution, then the dismissal is with

1 prejudice and the demolition, repair, enclosure, or removal may
2 proceed forthwith.

3 Following the demolition, repair, or enclosure of a
4 building, or the removal of garbage, debris, or other
5 hazardous, noxious, or unhealthy substances or materials under
6 this subsection, the municipality may file a notice of lien
7 against the real estate for the cost of the demolition, repair,
8 enclosure, or removal within 180 days after the repair,
9 demolition, enclosure, or removal occurred, for the cost and
10 expense incurred, in the office of the recorder in the county
11 in which the real estate is located or in the office of the
12 registrar of titles of the county if the real estate affected
13 is registered under the Registered Titles (Torrens) Act; this
14 lien has priority over the interests of those parties named in
15 the Notice to Remediate mailed under paragraph (1), but not
16 over the interests of third party purchasers or encumbrancers
17 for value who obtained their interests in the property before
18 obtaining actual or constructive notice of the lien. The notice
19 of lien shall consist of a sworn statement setting forth (i) a
20 description of the real estate, such as the address or other
21 description of the property, sufficient for its
22 identification; (ii) the expenses incurred by the municipality
23 in undertaking the remedial actions authorized under this
24 subsection; (iii) the date or dates the expenses were incurred
25 by the municipality; (iv) a statement by the corporate official
26 responsible for enforcing the building code that the building

1 was open and vacant and constituted an immediate and continuing
2 hazard to the community; (v) a statement by the corporate
3 official that the required sign was posted on the building,
4 that notice was sent by certified mail to the owners of record,
5 and that notice was published in accordance with this
6 subsection; and (vi) a statement as to when and where the
7 notice was published. The lien authorized by this subsection
8 may thereafter be released or enforced by the municipality as
9 provided in subsection (a).

10 (f) The corporate authorities of each municipality may
11 remove or cause the removal of, or otherwise environmentally
12 remediate hazardous substances and petroleum products on, in,
13 or under any abandoned and unsafe property within the territory
14 of a municipality. In addition, where preliminary evidence
15 indicates the presence or likely presence of a hazardous
16 substance or a petroleum product or a release or a substantial
17 threat of a release of a hazardous substance or a petroleum
18 product on, in, or under the property, the corporate
19 authorities of the municipality may inspect the property and
20 test for the presence or release of hazardous substances and
21 petroleum products. In any county having adopted by referendum
22 or otherwise a county health department as provided by Division
23 5-25 of the Counties Code or its predecessor, the county board
24 of that county may exercise the above-described powers with
25 regard to property within the territory of any city, village,
26 or incorporated town having less than 50,000 population.

1 For purposes of this subsection (f):

2 (1) "property" or "real estate" means all real
3 property, whether or not improved by a structure;

4 (2) "abandoned" means;

5 (A) the property has been tax delinquent for 2 or
6 more years;

7 (B) the property is unoccupied by persons legally
8 in possession; and

9 (3) "unsafe" means property that presents an actual or
10 imminent threat to public health and safety caused by the
11 release of hazardous substances; and

12 (4) "hazardous substances" means the same as in Section
13 3.215 of the Environmental Protection Act.

14 The corporate authorities shall apply to the circuit court
15 of the county in which the property is located (i) for an order
16 allowing the municipality to enter the property and inspect and
17 test substances on, in, or under the property; or (ii) for an
18 order authorizing the corporate authorities to take action with
19 respect to remediation of the property if conditions on the
20 property, based on the inspection and testing authorized in
21 paragraph (i), indicate the presence of hazardous substances or
22 petroleum products. Remediation shall be deemed complete for
23 purposes of paragraph (ii) above when the property satisfies
24 Tier I, II, or III remediation objectives for the property's
25 most recent usage, as established by the Environmental
26 Protection Act, and the rules and regulations promulgated

1 thereunder. Where, upon diligent search, the identity or
2 whereabouts of the owner or owners of the property, including
3 the lien holders of record, is not ascertainable, notice mailed
4 to the person or persons in whose name the real estate was last
5 assessed is sufficient notice under this Section.

6 The court shall grant an order authorizing testing under
7 paragraph (i) above upon a showing of preliminary evidence
8 indicating the presence or likely presence of a hazardous
9 substance or a petroleum product or a release of or a
10 substantial threat of a release of a hazardous substance or a
11 petroleum product on, in, or under abandoned property. The
12 preliminary evidence may include, but is not limited to,
13 evidence of prior use, visual site inspection, or records of
14 prior environmental investigations. The testing authorized by
15 paragraph (i) above shall include any type of investigation
16 which is necessary for an environmental professional to
17 determine the environmental condition of the property,
18 including but not limited to performance of soil borings and
19 groundwater monitoring. The court shall grant a remediation
20 order under paragraph (ii) above where testing of the property
21 indicates that it fails to meet the applicable remediation
22 objectives. The hearing upon the application to the circuit
23 court shall be expedited by the court and shall be given
24 precedence over all other suits.

25 The cost of the inspection, testing, or remediation
26 incurred by the municipality or by a lien holder of record,

1 including court costs, attorney's fees, and other costs related
2 to the enforcement of this Section, is a lien on the real
3 estate; except that in any instances where a municipality
4 incurs costs of inspection and testing but finds no hazardous
5 substances or petroleum products on the property that present
6 an actual or imminent threat to public health and safety, such
7 costs are not recoverable from the owners nor are such costs a
8 lien on the real estate. The lien is superior to all prior
9 existing liens and encumbrances, except taxes and any lien
10 obtained under subsection (a) or (e), if, within 180 days after
11 the completion of the inspection, testing, or remediation, the
12 municipality or the lien holder of record who incurred the cost
13 and expense shall file a notice of lien for the cost and
14 expense incurred in the office of the recorder in the county in
15 which the real estate is located or in the office of the
16 registrar of titles of the county if the real estate affected
17 is registered under the Registered Titles (Torrens) Act.

18 The notice must consist of a sworn statement setting out
19 (i) a description of the real estate sufficient for its
20 identification, (ii) the amount of money representing the cost
21 and expense incurred, and (iii) the date or dates when the cost
22 and expense was incurred by the municipality or the lien holder
23 of record. Upon payment of the lien amount by the owner or
24 persons interested in the property after the notice of lien has
25 been filed, a release of lien shall be issued by the
26 municipality, the person in whose name the lien has been filed,

1 or the assignee of the lien, and the release may be filed of
2 record as in the case of filing notice of lien.

3 The lien may be enforced under subsection (c) or by
4 foreclosure proceedings as in the case of mortgage foreclosures
5 under Article XV of the Code of Civil Procedure or mechanics'
6 lien foreclosures; provided that where the lien is enforced by
7 foreclosure under subsection (c) or under either statute, the
8 municipality may not proceed against the other assets of the
9 owner or owners of the real estate for any costs that otherwise
10 would be recoverable under this Section but that remain
11 unsatisfied after foreclosure except where such additional
12 recovery is authorized by separate environmental laws. An
13 action to foreclose this lien may be commenced at any time
14 after the date of filing of the notice of lien. The costs of
15 foreclosure incurred by the municipality, including court
16 costs, reasonable attorney's fees, advances to preserve the
17 property, and other costs related to the enforcement of this
18 subsection, plus statutory interest, are a lien on the real
19 estate.

20 All liens arising under this subsection (f) shall be
21 assignable. The assignee of the lien shall have the same power
22 to enforce the lien as the assigning party, except that the
23 lien may not be enforced under subsection (c).

24 (g) In any case where a municipality has obtained a lien
25 under subsection (a), the municipality may also bring an action
26 for a money judgment against the owner or owners of the real

1 estate in the amount of the lien in the same manner as provided
2 for bringing causes of action in Article II of the Code of
3 Civil Procedure and, upon obtaining a judgment, file a judgment
4 lien against all of the real estate of the owner or owners and
5 enforce that lien as provided for in Article XII of the Code of
6 Civil Procedure.

7 (Source: P.A. 95-331, eff. 8-21-07; 95-931, eff. 1-1-09.)

8 (65 ILCS 5/11-42-11) (from Ch. 24, par. 11-42-11)

9 Sec. 11-42-11. Community antenna television systems;
10 satellite transmitted television programming.

11 (a) The corporate authorities of each municipality may
12 license, franchise and tax the business of operating a
13 community antenna television system as hereinafter defined. In
14 municipalities with less than 2,000,000 inhabitants, the
15 corporate authorities may, under the limited circumstances set
16 forth in this Section, own (or lease as lessee) and operate a
17 community antenna television system; provided that a
18 municipality may not acquire, construct, own, or operate a
19 community antenna television system for the use or benefit of
20 private consumers or users, and may not charge a fee for that
21 consumption or use, unless the proposition to acquire,
22 construct, own, or operate a cable antenna television system
23 has been submitted to and approved by the electors of the
24 municipality in accordance with subsection (f). Before
25 acquiring, constructing, or commencing operation of a

1 community antenna television system, the municipality shall
2 comply with the following:

3 (1) Give written notice to the owner or operator of any
4 other community antenna television system franchised to
5 serve all or any portion of the territorial area to be
6 served by the municipality's community antenna television
7 system, specifying the date, time, and place at which the
8 municipality shall conduct public hearings to consider and
9 determine whether the municipality should acquire,
10 construct, or commence operation of a community antenna
11 television system. The public hearings shall be conducted
12 at least 14 days after this notice is given.

13 (2) Publish a notice of the hearing in 2 or more
14 newspapers published in the county, city, village,
15 incorporated town, or town, as the case may be. If there is
16 no such newspaper, then notice shall be published in any 2
17 or more newspapers published in the county and having a
18 general circulation throughout the community. The
19 publication requirement may also be satisfied by
20 publication of the notice on the municipality's website.
21 The public hearings shall be conducted at least 14 days
22 after this notice is given.

23 (3) Conduct a public hearing to determine the means by
24 which construction, maintenance, and operation of the
25 system will be financed, including whether the use of tax
26 revenues or other fees will be required.

1 (b) The words "community antenna television system" shall
2 mean any facility which is constructed in whole or in part in,
3 on, under or over any highway or other public place and which
4 is operated to perform for hire the service of receiving and
5 amplifying the signals broadcast by one or more television
6 stations and redistributing such signals by wire, cable or
7 other means to members of the public who subscribe to such
8 service; except that such definition shall not include (i) any
9 system which serves fewer than fifty subscribers, or (ii) any
10 system which serves only the residents of one or more apartment
11 dwellings under common ownership, control or management, and
12 commercial establishments located on the premises of such
13 dwellings.

14 (c) The authority hereby granted does not include authority
15 to license, franchise or tax telephone companies subject to
16 jurisdiction of the Illinois Commerce Commission or the Federal
17 Communications Commission in connection with the furnishing of
18 circuits, wires, cables, and other facilities to the operator
19 of a community antenna television system.

20 (c-1) Each franchise entered into by a municipality and a
21 community antenna television system shall include the customer
22 service and privacy standards and protections contained in
23 Article XXII of the Public Utilities Act. A franchise may not
24 contain different penalties or consumer service and privacy
25 standards and protections. Each franchise entered into by a
26 municipality and a community antenna television system before

1 June 30, 2007 (the effective date of Public Act 95-9) shall be
2 amended by this Section to incorporate the penalty provisions
3 and customer service and privacy standards and protections
4 contained in Article XXII of the Public Utilities Act.

5 The corporate authorities of each municipality may, in the
6 course of franchising such community antenna television
7 system, grant to such franchisee the authority and the right
8 and permission to use all public streets, rights of way,
9 alleys, ways for public service facilities, parks,
10 playgrounds, school grounds, or other public grounds, in which
11 such municipality may have an interest, for the construction,
12 installation, operation, maintenance, alteration, addition,
13 extension or improvement of a community antenna television
14 system.

15 Any charge imposed by a community antenna television system
16 franchised pursuant to this Section for the raising or removal
17 of cables or lines to permit passage on, to or from a street
18 shall not exceed the reasonable costs of work reasonably
19 necessary to safely permit such passage. Pursuant to
20 subsections (h) and (i) of Section 6 of Article VII of the
21 Constitution of the State of Illinois, the General Assembly
22 declares the regulation of charges which may be imposed by
23 community antenna television systems for the raising or removal
24 of cables or lines to permit passage on, to or from streets is
25 a power or function to be exercised exclusively by the State
26 and not to be exercised or performed concurrently with the

1 State by any unit of local government, including any home rule
2 unit.

3 The municipality may, upon written request by the
4 franchisee of a community antenna television system, exercise
5 its right of eminent domain solely for the purpose of granting
6 an easement right no greater than 8 feet in width, extending no
7 greater than 8 feet from any lot line for the purpose of
8 extending cable across any parcel of property in the manner
9 provided by the law of eminent domain, provided, however, such
10 franchisee deposits with the municipality sufficient security
11 to pay all costs incurred by the municipality in the exercise
12 of its right of eminent domain.

13 (d) The General Assembly finds and declares that
14 satellite-transmitted television programming should be
15 available to those who desire to subscribe to such programming
16 and that decoding devices should be obtainable at reasonable
17 prices by those who are unable to obtain satellite-transmitted
18 television programming through duly franchised community
19 antenna television systems.

20 In any instance in which a person is unable to obtain
21 satellite-transmitted television programming through a duly
22 franchised community antenna television system either because
23 the municipality and county in which such person resides has
24 not granted a franchise to operate and maintain a community
25 antenna television system, or because the duly franchised
26 community antenna television system operator does not make

1 cable television services available to such person, any
2 programming company that delivers satellite-transmitted
3 television programming in scrambled or encrypted form shall
4 ensure that devices for description of such programming are
5 made available to such person, through the local community
6 antenna television operator or directly, for purchase or lease
7 at prices reasonably related to the cost of manufacture and
8 distribution of such devices.

9 (e) The General Assembly finds and declares that, in order
10 to ensure that community antenna television services are
11 provided in an orderly, competitive and economically sound
12 manner, the best interests of the public will be served by the
13 establishment of certain minimum standards and procedures for
14 the granting of additional cable television franchises.

15 Subject to the provisions of this subsection, the authority
16 granted under subsection (a) hereof shall include the authority
17 to license, franchise and tax more than one cable operator to
18 provide community antenna television services within the
19 corporate limits of a single franchising authority. For
20 purposes of this subsection (e), the term:

21 (i) "Existing cable television franchise" means a
22 community antenna television franchise granted by a
23 municipality which is in use at the time such municipality
24 receives an application or request by another cable
25 operator for a franchise to provide cable antenna
26 television services within all or any portion of the

1 territorial area which is or may be served under the
2 existing cable television franchise.

3 (ii) "Additional cable television franchise" means a
4 franchise pursuant to which community antenna television
5 services may be provided within the territorial areas, or
6 any portion thereof, which may be served under an existing
7 cable television franchise.

8 (iii) "Franchising Authority" is defined as that term
9 is defined under Section 602(9) of the Cable Communications
10 Policy Act of 1984, Public Law 98-549, but does not include
11 any municipality with a population of 1,000,000 or more.

12 (iv) "Cable operator" is defined as that term is
13 defined under Section 602(4) of the Cable Communications
14 Policy Act of 1984, Public Law 98-549.

15 Before granting an additional cable television franchise,
16 the franchising authority shall:

17 (1) Give written notice to the owner or operator of any
18 other community antenna television system franchised to
19 serve all or any portion of the territorial area to be
20 served by such additional cable television franchise,
21 identifying the applicant for such additional franchise
22 and specifying the date, time and place at which the
23 franchising authority shall conduct public hearings to
24 consider and determine whether such additional cable
25 television franchise should be granted.

26 (2) Conduct a public hearing to determine the public

1 need for such additional cable television franchise, the
2 capacity of public rights-of-way to accommodate such
3 additional community antenna television services, the
4 potential disruption to existing users of public
5 rights-of-way to be used by such additional franchise
6 applicant to complete construction and to provide cable
7 television services within the proposed franchise area,
8 the long term economic impact of such additional cable
9 television system within the community, and such other
10 factors as the franchising authority shall deem
11 appropriate.

12 (3) Determine, based upon the foregoing factors,
13 whether it is in the best interest of the municipality to
14 grant such additional cable television franchise.

15 (4) If the franchising authority shall determine that
16 it is in the best interest of the municipality to do so, it
17 may grant the additional cable television franchise.
18 Except as provided in paragraph (5) of this subsection (e),
19 no such additional cable television franchise shall be
20 granted under terms or conditions more favorable or less
21 burdensome to the applicant than those required under the
22 existing cable television franchise, including but not
23 limited to terms and conditions pertaining to the
24 territorial extent of the franchise, system design,
25 technical performance standards, construction schedules,
26 performance bonds, standards for construction and

1 installation of cable television facilities, service to
2 subscribers, public educational and governmental access
3 channels and programming, production assistance, liability
4 and indemnification, and franchise fees.

5 (5) Unless the existing cable television franchise
6 provides that any additional cable television franchise
7 shall be subject to the same terms or substantially
8 equivalent terms and conditions as those of the existing
9 cable television franchise, the franchising authority may
10 grant an additional cable television franchise under
11 different terms and conditions than those of the existing
12 franchise, in which event the franchising authority shall
13 enter into good faith negotiations with the existing
14 franchisee and shall, within 120 days after the effective
15 date of the additional cable television franchise, modify
16 the existing cable television franchise in a manner and to
17 the extent necessary to ensure that neither the existing
18 cable television franchise nor the additional cable
19 television franchise, each considered in its entirety,
20 provides a competitive advantage over the other, provided
21 that prior to modifying the existing cable television
22 franchise, the franchising authority shall have conducted
23 a public hearing to consider the proposed modification. No
24 modification in the terms and conditions of the existing
25 cable television franchise shall oblige the existing cable
26 television franchisee (1) to make any additional payment to

1 the franchising authority, including the payment of any
2 additional franchise fee, (2) to engage in any additional
3 construction of the existing cable television system or,
4 (3) to modify the specifications or design of the existing
5 cable television system; and the inclusion of the factors
6 identified in items (2) and (3) shall not be considered in
7 determining whether either franchise considered in its
8 entirety, has a competitive advantage over the other except
9 to the extent that the additional franchisee provides
10 additional video or data services or the equipment or
11 facilities necessary to generate and or carry such service.
12 No modification in the terms and conditions of the existing
13 cable television franchise shall be made if the existing
14 cable television franchisee elects to continue to operate
15 under all terms and conditions of the existing franchise.

16 If within the 120 day period the franchising authority
17 and the existing cable television franchisee are unable to
18 reach agreement on modifications to the existing cable
19 television franchise, then the franchising authority shall
20 modify the existing cable television franchise, effective
21 45 days thereafter, in a manner, and only to the extent,
22 that the terms and conditions of the existing cable
23 television franchise shall no longer impose any duty or
24 obligation on the existing franchisee which is not also
25 imposed under the additional cable television franchise;
26 however, if by the modification the existing cable

1 television franchisee is relieved of duties or obligations
2 not imposed under the additional cable television
3 franchise, then within the same 45 days and following a
4 public hearing concerning modification of the additional
5 cable television franchise within that 45 day period, the
6 franchising authority shall modify the additional cable
7 television franchise to the extent necessary to insure that
8 neither the existing cable television franchise nor the
9 additional cable television franchise, each considered in
10 its entirety, shall have a competitive advantage over the
11 other.

12 No municipality shall be subject to suit for damages based
13 upon the municipality's determination to grant or its refusal
14 to grant an additional cable television franchise, provided
15 that a public hearing as herein provided has been held and the
16 franchising authority has determined that it is in the best
17 interest of the municipality to grant or refuse to grant such
18 additional franchise, as the case may be.

19 It is declared to be the law of this State, pursuant to
20 paragraphs (h) and (i) of Section 6 of Article VII of the
21 Illinois Constitution, that the establishment of minimum
22 standards and procedures for the granting of additional cable
23 television franchises by municipalities with a population less
24 than 1,000,000 as provided in this subsection (e) is an
25 exclusive State power and function that may not be exercised
26 concurrently by a home rule unit.

1 (f) No municipality may acquire, construct, own, or operate
2 a community antenna television system unless the corporate
3 authorities adopt an ordinance. The ordinance must set forth
4 the action proposed; describe the plant, equipment, and
5 property to be acquired or constructed; and specifically
6 describe the manner in which the construction, acquisition, and
7 operation of the system will be financed.

8 The ordinance may not take effect until the question of
9 acquiring, construction, owning, or operating a community
10 antenna television system has been submitted to the electors of
11 the municipality at a regular election and approved by a
12 majority of the electors voting on the question. The corporate
13 authorities must certify the question to the proper election
14 authority, which must submit the question at an election in
15 accordance with the Election Code.

16 The question must be submitted in substantially the
17 following form:

18 Shall the ordinance authorizing the municipality to
19 (insert action authorized by ordinance) take effect?

20 The votes must be recorded as "Yes" or "No".

21 If a majority of electors voting on the question vote in
22 the affirmative, the ordinance shall take effect.

23 Not more than 30 or less than 15 days before the date of
24 the referendum, the municipal clerk must publish the ordinance
25 at least once in one or more newspapers published in the
26 municipality or, if no newspaper is published in the

1 municipality, in one or more newspapers of general circulation
2 within the municipality. The publication requirement may also
3 be satisfied by publication of the ordinance on the
4 municipality's website not more than 30 nor less than 15 days
5 before the date of the referendum.

6 (Source: P.A. 95-9, eff. 6-30-07; 95-876, eff. 8-21-08.)

7 (65 ILCS 5/11-48.3-11) (from Ch. 24, par. 11-48.3-11)

8 Sec. 11-48.3-11. The Authority shall have continuing power
9 to borrow money for the purpose of carrying out and performing
10 its duties and exercising its powers under this Division.

11 For the purpose of evidencing the obligation of the
12 Authority to repay any money borrowed as aforesaid, the
13 Authority may, pursuant to ordinance adopted by the Board, from
14 time to time issue and dispose of its interest bearing revenue
15 bonds, and may also from time to time issue and dispose of its
16 interest bearing revenue bonds to refund any bonds at maturity
17 or pursuant to redemption provisions or at any time before
18 maturity with the consent of the holders thereof. All such
19 bonds shall be payable solely from the revenues or income to be
20 derived from the exhibitions, rentals and leases and other
21 authorized activities operated by it, and from funds, if any,
22 received and to be received by the Authority from any other
23 source. Such bonds may bear such date or dates, may mature at
24 such time or times not exceeding 40 years from their respective
25 dates, may bear interest at such rate or rates, not exceeding

1 the maximum rate permitted by "An Act to authorize public
2 corporations to issue bonds, other evidences of indebtedness
3 and tax anticipation warrants subject to interest rate
4 limitations set forth therein", approved May 26, 1970, as now
5 or hereafter amended, may be in such form, may carry such
6 registration privileges, may be executed in such manner, may be
7 payable at such place or places, may be made subject to
8 redemption in such manner and upon such terms, with or without
9 premium as is stated on the face thereof, may be executed in
10 such manner and may contain such terms and covenants, all as
11 may be provided in the ordinance. In case any officer whose
12 signature appears on any bond ceases (after attaching his or
13 her signature) to hold office, his or her signature shall
14 nevertheless be valid and effective for all purposes. The
15 holder or holders of any bonds or interest coupons appertaining
16 thereto issued by the Authority may bring mandamus, injunction,
17 civil actions and proceedings to compel the performance and
18 observance by the Authority or any of its officers, agents or
19 employees of any contract or covenant made by the Authority
20 with the holders of such bonds or interest coupons and to
21 compel the Authority and any of its officers, agents or
22 employees to perform any duties required to be performed for
23 the benefit of the holders of any such bonds or interest
24 coupons by the provisions of the ordinance authorizing their
25 issuance, or to enjoin the Authority and any of its officers,
26 agents or employees from taking any action in conflict with any

1 such contract or covenant.

2 Notwithstanding the form and tenor of any such bonds and in
3 the absence of any express recital on the face thereof that it
4 is non-negotiable, all such bonds shall be negotiable
5 instruments under the Uniform Commercial Code.

6 From and after the issuance of any bonds as herein provided
7 it shall be the duty of the corporate authorities of the
8 Authority to fix and establish rates, charges, rents and fees
9 for the use of facilities acquired, constructed,
10 reconstructed, extended or improved with the proceeds of the
11 sale of said bonds sufficient at all times, with other revenues
12 of the Authority, to pay:

13 (a) The cost of maintaining, repairing, regulating and
14 operating the said facilities; and

15 (b) The bonds and interest thereon as they shall become
16 due, and all sinking fund requirements and other requirements
17 provided by the ordinance authorizing the issuance of the bonds
18 or as provided by any trust agreement executed to secure
19 payment thereof.

20 To secure the payment of any or all of such bonds and for
21 the purpose of setting forth the covenants and undertakings of
22 the Authority in connection with the issuance thereof and the
23 issuance of any additional bonds payable from such revenue
24 income to be derived from the exhibitions, office rentals, air
25 space leases and rentals, and other revenue, if any, the
26 Authority may execute and deliver a trust agreement or

1 agreements; provided that no lien upon any physical property of
2 the Authority shall be created thereby.

3 A remedy for any breach or default of the terms of any such
4 trust agreement by the Authority may be by mandamus,
5 injunction, civil action and proceedings in any court of
6 competent jurisdiction to compel performance and compliance
7 therewith, but the trust agreement may prescribe by whom or on
8 whose behalf such action may be instituted.

9 Before any such bonds (excepting refunding bonds) are sold
10 the entire authorized issue, or any part thereof, shall be
11 offered for sale as a unit after advertising for bids at least
12 3 times in a daily newspaper of general circulation published
13 in the metropolitan area or offered for sale at least 3 times
14 on the Authority's website, the last publication to be at least
15 10 days before bids are required to be filed. Copies of such
16 advertisement may be published in any newspaper or financial
17 publication in the United States. All bids shall be sealed,
18 filed and opened as provided by ordinance and the bonds shall
19 be awarded to the highest and best bidder or bidders therefor.
20 The Authority shall have the right to reject all bids and
21 readvertise for bids in the manner provided for in the initial
22 advertisement. If no bids are received, however, such bonds may
23 be sold at not less than par value, without further
24 advertising, within 60 days after the bids are required to be
25 filed pursuant to any advertisement.

26 (Source: P.A. 86-279.)

1 (65 ILCS 5/11-48.3-23) (from Ch. 24, par. 11-48.3-23)

2 Sec. 11-48.3-23. The Board shall have power to pass all
3 ordinances and make all rules and regulations proper or
4 necessary to carry into effect the powers granted to the
5 Authority, with such fines or penalties as may be deemed
6 proper. All fines and penalties shall be imposed by ordinance,
7 which shall be published once in a newspaper of general
8 circulation published in the area embraced by the Authority or
9 on the Authority's website. No such ordinance shall take effect
10 until 10 days after its publication.

11 (Source: P.A. 97-146, eff. 1-1-12.)

12 (65 ILCS 5/11-48.3-25) (from Ch. 24, par. 11-48.3-25)

13 Sec. 11-48.3-25. Advertisements for bids shall be
14 published at least twice in a daily newspaper of general
15 circulation published in the metropolitan area or at least
16 twice on the Authority's website, the last publication to be at
17 least 10 calendar days before the time for receiving bids, and
18 such advertisements shall also be posted on readily accessible
19 bulletin boards in the principal office of the Authority. Such
20 advertisements shall state the time and place for receiving and
21 opening of bids, and by reference to plans and specifications
22 on file at the time of the first publication, or in the
23 advertisement itself, shall describe the character of the
24 proposed contract in sufficient detail to fully advise

1 prospective bidders of their obligations and to insure free and
2 open competitive bidding.

3 All bids in response to advertisements shall be sealed and
4 shall be publicly opened by the Board, and all bidders shall be
5 entitled to be present in person or by representatives. Cash or
6 a certified or satisfactory cashier's check, as a deposit of
7 good faith, in a reasonable amount to be fixed by the Board
8 before advertising for bids, shall be required with the
9 proposal of each bidder. Bond for faithful performance of the
10 contract with surety or sureties satisfactory to the Board and
11 adequate insurance may be required in reasonable amounts to be
12 fixed by the Board before advertising for bids.

13 The contract shall be awarded as promptly as possible after
14 the opening of bids. The bid of the successful bidder, as well
15 as the bids of the unsuccessful bidders, shall be placed on
16 file and be open to public inspection. All bids shall be void
17 if any disclosure of the terms of any bid in response to an
18 advertisement is made or permitted to be made by the Board
19 before the time fixed for opening bids.

20 Any bidder who has submitted a bid in compliance with the
21 requirements for bidding may bring a civil action in the
22 circuit court within the boundaries of the Authority to compel
23 compliance with the provisions of this Division relating to the
24 awarding of contracts by the Board.

25 (Source: P.A. 86-279.)

1 (65 ILCS 5/11-65-9) (from Ch. 24, par. 11-65-9)

2 Sec. 11-65-9. Every municipality owning and operating such
3 a municipal convention hall shall keep books of account for the
4 municipal convention hall separate and distinct from other
5 municipal accounts and in such manner as to show the true and
6 complete financial standing and results of the municipal
7 ownership and operation. These accounts shall be so kept as to
8 show: (1) the actual cost to the municipality of maintenance,
9 extension, and improvement, (2) all operating expenses of every
10 description, (3) if water or other service is furnished for the
11 use of the municipal convention hall without charge, as nearly
12 as possible, the value of that service, and also the value of
13 any use or service rendered by the municipal convention hall to
14 the municipality without charge, (4) reasonable allowances for
15 interest, depreciation, and insurance, and (5) estimates of the
16 amount of taxes that would be chargeable against the property
17 if owned by a private corporation. The corporate authorities
18 shall publish a report annually showing the financial results,
19 in the form specified in this section, of the municipal
20 ownership and operation in one or more newspapers published in
21 the municipality, or, if no newspaper is published therein,
22 then in one or more newspapers with a general circulation
23 within the municipality. The publication requirement may also
24 be satisfied by publication of the report on the municipality's
25 website.

26 The accounts of the convention hall shall be examined at

1 least once a year by a licensed Certified Public Accountant
2 permitted to perform audits under the Illinois Public
3 Accounting Act who shall report to the corporate authorities
4 the results of his examination. This accountant shall be
5 selected as the corporate authorities may direct, and he shall
6 receive for his services such compensation, to be paid out of
7 the revenue from the municipal convention hall, as the
8 corporate authorities may prescribe.

9 (Source: P.A. 94-465, eff. 8-4-05.)

10 (65 ILCS 5/11-71-3) (from Ch. 24, par. 11-71-3)

11 Sec. 11-71-3. The corporate authorities of any such
12 municipality availing of the provisions of this Division 71,
13 other than that concerning advertising on parking meters, shall
14 adopt an ordinance describing in a general way the contemplated
15 project and refer to plans and specifications therefor, which
16 shall be placed on file in the office of the clerk of such
17 municipality, and which shall be open for the inspection of the
18 public. Such ordinance shall state the estimated cost of such
19 project, and the method or methods of financing such project
20 and the amount or proportion of cost of such project to be
21 financed by each of such methods. If part or all of such
22 project is to be financed by means of revenue bonds, the
23 ordinance also shall fix the amount of the revenue bonds
24 proposed to be issued, the maturity or maturities, the interest
25 rate, and all details in respect thereof and shall contain such

1 covenants and restrictions as may be deemed necessary or
2 advisable by the corporate authorities. Without limiting the
3 generality of the foregoing, such ordinance shall contain such
4 provisions as may be determined by the corporate authorities as
5 to:

6 (a) The issuance of additional revenue bonds that may
7 thereafter be issued payable from the revenues derived from the
8 operation of any such parking facilities and for the payment of
9 the principal and interest upon such bonds;

10 (b) The regulation as to the use of any such parking
11 facilities to assure the maximum use or occupancy thereof;

12 (c) The kind and amount of insurance to be carried,
13 including use and occupancy insurance, the cost of which shall
14 be payable only from the revenues to be derived from the
15 project;

16 (d) Operation, maintenance, management, accounting and
17 auditing, and the keeping of records, reports and audits of any
18 such parking facilities;

19 (e) The obligation of the municipality to maintain the
20 project in good condition and to operate the same in an
21 economical and efficient manner;

22 (f) Such other provisions as may be deemed necessary or
23 desirable to assure a successful and profitable operation of
24 the project and prompt payment of principal of and interest
25 upon any revenue bonds so authorized.

26 If any part of such project is to be financed by means of

1 special assessments or special taxation, any ordinances or
2 other procedures required under Division 2 of Article 9 of this
3 Code shall be adopted and followed.

4 After the ordinance has been adopted and approved, it shall
5 be published once in a newspaper published and having general
6 circulation in such municipality, or if there be no such
7 newspaper published in such municipality, then the ordinance
8 should be posted in at least 5 of the most public places in
9 such municipality, and shall become effective 10 days after
10 publication or posting thereof. The publication requirement
11 may also be satisfied by publication of the ordinance on the
12 municipality's website.

13 (Source: Laws 1963, p. 2256.)

14 (65 ILCS 5/11-71-8) (from Ch. 24, par. 11-71-8)

15 Sec. 11-71-8. The corporate authorities of any such
16 municipality availing of the provisions of this Division 71 are
17 hereby given the authority to lease all or any part of any such
18 parking facilities, and to fix and collect the rentals
19 therefor, and to fix, charge and collect rentals, fees and
20 charges to be paid for the use of the whole or any part of any
21 such parking facilities, and to make contracts for the
22 operation and management of the same, and to provide for the
23 use, management and operation of such lots through lease or by
24 its own employees, or otherwise. However, other than for
25 surface parking lots, no lease for the operation or management

1 of any such parking facilities shall be made for more than one
2 year except to the highest and best bidder after notice
3 requesting bids shall have been given by at least one
4 publication in some newspaper of general circulation published
5 in such municipality or on the municipality's website, such
6 publication to be made once each week for at least 2 weeks
7 before the date of receiving bids therefor. All income and
8 revenue derived from any such lease or contract shall be
9 deposited in a separate account and used solely and only for
10 the purpose of maintaining and operating the project, and
11 paying the principal of and interest on any revenue bonds
12 issued pursuant to ordinance under the provisions of this
13 Division 71. Further any contract or obligation involving the
14 borrowing of money for such purposes, incurred by any such
15 municipality in the maintenance and operation of any such
16 parking facilities shall be payable solely and only from the
17 revenues derived from the operation of the project.

18 (Source: Laws 1963, p. 2256.)

19 (65 ILCS 5/11-74.2-4) (from Ch. 24, par. 11-74.2-4)

20 Sec. 11-74.2-4. If as a result of their initial study and
21 survey the corporate authorities determine that one or more
22 commercial blight or conservation areas exist in the
23 municipality, they may by resolution set forth the boundaries
24 of each commercial blight or conservation area and the factors
25 that exist in the blight or conservation areas that are

1 detrimental to public health, safety, morals and welfare.

2 In the same resolution the corporate authorities may
3 provide for a public hearing on commercial blight or
4 conservation and may submit proposed redevelopment plans for
5 the blight or conservation areas. At least 20 days before the
6 hearing the municipal clerk shall give notice of the hearing by
7 publication at least once in a newspaper of general circulation
8 within the municipality or on the municipality's website.

9 (Source: P.A. 81-3.)

10 (65 ILCS 5/11-74.2-10) (from Ch. 24, par. 11-74.2-10)

11 Sec. 11-74.2-10. When the corporate authorities have
12 acquired title to, and possession of all or any part of the
13 real property located within a redevelopment area, they may let
14 contracts for the demolition or removal of buildings and for
15 the removal of any debris. The corporate authorities shall
16 advertise for sealed bids for doing such work. The
17 advertisement shall describe by street number or other means of
18 identification the location of the buildings to be demolished
19 or removed and the time and place where sealed bids for the
20 work may be delivered to the corporate authorities. The
21 advertisement shall be published once in a newspaper having a
22 general circulation in the municipality or on the
23 municipality's website 20 days prior to the date for receiving
24 bids.

25 The contract for doing the work shall be let to the lowest

1 responsible bidder, but the corporate authorities may reject
2 any and all bids received and readvertise for bids. Any
3 contract entered into by the corporate authorities under this
4 Section shall contain provisions requiring the contractor to
5 give bond in an amount equal to 1/3 of his bid price, but in no
6 event in excess of \$25,000, conditioned for the faithful
7 performance of the contract and requiring the contractor to
8 furnish insurance of a character and amount to be determined by
9 the corporate authorities protecting the corporate authorities
10 and the municipality, its officers, agents and employees
11 against any claims for personal injuries, including death and
12 property damage which may be asserted because of the contract.
13 The corporate authorities may include in any advertisement and
14 in the contract one or more buildings, or groups of buildings,
15 as they in their sole discretion may determine.

16 Notwithstanding the foregoing, if prior authorization is
17 granted by ordinance of the corporate authority, contracts for
18 work on commercial projects to be financed with revenue bonds
19 payable solely from rentals, loan repayments and other receipts
20 to be derived from such commercial projects, whether or not
21 secured by a mortgage, may be let by the prospective lessee
22 without advertisement or bidding.

23 (Source: P.A. 81-1376.)

24 (65 ILCS 5/11-74.2-11) (from Ch. 24, par. 11-74.2-11)

25 Sec. 11-74.2-11. In carrying out the provisions of a final

1 redevelopment plan the corporate authorities may pave and
2 improve streets in the redevelopment area, construct sidewalks
3 and install or relocate sewers, water pipes and other similar
4 facilities. The corporate authorities shall advertise for
5 sealed bids for doing such work. The advertisement shall
6 describe the nature of the work to be performed and the time
7 when and place where sealed bids for the work may be delivered
8 to the corporate authorities. The advertisement shall be
9 published once in a newspaper having a general circulation in
10 the municipality or on the municipality's website at least 20
11 days prior to the date for receiving bids. A contract for doing
12 the work shall be let to the lowest responsible bidder, but the
13 corporate authorities may reject any and all bids received and
14 readvertise for bids. The contractor shall enter into bond in
15 an amount equal to 1/3 of the amount of his bid conditioned for
16 the faithful performance of the contract. The sureties on such
17 bond and on the bond given pursuant to Section 11-74.2-10 shall
18 be approved by the corporate authorities.

19 (Source: Laws 1967, p. 3213.)

20 (65 ILCS 5/11-74.2-15) (from Ch. 24, par. 11-74.2-15)

21 Sec. 11-74.2-15. Any real property in the redevelopment
22 area that has not been sold, or in the case of commercial
23 projects sold or leased, by the corporate authorities within 5
24 years after they have acquired title to all the real property
25 in the area shall be sold by the corporate authorities at

1 public sale for cash to the highest bidder who obligates
2 himself to redevelop the property in accordance with the final
3 redevelopment plan. Notice of the sale and of the place where
4 the final redevelopment plan may be inspected shall be
5 published once in a newspaper having a general circulation in
6 the municipality in which the real property is situated or on
7 the municipality's website at least 20 days prior to the date
8 of the public sale. The notice shall contain a description of
9 the real property to be sold and a general statement of the use
10 for which such property may be developed under the
11 redevelopment plan.

12 The corporate authorities may reject the bids received if
13 in their opinion the highest bid does not equal or exceed the
14 use value of the land to be sold. Within 6 months after the
15 bids have been rejected, the corporate authorities shall again
16 advertise for sale any real property then remaining unsold.
17 Each additional publication and offer for bids shall be subject
18 to the same requirements and conditions as the original
19 publication.

20 Any deed executed by the corporate authorities under this
21 Division may contain such restrictions as are required by the
22 final redevelopment plan and necessary building and zoning
23 ordinances. All such deeds of conveyance shall be executed in
24 the name of the municipality by its chief executive officer,
25 and the seal of the municipality shall be attached to the
26 deeds.

1 (Source: P.A. 78-1155.)

2 (65 ILCS 5/11-74.2-18) (from Ch. 24, par. 11-74.2-18)

3 Sec. 11-74.2-18. The revenue bonds issued pursuant to this
4 Division shall be sold to the highest and best bidder at not
5 less than their par value and accrued interest. The
6 municipality shall, from time to time as bonds are to be sold,
7 advertise for proposals to purchase the bonds. Each such
8 advertisement may be published in such newspapers and journals
9 as the corporate authorities may determine but must be
10 published at least once in a newspaper having a general
11 circulation in the municipality or on the municipality's
12 website at least 10 days prior to the date of the opening of
13 the bids. The municipality may reserve the right to reject any
14 and all bids and readvertise for bids. Revenue bonds issued
15 solely for the purpose of financing a commercial project may,
16 notwithstanding the foregoing provisions of this Section, be
17 sold at private sale without advertisement at not less than par
18 and accrued interest.

19 The bonds may be issued without submitting any proposition
20 to the electorate by referendum or otherwise. Any bonds issued
21 under this Section as limited bonds as defined in Section 3 of
22 the Local Government Debt Reform Act shall comply with the
23 requirements of the Bond Issue Notification Act.

24 (Source: P.A. 89-655, eff. 1-1-97.)

1 (65 ILCS 5/11-74.3-2) (from Ch. 24, par. 11-74.3-2)

2 Sec. 11-74.3-2. Procedures to designate business
3 districts; ordinances; notice; hearings.

4 (a) The corporate authorities of a municipality shall by
5 ordinance propose the approval of a business district plan and
6 designation of a business district and shall fix a time and
7 place for a public hearing on the proposals to approve a
8 business district plan and designate a business district.

9 (b) Notice of the public hearing shall be given by
10 publication at least twice, the first publication to be not
11 more than 30 nor less than 10 days prior to the hearing, in a
12 newspaper of general circulation within the municipality or at
13 least twice on the municipality's website. Each notice
14 published pursuant to this Section shall include the following:

15 (1) The time and place of the public hearing;

16 (2) The boundaries of the proposed business district by
17 legal description and, where possible, by street location;

18 (3) A notification that all interested persons will be
19 given an opportunity to be heard at the public hearing;

20 (4) A description of the business district plan if a
21 business district plan is a subject matter of the public
22 hearing;

23 (5) The rate of any tax to be imposed pursuant to
24 subsection (10) or (11) of Section 11-74.3-3;

25 (6) An invitation for any person to submit alternate
26 proposals or bids for any proposed conveyance, lease,

1 mortgage, or other disposition by the municipality of land
2 or rights in land owned by the municipality and located
3 within the proposed business district; and

4 (7) Such other matters as the municipality shall deem
5 appropriate.

6 (c) At the public hearing any interested person may file
7 written objections with the municipal clerk and may be heard
8 orally with respect to any matters embodied in the notice. The
9 municipality shall hear and determine all alternate proposals
10 or bids for any proposed conveyance, lease, mortgage, or other
11 disposition by the municipality of land or rights in land owned
12 by the municipality and located within the proposed business
13 district and all protests and objections at the hearing,
14 provided, however, that the corporate authorities of the
15 municipality may establish reasonable rules regarding the
16 length of time provided to members of the general public. The
17 hearing may be adjourned to another date without further notice
18 other than a motion to be entered upon the minutes fixing the
19 time and place of the adjourned hearing. Public hearings with
20 regard to approval of a business district plan or designation
21 of a business district may be held simultaneously.

22 (d) At the public hearing or at any time prior to the
23 adoption by the municipality of an ordinance approving a
24 business district plan, the municipality may make changes in
25 the business district plan. Changes which do not (i) alter the
26 exterior boundaries of the proposed business district, (ii)

1 substantially affect the general land uses described in the
2 proposed business district plan, (iii) substantially change
3 the nature of any proposed business district project, (iv)
4 change the description of any proposed developer, user, or
5 tenant of any property to be located or improved within the
6 proposed business district, (v) increase the total estimated
7 business district project costs set out in the business
8 district plan by more than 5%, (vi) add additional business
9 district costs to the itemized list of estimated business
10 district costs as proposed in the business district plan, or
11 (vii) impose or increase the rate of any tax to be imposed
12 pursuant to subsection (10) or (11) of Section 11-74.3-3 may be
13 made by the municipality without further public hearing,
14 provided the municipality shall give notice of its changes by
15 publication in a newspaper of general circulation within the
16 municipality or on the municipality's website. Such notice by
17 publication shall be given not later than 30 days following the
18 adoption of an ordinance approving such changes. Changes which
19 (i) alter the exterior boundaries of the proposed business
20 district, (ii) substantially affect the general land uses
21 described in the proposed business district plan, (iii)
22 substantially change the nature of any proposed business
23 district project, (iv) change the description of any proposed
24 developer, user, or tenant of any property to be located or
25 improved within the proposed business district, (v) increase
26 the total estimated business district project costs set out in

1 the business district plan by more than 5%, (vi) add additional
2 business district costs to the itemized list of estimated
3 business district costs as proposed in the business district
4 plan, or (vii) impose or increase the rate of any tax to be
5 imposed pursuant to subsection (10) or (11) of Section
6 11-74.3-3 may be made by the municipality only after the
7 municipality by ordinance fixes a time and place for, gives
8 notice by publication of, and conducts a public hearing
9 pursuant to the procedures set forth hereinabove.

10 (e) By ordinance adopted within 90 days of the final
11 adjournment of the public hearing a municipality may approve
12 the business district plan and designate the business district.
13 Any ordinance adopted which approves a business district plan
14 shall contain findings that the business district on the whole
15 has not been subject to growth and development through
16 investment by private enterprises and would not reasonably be
17 anticipated to be developed or redeveloped without the adoption
18 of the business district plan. Any ordinance adopted which
19 designates a business district shall contain the boundaries of
20 such business district by legal description and, where
21 possible, by street location, a finding that the business
22 district plan conforms to the comprehensive plan for the
23 development of the municipality as a whole, or, for
24 municipalities with a population of 100,000 or more, regardless
25 of when the business district plan was approved, the business
26 district plan either (i) conforms to the strategic economic

1 development or redevelopment plan issued by the designated
2 planning authority or the municipality or (ii) includes land
3 uses that have been approved by the planning commission of the
4 municipality, and, for any business district in which the
5 municipality intends to impose taxes as provided in subsection
6 (10) or (11) of Section 11-74.3-3, a specific finding that the
7 business district qualifies as a blighted area as defined in
8 Section 11-74.3-5.

9 (f) After a municipality has by ordinance approved a
10 business district plan and designated a business district, the
11 plan may be amended, the boundaries of the business district
12 may be altered, and the taxes provided for in subsections (10)
13 and (11) of Section 11-74.3-3 may be imposed or altered only as
14 provided in this subsection. Changes which do not (i) alter the
15 exterior boundaries of the proposed business district, (ii)
16 substantially affect the general land uses described in the
17 business district plan, (iii) substantially change the nature
18 of any business district project, (iv) change the description
19 of any developer, user, or tenant of any property to be located
20 or improved within the proposed business district, (v) increase
21 the total estimated business district project costs set out in
22 the business district plan by more than 5% after adjustment for
23 inflation from the date the business district plan was
24 approved, (vi) add additional business district costs to the
25 itemized list of estimated business district costs as approved
26 in the business district plan, or (vii) impose or increase the

1 rate of any tax to be imposed pursuant to subsection (10) or
2 (11) of Section 11-74.3-3 may be made by the municipality
3 without further public hearing, provided the municipality
4 shall give notice of its changes by publication in a newspaper
5 of general circulation within the municipality or on the
6 municipality's website. Such notice by publication shall be
7 given not later than 30 days following the adoption of an
8 ordinance approving such changes. Changes which (i) alter the
9 exterior boundaries of the business district, (ii)
10 substantially affect the general land uses described in the
11 business district plan, (iii) substantially change the nature
12 of any business district project, (iv) change the description
13 of any developer, user, or tenant of any property to be located
14 or improved within the proposed business district, (v) increase
15 the total estimated business district project costs set out in
16 the business district plan by more than 5% after adjustment for
17 inflation from the date the business district plan was
18 approved, (vi) add additional business district costs to the
19 itemized list of estimated business district costs as approved
20 in the business district plan, or (vii) impose or increase the
21 rate of any tax to be imposed pursuant to subsection (10) or
22 (11) of Section 11-74.3-3 may be made by the municipality only
23 after the municipality by ordinance fixes a time and place for,
24 gives notice by publication of, and conducts a public hearing
25 pursuant to the procedures set forth in this Section.

26 (Source: P.A. 96-1394, eff. 7-29-10; 96-1555, eff. 3-18-11;

1 97-333, eff. 8-12-11.)

2 (65 ILCS 5/11-74.3-6)

3 Sec. 11-74.3-6. Business district revenue and obligations;
4 business district tax allocation fund.

5 (a) If the corporate authorities of a municipality have
6 approved a business district plan, have designated a business
7 district, and have elected to impose a tax by ordinance
8 pursuant to subsection (10) or (11) of Section 11-74.3-3, then
9 each year after the date of the approval of the ordinance but
10 terminating upon the date all business district project costs
11 and all obligations paying or reimbursing business district
12 project costs, if any, have been paid, but in no event later
13 than the dissolution date, all amounts generated by the
14 retailers' occupation tax and service occupation tax shall be
15 collected and the tax shall be enforced by the Department of
16 Revenue in the same manner as all retailers' occupation taxes
17 and service occupation taxes imposed in the municipality
18 imposing the tax and all amounts generated by the hotel
19 operators' occupation tax shall be collected and the tax shall
20 be enforced by the municipality in the same manner as all hotel
21 operators' occupation taxes imposed in the municipality
22 imposing the tax. The corporate authorities of the municipality
23 shall deposit the proceeds of the taxes imposed under
24 subsections (10) and (11) of Section 11-74.3-3 into a special
25 fund of the municipality called the "[Name of] Business

1 District Tax Allocation Fund" for the purpose of paying or
2 reimbursing business district project costs and obligations
3 incurred in the payment of those costs.

4 (b) The corporate authorities of a municipality that has
5 designated a business district under this Law may, by
6 ordinance, impose a Business District Retailers' Occupation
7 Tax upon all persons engaged in the business of selling
8 tangible personal property, other than an item of tangible
9 personal property titled or registered with an agency of this
10 State's government, at retail in the business district at a
11 rate not to exceed 1% of the gross receipts from the sales made
12 in the course of such business, to be imposed only in 0.25%
13 increments. The tax may not be imposed on tangible personal
14 property taxed at the rate of 1% under the Retailers'
15 Occupation Tax Act.

16 The tax imposed under this subsection and all civil
17 penalties that may be assessed as an incident thereof shall be
18 collected and enforced by the Department of Revenue. The
19 certificate of registration that is issued by the Department to
20 a retailer under the Retailers' Occupation Tax Act shall permit
21 the retailer to engage in a business that is taxable under any
22 ordinance or resolution enacted pursuant to this subsection
23 without registering separately with the Department under such
24 ordinance or resolution or under this subsection. The
25 Department of Revenue shall have full power to administer and
26 enforce this subsection; to collect all taxes and penalties due

1 under this subsection in the manner hereinafter provided; and
2 to determine all rights to credit memoranda arising on account
3 of the erroneous payment of tax or penalty under this
4 subsection. In the administration of, and compliance with, this
5 subsection, the Department and persons who are subject to this
6 subsection shall have the same rights, remedies, privileges,
7 immunities, powers and duties, and be subject to the same
8 conditions, restrictions, limitations, penalties, exclusions,
9 exemptions, and definitions of terms and employ the same modes
10 of procedure, as are prescribed in Sections 1, 1a through 1o, 2
11 through 2-65 (in respect to all provisions therein other than
12 the State rate of tax), 2c through 2h, 3 (except as to the
13 disposition of taxes and penalties collected), 4, 5, 5a, 5c,
14 5d, 5e, 5f, 5g, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11,
15 12, 13, and 14 of the Retailers' Occupation Tax Act and all
16 provisions of the Uniform Penalty and Interest Act, as fully as
17 if those provisions were set forth herein.

18 Persons subject to any tax imposed under this subsection
19 may reimburse themselves for their seller's tax liability under
20 this subsection by separately stating the tax as an additional
21 charge, which charge may be stated in combination, in a single
22 amount, with State taxes that sellers are required to collect
23 under the Use Tax Act, in accordance with such bracket
24 schedules as the Department may prescribe.

25 Whenever the Department determines that a refund should be
26 made under this subsection to a claimant instead of issuing a

1 credit memorandum, the Department shall notify the State
2 Comptroller, who shall cause the order to be drawn for the
3 amount specified and to the person named in the notification
4 from the Department. The refund shall be paid by the State
5 Treasurer out of the business district retailers' occupation
6 tax fund.

7 The Department shall immediately pay over to the State
8 Treasurer, ex officio, as trustee, all taxes, penalties, and
9 interest collected under this subsection for deposit into the
10 business district retailers' occupation tax fund.

11 As soon as possible after the first day of each month,
12 beginning January 1, 2011, upon certification of the Department
13 of Revenue, the Comptroller shall order transferred, and the
14 Treasurer shall transfer, to the STAR Bonds Revenue Fund the
15 local sales tax increment, as defined in the Innovation
16 Development and Economy Act, collected under this subsection
17 during the second preceding calendar month for sales within a
18 STAR bond district.

19 After the monthly transfer to the STAR Bonds Revenue Fund,
20 on or before the 25th day of each calendar month, the
21 Department shall prepare and certify to the Comptroller the
22 disbursement of stated sums of money to named municipalities
23 from the business district retailers' occupation tax fund, the
24 municipalities to be those from which retailers have paid taxes
25 or penalties under this subsection to the Department during the
26 second preceding calendar month. The amount to be paid to each

1 municipality shall be the amount (not including credit
2 memoranda) collected under this subsection during the second
3 preceding calendar month by the Department plus an amount the
4 Department determines is necessary to offset any amounts that
5 were erroneously paid to a different taxing body, and not
6 including an amount equal to the amount of refunds made during
7 the second preceding calendar month by the Department, less 2%
8 of that amount, which shall be deposited into the Tax
9 Compliance and Administration Fund and shall be used by the
10 Department, subject to appropriation, to cover the costs of the
11 Department in administering and enforcing the provisions of
12 this subsection, on behalf of such municipality, and not
13 including any amount that the Department determines is
14 necessary to offset any amounts that were payable to a
15 different taxing body but were erroneously paid to the
16 municipality, and not including any amounts that are
17 transferred to the STAR Bonds Revenue Fund. Within 10 days
18 after receipt by the Comptroller of the disbursement
19 certification to the municipalities provided for in this
20 subsection to be given to the Comptroller by the Department,
21 the Comptroller shall cause the orders to be drawn for the
22 respective amounts in accordance with the directions contained
23 in the certification. The proceeds of the tax paid to
24 municipalities under this subsection shall be deposited into
25 the Business District Tax Allocation Fund by the municipality.

26 An ordinance imposing or discontinuing the tax under this

1 subsection or effecting a change in the rate thereof shall
2 either (i) be adopted and a certified copy thereof filed with
3 the Department on or before the first day of April, whereupon
4 the Department, if all other requirements of this subsection
5 are met, shall proceed to administer and enforce this
6 subsection as of the first day of July next following the
7 adoption and filing; or (ii) be adopted and a certified copy
8 thereof filed with the Department on or before the first day of
9 October, whereupon, if all other requirements of this
10 subsection are met, the Department shall proceed to administer
11 and enforce this subsection as of the first day of January next
12 following the adoption and filing.

13 The Department of Revenue shall not administer or enforce
14 an ordinance imposing, discontinuing, or changing the rate of
15 the tax under this subsection, until the municipality also
16 provides, in the manner prescribed by the Department, the
17 boundaries of the business district and each address in the
18 business district in such a way that the Department can
19 determine by its address whether a business is located in the
20 business district. The municipality must provide this boundary
21 and address information to the Department on or before April 1
22 for administration and enforcement of the tax under this
23 subsection by the Department beginning on the following July 1
24 and on or before October 1 for administration and enforcement
25 of the tax under this subsection by the Department beginning on
26 the following January 1. The Department of Revenue shall not

1 administer or enforce any change made to the boundaries of a
2 business district or address change, addition, or deletion
3 until the municipality reports the boundary change or address
4 change, addition, or deletion to the Department in the manner
5 prescribed by the Department. The municipality must provide
6 this boundary change information or address change, addition,
7 or deletion to the Department on or before April 1 for
8 administration and enforcement by the Department of the change
9 beginning on the following July 1 and on or before October 1
10 for administration and enforcement by the Department of the
11 change beginning on the following January 1. The retailers in
12 the business district shall be responsible for charging the tax
13 imposed under this subsection. If a retailer is incorrectly
14 included or excluded from the list of those required to collect
15 the tax under this subsection, both the Department of Revenue
16 and the retailer shall be held harmless if they reasonably
17 relied on information provided by the municipality.

18 A municipality that imposes the tax under this subsection
19 must submit to the Department of Revenue any other information
20 as the Department may require for the administration and
21 enforcement of the tax.

22 When certifying the amount of a monthly disbursement to a
23 municipality under this subsection, the Department shall
24 increase or decrease the amount by an amount necessary to
25 offset any misallocation of previous disbursements. The offset
26 amount shall be the amount erroneously disbursed within the

1 previous 6 months from the time a misallocation is discovered.

2 Nothing in this subsection shall be construed to authorize
3 the municipality to impose a tax upon the privilege of engaging
4 in any business which under the Constitution of the United
5 States may not be made the subject of taxation by this State.

6 If a tax is imposed under this subsection (b), a tax shall
7 also be imposed under subsection (c) of this Section.

8 (c) If a tax has been imposed under subsection (b), a
9 Business District Service Occupation Tax shall also be imposed
10 upon all persons engaged, in the business district, in the
11 business of making sales of service, who, as an incident to
12 making those sales of service, transfer tangible personal
13 property within the business district, either in the form of
14 tangible personal property or in the form of real estate as an
15 incident to a sale of service. The tax shall be imposed at the
16 same rate as the tax imposed in subsection (b) and shall not
17 exceed 1% of the selling price of tangible personal property so
18 transferred within the business district, to be imposed only in
19 0.25% increments. The tax may not be imposed on tangible
20 personal property taxed at the 1% rate under the Service
21 Occupation Tax Act.

22 The tax imposed under this subsection and all civil
23 penalties that may be assessed as an incident thereof shall be
24 collected and enforced by the Department of Revenue. The
25 certificate of registration which is issued by the Department
26 to a retailer under the Retailers' Occupation Tax Act or under

1 the Service Occupation Tax Act shall permit such registrant to
2 engage in a business which is taxable under any ordinance or
3 resolution enacted pursuant to this subsection without
4 registering separately with the Department under such
5 ordinance or resolution or under this subsection. The
6 Department of Revenue shall have full power to administer and
7 enforce this subsection; to collect all taxes and penalties due
8 under this subsection; to dispose of taxes and penalties so
9 collected in the manner hereinafter provided; and to determine
10 all rights to credit memoranda arising on account of the
11 erroneous payment of tax or penalty under this subsection. In
12 the administration of, and compliance with this subsection, the
13 Department and persons who are subject to this subsection shall
14 have the same rights, remedies, privileges, immunities, powers
15 and duties, and be subject to the same conditions,
16 restrictions, limitations, penalties, exclusions, exemptions,
17 and definitions of terms and employ the same modes of procedure
18 as are prescribed in Sections 2, 2a through 2d, 3 through 3-50
19 (in respect to all provisions therein other than the State rate
20 of tax), 4 (except that the reference to the State shall be to
21 the business district), 5, 7, 8 (except that the jurisdiction
22 to which the tax shall be a debt to the extent indicated in
23 that Section 8 shall be the municipality), 9 (except as to the
24 disposition of taxes and penalties collected, and except that
25 the returned merchandise credit for this tax may not be taken
26 against any State tax), 10, 11, 12 (except the reference

1 therein to Section 2b of the Retailers' Occupation Tax Act), 13
2 (except that any reference to the State shall mean the
3 municipality), the first paragraph of Section 15, and Sections
4 16, 17, 18, 19 and 20 of the Service Occupation Tax Act and all
5 provisions of the Uniform Penalty and Interest Act, as fully as
6 if those provisions were set forth herein.

7 Persons subject to any tax imposed under the authority
8 granted in this subsection may reimburse themselves for their
9 serviceman's tax liability hereunder by separately stating the
10 tax as an additional charge, which charge may be stated in
11 combination, in a single amount, with State tax that servicemen
12 are authorized to collect under the Service Use Tax Act, in
13 accordance with such bracket schedules as the Department may
14 prescribe.

15 Whenever the Department determines that a refund should be
16 made under this subsection to a claimant instead of issuing
17 credit memorandum, the Department shall notify the State
18 Comptroller, who shall cause the order to be drawn for the
19 amount specified, and to the person named, in such notification
20 from the Department. Such refund shall be paid by the State
21 Treasurer out of the business district retailers' occupation
22 tax fund.

23 The Department shall forthwith pay over to the State
24 Treasurer, ex-officio, as trustee, all taxes, penalties, and
25 interest collected under this subsection for deposit into the
26 business district retailers' occupation tax fund.

1 As soon as possible after the first day of each month,
2 beginning January 1, 2011, upon certification of the Department
3 of Revenue, the Comptroller shall order transferred, and the
4 Treasurer shall transfer, to the STAR Bonds Revenue Fund the
5 local sales tax increment, as defined in the Innovation
6 Development and Economy Act, collected under this subsection
7 during the second preceding calendar month for sales within a
8 STAR bond district.

9 After the monthly transfer to the STAR Bonds Revenue Fund,
10 on or before the 25th day of each calendar month, the
11 Department shall prepare and certify to the Comptroller the
12 disbursement of stated sums of money to named municipalities
13 from the business district retailers' occupation tax fund, the
14 municipalities to be those from which suppliers and servicemen
15 have paid taxes or penalties under this subsection to the
16 Department during the second preceding calendar month. The
17 amount to be paid to each municipality shall be the amount (not
18 including credit memoranda) collected under this subsection
19 during the second preceding calendar month by the Department,
20 less 2% of that amount, which shall be deposited into the Tax
21 Compliance and Administration Fund and shall be used by the
22 Department, subject to appropriation, to cover the costs of the
23 Department in administering and enforcing the provisions of
24 this subsection, and not including an amount equal to the
25 amount of refunds made during the second preceding calendar
26 month by the Department on behalf of such municipality, and not

1 including any amounts that are transferred to the STAR Bonds
2 Revenue Fund. Within 10 days after receipt, by the Comptroller,
3 of the disbursement certification to the municipalities,
4 provided for in this subsection to be given to the Comptroller
5 by the Department, the Comptroller shall cause the orders to be
6 drawn for the respective amounts in accordance with the
7 directions contained in such certification. The proceeds of the
8 tax paid to municipalities under this subsection shall be
9 deposited into the Business District Tax Allocation Fund by the
10 municipality.

11 An ordinance imposing or discontinuing the tax under this
12 subsection or effecting a change in the rate thereof shall
13 either (i) be adopted and a certified copy thereof filed with
14 the Department on or before the first day of April, whereupon
15 the Department, if all other requirements of this subsection
16 are met, shall proceed to administer and enforce this
17 subsection as of the first day of July next following the
18 adoption and filing; or (ii) be adopted and a certified copy
19 thereof filed with the Department on or before the first day of
20 October, whereupon, if all other conditions of this subsection
21 are met, the Department shall proceed to administer and enforce
22 this subsection as of the first day of January next following
23 the adoption and filing.

24 The Department of Revenue shall not administer or enforce
25 an ordinance imposing, discontinuing, or changing the rate of
26 the tax under this subsection, until the municipality also

1 provides, in the manner prescribed by the Department, the
2 boundaries of the business district in such a way that the
3 Department can determine by its address whether a business is
4 located in the business district. The municipality must provide
5 this boundary and address information to the Department on or
6 before April 1 for administration and enforcement of the tax
7 under this subsection by the Department beginning on the
8 following July 1 and on or before October 1 for administration
9 and enforcement of the tax under this subsection by the
10 Department beginning on the following January 1. The Department
11 of Revenue shall not administer or enforce any change made to
12 the boundaries of a business district or address change,
13 addition, or deletion until the municipality reports the
14 boundary change or address change, addition, or deletion to the
15 Department in the manner prescribed by the Department. The
16 municipality must provide this boundary change information or
17 address change, addition, or deletion to the Department on or
18 before April 1 for administration and enforcement by the
19 Department of the change beginning on the following July 1 and
20 on or before October 1 for administration and enforcement by
21 the Department of the change beginning on the following January
22 1. The retailers in the business district shall be responsible
23 for charging the tax imposed under this subsection. If a
24 retailer is incorrectly included or excluded from the list of
25 those required to collect the tax under this subsection, both
26 the Department of Revenue and the retailer shall be held

1 harmless if they reasonably relied on information provided by
2 the municipality.

3 A municipality that imposes the tax under this subsection
4 must submit to the Department of Revenue any other information
5 as the Department may require for the administration and
6 enforcement of the tax.

7 Nothing in this subsection shall be construed to authorize
8 the municipality to impose a tax upon the privilege of engaging
9 in any business which under the Constitution of the United
10 States may not be made the subject of taxation by the State.

11 If a tax is imposed under this subsection (c), a tax shall
12 also be imposed under subsection (b) of this Section.

13 (d) By ordinance, a municipality that has designated a
14 business district under this Law may impose an occupation tax
15 upon all persons engaged in the business district in the
16 business of renting, leasing, or letting rooms in a hotel, as
17 defined in the Hotel Operators' Occupation Tax Act, at a rate
18 not to exceed 1% of the gross rental receipts from the renting,
19 leasing, or letting of hotel rooms within the business
20 district, to be imposed only in 0.25% increments, excluding,
21 however, from gross rental receipts the proceeds of renting,
22 leasing, or letting to permanent residents of a hotel, as
23 defined in the Hotel Operators' Occupation Tax Act, and
24 proceeds from the tax imposed under subsection (c) of Section
25 13 of the Metropolitan Pier and Exposition Authority Act.

26 The tax imposed by the municipality under this subsection

1 and all civil penalties that may be assessed as an incident to
2 that tax shall be collected and enforced by the municipality
3 imposing the tax. The municipality shall have full power to
4 administer and enforce this subsection, to collect all taxes
5 and penalties due under this subsection, to dispose of taxes
6 and penalties so collected in the manner provided in this
7 subsection, and to determine all rights to credit memoranda
8 arising on account of the erroneous payment of tax or penalty
9 under this subsection. In the administration of and compliance
10 with this subsection, the municipality and persons who are
11 subject to this subsection shall have the same rights,
12 remedies, privileges, immunities, powers, and duties, shall be
13 subject to the same conditions, restrictions, limitations,
14 penalties, and definitions of terms, and shall employ the same
15 modes of procedure as are employed with respect to a tax
16 adopted by the municipality under Section 8-3-14 of this Code.

17 Persons subject to any tax imposed under the authority
18 granted in this subsection may reimburse themselves for their
19 tax liability for that tax by separately stating that tax as an
20 additional charge, which charge may be stated in combination,
21 in a single amount, with State taxes imposed under the Hotel
22 Operators' Occupation Tax Act, and with any other tax.

23 Nothing in this subsection shall be construed to authorize
24 a municipality to impose a tax upon the privilege of engaging
25 in any business which under the Constitution of the United
26 States may not be made the subject of taxation by this State.

1 The proceeds of the tax imposed under this subsection shall
2 be deposited into the Business District Tax Allocation Fund.

3 (e) Obligations secured by the Business District Tax
4 Allocation Fund may be issued to provide for the payment or
5 reimbursement of business district project costs. Those
6 obligations, when so issued, shall be retired in the manner
7 provided in the ordinance authorizing the issuance of those
8 obligations by the receipts of taxes imposed pursuant to
9 subsections (10) and (11) of Section 11-74.3-3 and by other
10 revenue designated or pledged by the municipality. A
11 municipality may in the ordinance pledge, for any period of
12 time up to and including the dissolution date, all or any part
13 of the funds in and to be deposited in the Business District
14 Tax Allocation Fund to the payment of business district project
15 costs and obligations. Whenever a municipality pledges all of
16 the funds to the credit of a business district tax allocation
17 fund to secure obligations issued or to be issued to pay or
18 reimburse business district project costs, the municipality
19 may specifically provide that funds remaining to the credit of
20 such business district tax allocation fund after the payment of
21 such obligations shall be accounted for annually and shall be
22 deemed to be "surplus" funds, and such "surplus" funds shall be
23 expended by the municipality for any business district project
24 cost as approved in the business district plan. Whenever a
25 municipality pledges less than all of the monies to the credit
26 of a business district tax allocation fund to secure

1 obligations issued or to be issued to pay or reimburse business
2 district project costs, the municipality shall provide that
3 monies to the credit of the business district tax allocation
4 fund and not subject to such pledge or otherwise encumbered or
5 required for payment of contractual obligations for specific
6 business district project costs shall be calculated annually
7 and shall be deemed to be "surplus" funds, and such "surplus"
8 funds shall be expended by the municipality for any business
9 district project cost as approved in the business district
10 plan.

11 No obligation issued pursuant to this Law and secured by a
12 pledge of all or any portion of any revenues received or to be
13 received by the municipality from the imposition of taxes
14 pursuant to subsection (10) of Section 11-74.3-3, shall be
15 deemed to constitute an economic incentive agreement under
16 Section 8-11-20, notwithstanding the fact that such pledge
17 provides for the sharing, rebate, or payment of retailers'
18 occupation taxes or service occupation taxes imposed pursuant
19 to subsection (10) of Section 11-74.3-3 and received or to be
20 received by the municipality from the development or
21 redevelopment of properties in the business district.

22 Without limiting the foregoing in this Section, the
23 municipality may further secure obligations secured by the
24 business district tax allocation fund with a pledge, for a
25 period not greater than the term of the obligations and in any
26 case not longer than the dissolution date, of any part or any

1 combination of the following: (i) net revenues of all or part
2 of any business district project; (ii) taxes levied or imposed
3 by the municipality on any or all property in the municipality,
4 including, specifically, taxes levied or imposed by the
5 municipality in a special service area pursuant to the Special
6 Service Area Tax Law; (iii) the full faith and credit of the
7 municipality; (iv) a mortgage on part or all of the business
8 district project; or (v) any other taxes or anticipated
9 receipts that the municipality may lawfully pledge.

10 Such obligations may be issued in one or more series, bear
11 such date or dates, become due at such time or times as therein
12 provided, but in any case not later than (i) 20 years after the
13 date of issue or (ii) the dissolution date, whichever is
14 earlier, bear interest payable at such intervals and at such
15 rate or rates as set forth therein, except as may be limited by
16 applicable law, which rate or rates may be fixed or variable,
17 be in such denominations, be in such form, either coupon,
18 registered, or book-entry, carry such conversion, registration
19 and exchange privileges, be subject to defeasance upon such
20 terms, have such rank or priority, be executed in such manner,
21 be payable in such medium or payment at such place or places
22 within or without the State, make provision for a corporate
23 trustee within or without the State with respect to such
24 obligations, prescribe the rights, powers, and duties thereof
25 to be exercised for the benefit of the municipality and the
26 benefit of the owners of such obligations, provide for the

1 holding in trust, investment, and use of moneys, funds, and
2 accounts held under an ordinance, provide for assignment of and
3 direct payment of the moneys to pay such obligations or to be
4 deposited into such funds or accounts directly to such trustee,
5 be subject to such terms of redemption with or without premium,
6 and be sold at such price, all as the corporate authorities
7 shall determine. No referendum approval of the electors shall
8 be required as a condition to the issuance of obligations
9 pursuant to this Law except as provided in this Section.

10 In the event the municipality authorizes the issuance of
11 obligations pursuant to the authority of this Law secured by
12 the full faith and credit of the municipality, or pledges ad
13 valorem taxes pursuant to this subsection, which obligations
14 are other than obligations which may be issued under home rule
15 powers provided by Section 6 of Article VII of the Illinois
16 Constitution or which ad valorem taxes are other than ad
17 valorem taxes which may be pledged under home rule powers
18 provided by Section 6 of Article VII of the Illinois
19 Constitution or which are levied in a special service area
20 pursuant to the Special Service Area Tax Law, the ordinance
21 authorizing the issuance of those obligations or pledging those
22 taxes shall be published within 10 days after the ordinance has
23 been adopted, in a newspaper having a general circulation
24 within the municipality or on the municipality's website. The
25 publication of the ordinance shall be accompanied by a notice
26 of (i) the specific number of voters required to sign a

1 petition requesting the question of the issuance of the
2 obligations or pledging such ad valorem taxes to be submitted
3 to the electors; (ii) the time within which the petition must
4 be filed; and (iii) the date of the prospective referendum. The
5 municipal clerk shall provide a petition form to any individual
6 requesting one.

7 If no petition is filed with the municipal clerk, as
8 hereinafter provided in this Section, within 21 days after the
9 publication of the ordinance, the ordinance shall be in effect.
10 However, if within that 21-day period a petition is filed with
11 the municipal clerk, signed by electors numbering not less than
12 15% of the number of electors voting for the mayor or president
13 at the last general municipal election, asking that the
14 question of issuing obligations using full faith and credit of
15 the municipality as security for the cost of paying or
16 reimbursing business district project costs, or of pledging
17 such ad valorem taxes for the payment of those obligations, or
18 both, be submitted to the electors of the municipality, the
19 municipality shall not be authorized to issue obligations of
20 the municipality using the full faith and credit of the
21 municipality as security or pledging such ad valorem taxes for
22 the payment of those obligations, or both, until the
23 proposition has been submitted to and approved by a majority of
24 the voters voting on the proposition at a regularly scheduled
25 election. The municipality shall certify the proposition to the
26 proper election authorities for submission in accordance with

1 the general election law.

2 The ordinance authorizing the obligations may provide that
3 the obligations shall contain a recital that they are issued
4 pursuant to this Law, which recital shall be conclusive
5 evidence of their validity and of the regularity of their
6 issuance.

7 In the event the municipality authorizes issuance of
8 obligations pursuant to this Law secured by the full faith and
9 credit of the municipality, the ordinance authorizing the
10 obligations may provide for the levy and collection of a direct
11 annual tax upon all taxable property within the municipality
12 sufficient to pay the principal thereof and interest thereon as
13 it matures, which levy may be in addition to and exclusive of
14 the maximum of all other taxes authorized to be levied by the
15 municipality, which levy, however, shall be abated to the
16 extent that monies from other sources are available for payment
17 of the obligations and the municipality certifies the amount of
18 those monies available to the county clerk.

19 A certified copy of the ordinance shall be filed with the
20 county clerk of each county in which any portion of the
21 municipality is situated, and shall constitute the authority
22 for the extension and collection of the taxes to be deposited
23 in the business district tax allocation fund.

24 A municipality may also issue its obligations to refund, in
25 whole or in part, obligations theretofore issued by the
26 municipality under the authority of this Law, whether at or

1 prior to maturity. However, the last maturity of the refunding
2 obligations shall not be expressed to mature later than the
3 dissolution date.

4 In the event a municipality issues obligations under home
5 rule powers or other legislative authority, the proceeds of
6 which are pledged to pay or reimburse business district project
7 costs, the municipality may, if it has followed the procedures
8 in conformance with this Law, retire those obligations from
9 funds in the business district tax allocation fund in amounts
10 and in such manner as if those obligations had been issued
11 pursuant to the provisions of this Law.

12 No obligations issued pursuant to this Law shall be
13 regarded as indebtedness of the municipality issuing those
14 obligations or any other taxing district for the purpose of any
15 limitation imposed by law.

16 Obligations issued pursuant to this Law shall not be
17 subject to the provisions of the Bond Authorization Act.

18 (f) When business district project costs, including,
19 without limitation, all obligations paying or reimbursing
20 business district project costs have been paid, any surplus
21 funds then remaining in the Business District Tax Allocation
22 Fund shall be distributed to the municipal treasurer for
23 deposit into the general corporate fund of the municipality.
24 Upon payment of all business district project costs and
25 retirement of all obligations paying or reimbursing business
26 district project costs, but in no event more than 23 years

1 after the date of adoption of the ordinance imposing taxes
2 pursuant to subsection (10) or (11) of Section 11-74.3-3, the
3 municipality shall adopt an ordinance immediately rescinding
4 the taxes imposed pursuant to subsection (10) or (11) of
5 Section 11-74.3-3.

6 (Source: P.A. 99-143, eff. 7-27-15; 100-1171, eff. 1-4-19.)

7 (65 ILCS 5/11-74.4-5) (from Ch. 24, par. 11-74.4-5)

8 Sec. 11-74.4-5. Public hearing; joint review board.

9 (a) The changes made by this amendatory Act of the 91st
10 General Assembly do not apply to a municipality that, (i)
11 before the effective date of this amendatory Act of the 91st
12 General Assembly, has adopted an ordinance or resolution fixing
13 a time and place for a public hearing under this Section or
14 (ii) before July 1, 1999, has adopted an ordinance or
15 resolution providing for a feasibility study under Section
16 11-74.4-4.1, but has not yet adopted an ordinance approving
17 redevelopment plans and redevelopment projects or designating
18 redevelopment project areas under Section 11-74.4-4, until
19 after that municipality adopts an ordinance approving
20 redevelopment plans and redevelopment projects or designating
21 redevelopment project areas under Section 11-74.4-4;
22 thereafter the changes made by this amendatory Act of the 91st
23 General Assembly apply to the same extent that they apply to
24 redevelopment plans and redevelopment projects that were
25 approved and redevelopment projects that were designated

1 before the effective date of this amendatory Act of the 91st
2 General Assembly.

3 Prior to the adoption of an ordinance proposing the
4 designation of a redevelopment project area, or approving a
5 redevelopment plan or redevelopment project, the municipality
6 by its corporate authorities, or as it may determine by any
7 commission designated under subsection (k) of Section
8 11-74.4-4 shall adopt an ordinance or resolution fixing a time
9 and place for public hearing. At least 10 days prior to the
10 adoption of the ordinance or resolution establishing the time
11 and place for the public hearing, the municipality shall make
12 available for public inspection a redevelopment plan or a
13 separate report that provides in reasonable detail the basis
14 for the eligibility of the redevelopment project area. The
15 report along with the name of a person to contact for further
16 information shall be sent within a reasonable time after the
17 adoption of such ordinance or resolution to the affected taxing
18 districts by certified mail. ~~The On and after the effective~~
19 ~~date of this amendatory Act of the 91st General Assembly, the~~
20 municipality shall print in a newspaper of general circulation
21 within the municipality or on the municipality's website a
22 notice that interested persons may register with the
23 municipality in order to receive information on the proposed
24 designation of a redevelopment project area or the approval of
25 a redevelopment plan. The notice shall state the place of
26 registration and the operating hours of that place. The

1 municipality shall have adopted reasonable rules to implement
2 this registration process under Section 11-74.4-4.2. The
3 municipality shall provide notice of the availability of the
4 redevelopment plan and eligibility report, including how to
5 obtain this information, by mail within a reasonable time after
6 the adoption of the ordinance or resolution, to all residential
7 addresses that, after a good faith effort, the municipality
8 determines are located outside the proposed redevelopment
9 project area and within 750 feet of the boundaries of the
10 proposed redevelopment project area. This requirement is
11 subject to the limitation that in a municipality with a
12 population of over 100,000, if the total number of residential
13 addresses outside the proposed redevelopment project area and
14 within 750 feet of the boundaries of the proposed redevelopment
15 project area exceeds 750, the municipality shall be required to
16 provide the notice to only the 750 residential addresses that,
17 after a good faith effort, the municipality determines are
18 outside the proposed redevelopment project area and closest to
19 the boundaries of the proposed redevelopment project area.
20 Notwithstanding the foregoing, notice given after August 7,
21 2001 (the effective date of Public Act 92-263) and before the
22 effective date of this amendatory Act of the 92nd General
23 Assembly to residential addresses within 750 feet of the
24 boundaries of a proposed redevelopment project area shall be
25 deemed to have been sufficiently given in compliance with this
26 Act if given only to residents outside the boundaries of the

1 proposed redevelopment project area. The notice shall also be
2 provided by the municipality, regardless of its population, to
3 those organizations and residents that have registered with the
4 municipality for that information in accordance with the
5 registration guidelines established by the municipality under
6 Section 11-74.4-4.2.

7 At the public hearing any interested person or affected
8 taxing district may file with the municipal clerk written
9 objections to and may be heard orally in respect to any issues
10 embodied in the notice. The municipality shall hear all
11 protests and objections at the hearing and the hearing may be
12 adjourned to another date without further notice other than a
13 motion to be entered upon the minutes fixing the time and place
14 of the subsequent hearing. At the public hearing or at any time
15 prior to the adoption by the municipality of an ordinance
16 approving a redevelopment plan, the municipality may make
17 changes in the redevelopment plan. Changes which (1) add
18 additional parcels of property to the proposed redevelopment
19 project area, (2) substantially affect the general land uses
20 proposed in the redevelopment plan, (3) substantially change
21 the nature of or extend the life of the redevelopment project,
22 or (4) increase the number of inhabited residential units to be
23 displaced from the redevelopment project area, as measured from
24 the time of creation of the redevelopment project area, to a
25 total of more than 10, shall be made only after the
26 municipality gives notice, convenes a joint review board, and

1 conducts a public hearing pursuant to the procedures set forth
2 in this Section and in Section 11-74.4-6 of this Act. Changes
3 which do not (1) add additional parcels of property to the
4 proposed redevelopment project area, (2) substantially affect
5 the general land uses proposed in the redevelopment plan, (3)
6 substantially change the nature of or extend the life of the
7 redevelopment project, or (4) increase the number of inhabited
8 residential units to be displaced from the redevelopment
9 project area, as measured from the time of creation of the
10 redevelopment project area, to a total of more than 10, may be
11 made without further hearing, provided that the municipality
12 shall give notice of any such changes by mail to each affected
13 taxing district and registrant on the interested parties
14 registry, provided for under Section 11-74.4-4.2, and by
15 publication in a newspaper of general circulation within the
16 affected taxing district. Such notice by mail and by
17 publication shall each occur not later than 10 days following
18 the adoption by ordinance of such changes. Hearings with regard
19 to a redevelopment project area, project or plan may be held
20 simultaneously.

21 (b) Prior to holding a public hearing to approve or amend a
22 redevelopment plan or to designate or add additional parcels of
23 property to a redevelopment project area, the municipality
24 shall convene a joint review board. The board shall consist of
25 a representative selected by each community college district,
26 local elementary school district and high school district or

1 each local community unit school district, park district,
2 library district, township, fire protection district, and
3 county that will have the authority to directly levy taxes on
4 the property within the proposed redevelopment project area at
5 the time that the proposed redevelopment project area is
6 approved, a representative selected by the municipality and a
7 public member. The public member shall first be selected and
8 then the board's chairperson shall be selected by a majority of
9 the board members present and voting.

10 For redevelopment project areas with redevelopment plans
11 or proposed redevelopment plans that would result in the
12 displacement of residents from 10 or more inhabited residential
13 units or that include 75 or more inhabited residential units,
14 the public member shall be a person who resides in the
15 redevelopment project area. If, as determined by the housing
16 impact study provided for in paragraph (5) of subsection (n) of
17 Section 11-74.4-3, or if no housing impact study is required
18 then based on other reasonable data, the majority of
19 residential units are occupied by very low, low, or moderate
20 income households, as defined in Section 3 of the Illinois
21 Affordable Housing Act, the public member shall be a person who
22 resides in very low, low, or moderate income housing within the
23 redevelopment project area. Municipalities with fewer than
24 15,000 residents shall not be required to select a person who
25 lives in very low, low, or moderate income housing within the
26 redevelopment project area, provided that the redevelopment

1 plan or project will not result in displacement of residents
2 from 10 or more inhabited units, and the municipality so
3 certifies in the plan. If no person satisfying these
4 requirements is available or if no qualified person will serve
5 as the public member, then the joint review board is relieved
6 of this paragraph's selection requirements for the public
7 member.

8 Within 90 days of the effective date of this amendatory Act
9 of the 91st General Assembly, each municipality that designated
10 a redevelopment project area for which it was not required to
11 convene a joint review board under this Section shall convene a
12 joint review board to perform the duties specified under
13 paragraph (e) of this Section.

14 All board members shall be appointed and the first board
15 meeting shall be held at least 14 days but not more than 28
16 days after the mailing of notice by the municipality to the
17 taxing districts as required by Section 11-74.4-6(c).
18 Notwithstanding the preceding sentence, a municipality that
19 adopted either a public hearing resolution or a feasibility
20 resolution between July 1, 1999 and July 1, 2000 that called
21 for the meeting of the joint review board within 14 days of
22 notice of public hearing to affected taxing districts is deemed
23 to be in compliance with the notice, meeting, and public
24 hearing provisions of the Act. Such notice shall also advise
25 the taxing bodies represented on the joint review board of the
26 time and place of the first meeting of the board. Additional

1 meetings of the board shall be held upon the call of any
2 member. The municipality seeking designation of the
3 redevelopment project area shall provide administrative
4 support to the board.

5 The board shall review (i) the public record, planning
6 documents and proposed ordinances approving the redevelopment
7 plan and project and (ii) proposed amendments to the
8 redevelopment plan or additions of parcels of property to the
9 redevelopment project area to be adopted by the municipality.
10 As part of its deliberations, the board may hold additional
11 hearings on the proposal. A board's recommendation shall be an
12 advisory, non-binding recommendation. The recommendation shall
13 be adopted by a majority of those members present and voting.
14 The recommendations shall be submitted to the municipality
15 within 30 days after convening of the board. Failure of the
16 board to submit its report on a timely basis shall not be cause
17 to delay the public hearing or any other step in the process of
18 designating or amending the redevelopment project area but
19 shall be deemed to constitute approval by the joint review
20 board of the matters before it.

21 The board shall base its recommendation to approve or
22 disapprove the redevelopment plan and the designation of the
23 redevelopment project area or the amendment of the
24 redevelopment plan or addition of parcels of property to the
25 redevelopment project area on the basis of the redevelopment
26 project area and redevelopment plan satisfying the plan

1 requirements, the eligibility criteria defined in Section
2 11-74.4-3, and the objectives of this Act.

3 The board shall issue a written report describing why the
4 redevelopment plan and project area or the amendment thereof
5 meets or fails to meet one or more of the objectives of this
6 Act and both the plan requirements and the eligibility criteria
7 defined in Section 11-74.4-3. In the event the Board does not
8 file a report it shall be presumed that these taxing bodies
9 find the redevelopment project area and redevelopment plan
10 satisfy the objectives of this Act and the plan requirements
11 and eligibility criteria.

12 If the board recommends rejection of the matters before it,
13 the municipality will have 30 days within which to resubmit the
14 plan or amendment. During this period, the municipality will
15 meet and confer with the board and attempt to resolve those
16 issues set forth in the board's written report that led to the
17 rejection of the plan or amendment.

18 Notwithstanding the resubmission set forth above, the
19 municipality may commence the scheduled public hearing and
20 either adjourn the public hearing or continue the public
21 hearing until a date certain. Prior to continuing any public
22 hearing to a date certain, the municipality shall announce
23 during the public hearing the time, date, and location for the
24 reconvening of the public hearing. Any changes to the
25 redevelopment plan necessary to satisfy the issues set forth in
26 the joint review board report shall be the subject of a public

1 hearing before the hearing is adjourned if the changes would
2 (1) substantially affect the general land uses proposed in the
3 redevelopment plan, (2) substantially change the nature of or
4 extend the life of the redevelopment project, or (3) increase
5 the number of inhabited residential units to be displaced from
6 the redevelopment project area, as measured from the time of
7 creation of the redevelopment project area, to a total of more
8 than 10. Changes to the redevelopment plan necessary to satisfy
9 the issues set forth in the joint review board report shall not
10 require any further notice or convening of a joint review board
11 meeting, except that any changes to the redevelopment plan that
12 would add additional parcels of property to the proposed
13 redevelopment project area shall be subject to the notice,
14 public hearing, and joint review board meeting requirements
15 established for such changes by subsection (a) of Section
16 11-74.4-5.

17 In the event that the municipality and the board are unable
18 to resolve these differences, or in the event that the
19 resubmitted plan or amendment is rejected by the board, the
20 municipality may proceed with the plan or amendment, but only
21 upon a three-fifths vote of the corporate authority responsible
22 for approval of the plan or amendment, excluding positions of
23 members that are vacant and those members that are ineligible
24 to vote because of conflicts of interest.

25 (c) After a municipality has by ordinance approved a
26 redevelopment plan and designated a redevelopment project

1 area, the plan may be amended and additional properties may be
2 added to the redevelopment project area only as herein
3 provided. Amendments which (1) add additional parcels of
4 property to the proposed redevelopment project area, (2)
5 substantially affect the general land uses proposed in the
6 redevelopment plan, (3) substantially change the nature of the
7 redevelopment project, (4) increase the total estimated
8 redevelopment project costs set out in the redevelopment plan
9 by more than 5% after adjustment for inflation from the date
10 the plan was adopted, (5) add additional redevelopment project
11 costs to the itemized list of redevelopment project costs set
12 out in the redevelopment plan, or (6) increase the number of
13 inhabited residential units to be displaced from the
14 redevelopment project area, as measured from the time of
15 creation of the redevelopment project area, to a total of more
16 than 10, shall be made only after the municipality gives
17 notice, convenes a joint review board, and conducts a public
18 hearing pursuant to the procedures set forth in this Section
19 and in Section 11-74.4-6 of this Act. Changes which do not (1)
20 add additional parcels of property to the proposed
21 redevelopment project area, (2) substantially affect the
22 general land uses proposed in the redevelopment plan, (3)
23 substantially change the nature of the redevelopment project,
24 (4) increase the total estimated redevelopment project cost set
25 out in the redevelopment plan by more than 5% after adjustment
26 for inflation from the date the plan was adopted, (5) add

1 additional redevelopment project costs to the itemized list of
2 redevelopment project costs set out in the redevelopment plan,
3 or (6) increase the number of inhabited residential units to be
4 displaced from the redevelopment project area, as measured from
5 the time of creation of the redevelopment project area, to a
6 total of more than 10, may be made without further public
7 hearing and related notices and procedures including the
8 convening of a joint review board as set forth in Section
9 11-74.4-6 of this Act, provided that the municipality shall
10 give notice of any such changes by mail to each affected taxing
11 district and registrant on the interested parties registry,
12 provided for under Section 11-74.4-4.2, and by publication in a
13 newspaper of general circulation within the affected taxing
14 district or on the municipality's website. Such notice by mail
15 and by publication shall each occur not later than 10 days
16 following the adoption by ordinance of such changes.

17 (d) After the effective date of this amendatory Act of the
18 91st General Assembly, a municipality shall submit in an
19 electronic format the following information for each
20 redevelopment project area (i) to the State Comptroller under
21 Section 8-8-3.5 of the Illinois Municipal Code, subject to any
22 extensions or exemptions provided at the Comptroller's
23 discretion under that Section, and (ii) to all taxing districts
24 overlapping the redevelopment project area no later than 180
25 days after the close of each municipal fiscal year or as soon
26 thereafter as the audited financial statements become

1 available and, in any case, shall be submitted before the
2 annual meeting of the Joint Review Board to each of the taxing
3 districts that overlap the redevelopment project area:

4 (1) Any amendments to the redevelopment plan, the
5 redevelopment project area, or the State Sales Tax
6 Boundary.

7 (1.5) A list of the redevelopment project areas
8 administered by the municipality and, if applicable, the
9 date each redevelopment project area was designated or
10 terminated by the municipality.

11 (2) Audited financial statements of the special tax
12 allocation fund once a cumulative total of \$100,000 has
13 been deposited in the fund.

14 (3) Certification of the Chief Executive Officer of the
15 municipality that the municipality has complied with all of
16 the requirements of this Act during the preceding fiscal
17 year.

18 (4) An opinion of legal counsel that the municipality
19 is in compliance with this Act.

20 (5) An analysis of the special tax allocation fund
21 which sets forth:

22 (A) the balance in the special tax allocation fund
23 at the beginning of the fiscal year;

24 (B) all amounts deposited in the special tax
25 allocation fund by source;

26 (C) an itemized list of all expenditures from the

1 special tax allocation fund by category of permissible
2 redevelopment project cost; and

3 (D) the balance in the special tax allocation fund
4 at the end of the fiscal year including a breakdown of
5 that balance by source and a breakdown of that balance
6 identifying any portion of the balance that is
7 required, pledged, earmarked, or otherwise designated
8 for payment of or securing of obligations and
9 anticipated redevelopment project costs. Any portion
10 of such ending balance that has not been identified or
11 is not identified as being required, pledged,
12 earmarked, or otherwise designated for payment of or
13 securing of obligations or anticipated redevelopment
14 projects costs shall be designated as surplus as set
15 forth in Section 11-74.4-7 hereof.

16 (6) A description of all property purchased by the
17 municipality within the redevelopment project area
18 including:

19 (A) Street address.

20 (B) Approximate size or description of property.

21 (C) Purchase price.

22 (D) Seller of property.

23 (7) A statement setting forth all activities
24 undertaken in furtherance of the objectives of the
25 redevelopment plan, including:

26 (A) Any project implemented in the preceding

1 fiscal year.

2 (B) A description of the redevelopment activities
3 undertaken.

4 (C) A description of any agreements entered into by
5 the municipality with regard to the disposition or
6 redevelopment of any property within the redevelopment
7 project area or the area within the State Sales Tax
8 Boundary.

9 (D) Additional information on the use of all funds
10 received under this Division and steps taken by the
11 municipality to achieve the objectives of the
12 redevelopment plan.

13 (E) Information regarding contracts that the
14 municipality's tax increment advisors or consultants
15 have entered into with entities or persons that have
16 received, or are receiving, payments financed by tax
17 increment revenues produced by the same redevelopment
18 project area.

19 (F) Any reports submitted to the municipality by
20 the joint review board.

21 (G) A review of public and, to the extent possible,
22 private investment actually undertaken to date after
23 the effective date of this amendatory Act of the 91st
24 General Assembly and estimated to be undertaken during
25 the following year. This review shall, on a
26 project-by-project basis, set forth the estimated

1 amounts of public and private investment incurred
2 after the effective date of this amendatory Act of the
3 91st General Assembly and provide the ratio of private
4 investment to public investment to the date of the
5 report and as estimated to the completion of the
6 redevelopment project.

7 (8) With regard to any obligations issued by the
8 municipality:

9 (A) copies of any official statements; and

10 (B) an analysis prepared by financial advisor or
11 underwriter setting forth: (i) nature and term of
12 obligation; and (ii) projected debt service including
13 required reserves and debt coverage.

14 (9) For special tax allocation funds that have
15 experienced cumulative deposits of incremental tax
16 revenues of \$100,000 or more, a certified audit report
17 reviewing compliance with this Act performed by an
18 independent public accountant certified and licensed by
19 the authority of the State of Illinois. The financial
20 portion of the audit must be conducted in accordance with
21 Standards for Audits of Governmental Organizations,
22 Programs, Activities, and Functions adopted by the
23 Comptroller General of the United States (1981), as
24 amended, or the standards specified by Section 8-8-5 of the
25 Illinois Municipal Auditing Law of the Illinois Municipal
26 Code. The audit report shall contain a letter from the

1 independent certified public accountant indicating
2 compliance or noncompliance with the requirements of
3 subsection (q) of Section 11-74.4-3. For redevelopment
4 plans or projects that would result in the displacement of
5 residents from 10 or more inhabited residential units or
6 that contain 75 or more inhabited residential units, notice
7 of the availability of the information, including how to
8 obtain the report, required in this subsection shall also
9 be sent by mail to all residents or organizations that
10 operate in the municipality that register with the
11 municipality for that information according to
12 registration procedures adopted under Section 11-74.4-4.2.
13 All municipalities are subject to this provision.

14 (10) A list of all intergovernmental agreements in
15 effect during the fiscal year to which the municipality is
16 a party and an accounting of any moneys transferred or
17 received by the municipality during that fiscal year
18 pursuant to those intergovernmental agreements.

19 (d-1) Prior to the effective date of this amendatory Act of
20 the 91st General Assembly, municipalities with populations of
21 over 1,000,000 shall, after adoption of a redevelopment plan or
22 project, make available upon request to any taxing district in
23 which the redevelopment project area is located the following
24 information:

25 (1) Any amendments to the redevelopment plan, the
26 redevelopment project area, or the State Sales Tax

1 Boundary; and

2 (2) In connection with any redevelopment project area
3 for which the municipality has outstanding obligations
4 issued to provide for redevelopment project costs pursuant
5 to Section 11-74.4-7, audited financial statements of the
6 special tax allocation fund.

7 (e) The joint review board shall meet annually 180 days
8 after the close of the municipal fiscal year or as soon as the
9 redevelopment project audit for that fiscal year becomes
10 available to review the effectiveness and status of the
11 redevelopment project area up to that date.

12 (f) (Blank).

13 (g) In the event that a municipality has held a public
14 hearing under this Section prior to March 14, 1994 (the
15 effective date of Public Act 88-537), the requirements imposed
16 by Public Act 88-537 relating to the method of fixing the time
17 and place for public hearing, the materials and information
18 required to be made available for public inspection, and the
19 information required to be sent after adoption of an ordinance
20 or resolution fixing a time and place for public hearing shall
21 not be applicable.

22 (h) On and after the effective date of this amendatory Act
23 of the 96th General Assembly, the State Comptroller must post
24 on the State Comptroller's official website the information
25 submitted by a municipality pursuant to subsection (d) of this
26 Section. The information must be posted no later than 45 days

1 after the State Comptroller receives the information from the
2 municipality. The State Comptroller must also post a list of
3 the municipalities not in compliance with the reporting
4 requirements set forth in subsection (d) of this Section.

5 (i) No later than 10 years after the corporate authorities
6 of a municipality adopt an ordinance to establish a
7 redevelopment project area, the municipality must compile a
8 status report concerning the redevelopment project area. The
9 status report must detail without limitation the following: (i)
10 the amount of revenue generated within the redevelopment
11 project area, (ii) any expenditures made by the municipality
12 for the redevelopment project area including without
13 limitation expenditures from the special tax allocation fund,
14 (iii) the status of planned activities, goals, and objectives
15 set forth in the redevelopment plan including details on new or
16 planned construction within the redevelopment project area,
17 (iv) the amount of private and public investment within the
18 redevelopment project area, and (v) any other relevant
19 evaluation or performance data. Within 30 days after the
20 municipality compiles the status report, the municipality must
21 hold at least one public hearing concerning the report. The
22 municipality must provide 20 days' public notice of the
23 hearing. The public notice may be published on the
24 municipality's website.

25 (j) Beginning in fiscal year 2011 and in each fiscal year
26 thereafter, a municipality must detail in its annual budget (i)

1 the revenues generated from redevelopment project areas by
2 source and (ii) the expenditures made by the municipality for
3 redevelopment project areas.

4 (Source: P.A. 98-922, eff. 8-15-14.)

5 (65 ILCS 5/11-74.4-6) (from Ch. 24, par. 11-74.4-6)

6 Sec. 11-74.4-6. (a) Except as provided herein, notice of
7 the public hearing shall be given by publication and mailing;
8 provided, however, that no notice by mailing shall be required
9 under this subsection (a) with respect to any redevelopment
10 project area located within a transit facility improvement area
11 established pursuant to Section 11-74.4-3.3. Notice by
12 publication shall be given by publication at least twice, the
13 first publication to be not more than 30 nor less than 10 days
14 prior to the hearing in a newspaper of general circulation
15 within the taxing districts having property in the proposed
16 redevelopment project area or on the municipality's website.
17 Notice by mailing shall be given by depositing such notice in
18 the United States mails by certified mail addressed to the
19 person or persons in whose name the general taxes for the last
20 preceding year were paid on each lot, block, tract, or parcel
21 of land lying within the project redevelopment area. Said
22 notice shall be mailed not less than 10 days prior to the date
23 set for the public hearing. In the event taxes for the last
24 preceding year were not paid, the notice shall also be sent to
25 the persons last listed on the tax rolls within the preceding 3

1 years as the owners of such property. For redevelopment project
2 areas with redevelopment plans or proposed redevelopment plans
3 that would require removal of 10 or more inhabited residential
4 units or that contain 75 or more inhabited residential units,
5 the municipality shall make a good faith effort to notify by
6 mail all residents of the redevelopment project area. At a
7 minimum, the municipality shall mail a notice to each
8 residential address located within the redevelopment project
9 area. The municipality shall endeavor to ensure that all such
10 notices are effectively communicated and shall include (in
11 addition to notice in English) notice in the predominant
12 language other than English when appropriate.

13 (b) The notices issued pursuant to this Section shall
14 include the following:

15 (1) The time and place of public hearing.

16 (2) The boundaries of the proposed redevelopment
17 project area by legal description and by street location
18 where possible.

19 (3) A notification that all interested persons will be
20 given an opportunity to be heard at the public hearing.

21 (4) A description of the redevelopment plan or
22 redevelopment project for the proposed redevelopment
23 project area if a plan or project is the subject matter of
24 the hearing.

25 (5) Such other matters as the municipality may deem
26 appropriate.

1 (c) Not less than 45 days prior to the date set for
2 hearing, the municipality shall give notice by mail as provided
3 in subsection (a) to all taxing districts of which taxable
4 property is included in the redevelopment project area, project
5 or plan and to the Department of Commerce and Economic
6 Opportunity, and in addition to the other requirements under
7 subsection (b) the notice shall include an invitation to the
8 Department of Commerce and Economic Opportunity and each taxing
9 district to submit comments to the municipality concerning the
10 subject matter of the hearing prior to the date of hearing.

11 (d) In the event that any municipality has by ordinance
12 adopted tax increment financing prior to 1987, and has complied
13 with the notice requirements of this Section, except that the
14 notice has not included the requirements of subsection (b),
15 paragraphs (2), (3) and (4), and within 90 days of December 16,
16 1991 (the effective date of Public Act 87-813), that
17 municipality passes an ordinance which contains findings that:
18 (1) all taxing districts prior to the time of the hearing
19 required by Section 11-74.4-5 were furnished with copies of a
20 map incorporated into the redevelopment plan and project
21 substantially showing the legal boundaries of the
22 redevelopment project area; (2) the redevelopment plan and
23 project, or a draft thereof, contained a map substantially
24 showing the legal boundaries of the redevelopment project area
25 and was available to the public at the time of the hearing; and
26 (3) since the adoption of any form of tax increment financing

1 authorized by this Act, and prior to June 1, 1991, no objection
2 or challenge has been made in writing to the municipality in
3 respect to the notices required by this Section, then the
4 municipality shall be deemed to have met the notice
5 requirements of this Act and all actions of the municipality
6 taken in connection with such notices as were given are hereby
7 validated and hereby declared to be legally sufficient for all
8 purposes of this Act.

9 (e) If a municipality desires to propose a redevelopment
10 plan for a redevelopment project area that would result in the
11 displacement of residents from 10 or more inhabited residential
12 units or for a redevelopment project area that contains 75 or
13 more inhabited residential units, the municipality shall hold a
14 public meeting before the mailing of the notices of public
15 hearing as provided in subsection (c) of this Section. However,
16 such a meeting shall be required for any redevelopment plan for
17 a redevelopment project area located within a transit facility
18 improvement area established pursuant to Section 11-74.4-3.3
19 if the applicable project is subject to the process for
20 evaluation of environmental effects under the National
21 Environmental Policy Act of 1969, 42 U.S.C. 4321 et seq. The
22 meeting shall be for the purpose of enabling the municipality
23 to advise the public, taxing districts having real property in
24 the redevelopment project area, taxpayers who own property in
25 the proposed redevelopment project area, and residents in the
26 area as to the municipality's possible intent to prepare a

1 redevelopment plan and designate a redevelopment project area
2 and to receive public comment. The time and place for the
3 meeting shall be set by the head of the municipality's
4 Department of Planning or other department official designated
5 by the mayor or city or village manager without the necessity
6 of a resolution or ordinance of the municipality and may be
7 held by a member of the staff of the Department of Planning of
8 the municipality or by any other person, body, or commission
9 designated by the corporate authorities. The meeting shall be
10 held at least 14 business days before the mailing of the notice
11 of public hearing provided for in subsection (c) of this
12 Section.

13 Notice of the public meeting shall be given by mail. Notice
14 by mail shall be not less than 15 days before the date of the
15 meeting and shall be sent by certified mail to all taxing
16 districts having real property in the proposed redevelopment
17 project area and to all entities requesting that information
18 that have registered with a person and department designated by
19 the municipality in accordance with registration guidelines
20 established by the municipality pursuant to Section
21 11-74.4-4.2. The municipality shall make a good faith effort to
22 notify all residents and the last known persons who paid
23 property taxes on real estate in a redevelopment project area.
24 This requirement shall be deemed to be satisfied if the
25 municipality mails, by regular mail, a notice to each
26 residential address and the person or persons in whose name

1 property taxes were paid on real property for the last
2 preceding year located within the redevelopment project area.
3 Notice shall be in languages other than English when
4 appropriate. The notices issued under this subsection shall
5 include the following:

6 (1) The time and place of the meeting.

7 (2) The boundaries of the area to be studied for
8 possible designation as a redevelopment project area by
9 street and location.

10 (3) The purpose or purposes of establishing a
11 redevelopment project area.

12 (4) A brief description of tax increment financing.

13 (5) The name, telephone number, and address of the
14 person who can be contacted for additional information
15 about the proposed redevelopment project area and who
16 should receive all comments and suggestions regarding the
17 development of the area to be studied.

18 (6) Notification that all interested persons will be
19 given an opportunity to be heard at the public meeting.

20 (7) Such other matters as the municipality deems
21 appropriate.

22 At the public meeting, any interested person or
23 representative of an affected taxing district may be heard
24 orally and may file, with the person conducting the meeting,
25 statements that pertain to the subject matter of the meeting.

26 (Source: P.A. 99-792, eff. 8-12-16; 100-201, eff. 8-18-17.)

1 (65 ILCS 5/11-74.4-7) (from Ch. 24, par. 11-74.4-7)

2 Sec. 11-74.4-7. Obligations secured by the special tax
3 allocation fund set forth in Section 11-74.4-8 for the
4 redevelopment project area may be issued to provide for
5 redevelopment project costs. Such obligations, when so issued,
6 shall be retired in the manner provided in the ordinance
7 authorizing the issuance of such obligations by the receipts of
8 taxes levied as specified in Section 11-74.4-9 against the
9 taxable property included in the area, by revenues as specified
10 by Section 11-74.4-8a and other revenue designated by the
11 municipality. A municipality may in the ordinance pledge all or
12 any part of the funds in and to be deposited in the special tax
13 allocation fund created pursuant to Section 11-74.4-8 to the
14 payment of the redevelopment project costs and obligations. Any
15 pledge of funds in the special tax allocation fund shall
16 provide for distribution to the taxing districts and to the
17 Illinois Department of Revenue of moneys not required, pledged,
18 earmarked, or otherwise designated for payment and securing of
19 the obligations and anticipated redevelopment project costs
20 and such excess funds shall be calculated annually and deemed
21 to be "surplus" funds. In the event a municipality only applies
22 or pledges a portion of the funds in the special tax allocation
23 fund for the payment or securing of anticipated redevelopment
24 project costs or of obligations, any such funds remaining in
25 the special tax allocation fund after complying with the

1 requirements of the application or pledge, shall also be
2 calculated annually and deemed "surplus" funds. All surplus
3 funds in the special tax allocation fund shall be distributed
4 annually within 180 days after the close of the municipality's
5 fiscal year by being paid by the municipal treasurer to the
6 County Collector, to the Department of Revenue and to the
7 municipality in direct proportion to the tax incremental
8 revenue received as a result of an increase in the equalized
9 assessed value of property in the redevelopment project area,
10 tax incremental revenue received from the State and tax
11 incremental revenue received from the municipality, but not to
12 exceed as to each such source the total incremental revenue
13 received from that source. The County Collector shall
14 thereafter make distribution to the respective taxing
15 districts in the same manner and proportion as the most recent
16 distribution by the county collector to the affected districts
17 of real property taxes from real property in the redevelopment
18 project area.

19 Without limiting the foregoing in this Section, the
20 municipality may in addition to obligations secured by the
21 special tax allocation fund pledge for a period not greater
22 than the term of the obligations towards payment of such
23 obligations any part or any combination of the following: (a)
24 net revenues of all or part of any redevelopment project; (b)
25 taxes levied and collected on any or all property in the
26 municipality; (c) the full faith and credit of the

1 municipality; (d) a mortgage on part or all of the
2 redevelopment project; (d-5) repayment of bonds issued
3 pursuant to subsection (p-130) of Section 19-1 of the School
4 Code; or (e) any other taxes or anticipated receipts that the
5 municipality may lawfully pledge.

6 Such obligations may be issued in one or more series
7 bearing interest at such rate or rates as the corporate
8 authorities of the municipality shall determine by ordinance.
9 Such obligations shall bear such date or dates, mature at such
10 time or times not exceeding 20 years from their respective
11 dates, be in such denomination, carry such registration
12 privileges, be executed in such manner, be payable in such
13 medium of payment at such place or places, contain such
14 covenants, terms and conditions, and be subject to redemption
15 as such ordinance shall provide. Obligations issued pursuant to
16 this Act may be sold at public or private sale at such price as
17 shall be determined by the corporate authorities of the
18 municipalities. No referendum approval of the electors shall be
19 required as a condition to the issuance of obligations pursuant
20 to this Division except as provided in this Section.

21 In the event the municipality authorizes issuance of
22 obligations pursuant to the authority of this Division secured
23 by the full faith and credit of the municipality, which
24 obligations are other than obligations which may be issued
25 under home rule powers provided by Article VII, Section 6 of
26 the Illinois Constitution, or pledges taxes pursuant to (b) or

1 (c) of the second paragraph of this section, the ordinance
2 authorizing the issuance of such obligations or pledging such
3 taxes shall be published within 10 days after such ordinance
4 has been passed in one or more newspapers, with general
5 circulation within such municipality, or on the municipality's
6 website. The publication of the ordinance shall be accompanied
7 by a notice of (1) the specific number of voters required to
8 sign a petition requesting the question of the issuance of such
9 obligations or pledging taxes to be submitted to the electors;
10 (2) the time in which such petition must be filed; and (3) the
11 date of the prospective referendum. The municipal clerk shall
12 provide a petition form to any individual requesting one.

13 If no petition is filed with the municipal clerk, as
14 hereinafter provided in this Section, within 30 days after the
15 publication of the ordinance, the ordinance shall be in effect.
16 But, if within that 30 day period a petition is filed with the
17 municipal clerk, signed by electors in the municipality
18 numbering 10% or more of the number of registered voters in the
19 municipality, asking that the question of issuing obligations
20 using full faith and credit of the municipality as security for
21 the cost of paying for redevelopment project costs, or of
22 pledging taxes for the payment of such obligations, or both, be
23 submitted to the electors of the municipality, the corporate
24 authorities of the municipality shall call a special election
25 in the manner provided by law to vote upon that question, or,
26 if a general, State or municipal election is to be held within

1 a period of not less than 30 or more than 90 days from the date
2 such petition is filed, shall submit the question at the next
3 general, State or municipal election. If it appears upon the
4 canvass of the election by the corporate authorities that a
5 majority of electors voting upon the question voted in favor
6 thereof, the ordinance shall be in effect, but if a majority of
7 the electors voting upon the question are not in favor thereof,
8 the ordinance shall not take effect.

9 The ordinance authorizing the obligations may provide that
10 the obligations shall contain a recital that they are issued
11 pursuant to this Division, which recital shall be conclusive
12 evidence of their validity and of the regularity of their
13 issuance.

14 In the event the municipality authorizes issuance of
15 obligations pursuant to this Section secured by the full faith
16 and credit of the municipality, the ordinance authorizing the
17 obligations may provide for the levy and collection of a direct
18 annual tax upon all taxable property within the municipality
19 sufficient to pay the principal thereof and interest thereon as
20 it matures, which levy may be in addition to and exclusive of
21 the maximum of all other taxes authorized to be levied by the
22 municipality, which levy, however, shall be abated to the
23 extent that monies from other sources are available for payment
24 of the obligations and the municipality certifies the amount of
25 said monies available to the county clerk.

26 A certified copy of such ordinance shall be filed with the

1 county clerk of each county in which any portion of the
2 municipality is situated, and shall constitute the authority
3 for the extension and collection of the taxes to be deposited
4 in the special tax allocation fund.

5 A municipality may also issue its obligations to refund in
6 whole or in part, obligations theretofore issued by such
7 municipality under the authority of this Act, whether at or
8 prior to maturity, provided however, that the last maturity of
9 the refunding obligations may not be later than the dates set
10 forth under Section 11-74.4-3.5.

11 In the event a municipality issues obligations under home
12 rule powers or other legislative authority the proceeds of
13 which are pledged to pay for redevelopment project costs, the
14 municipality may, if it has followed the procedures in
15 conformance with this division, retire said obligations from
16 funds in the special tax allocation fund in amounts and in such
17 manner as if such obligations had been issued pursuant to the
18 provisions of this division.

19 All obligations heretofore or hereafter issued pursuant to
20 this Act shall not be regarded as indebtedness of the
21 municipality issuing such obligations or any other taxing
22 district for the purpose of any limitation imposed by law.

23 (Source: P.A. 100-531, eff. 9-22-17.)

24 (65 ILCS 5/11-74.6-22)

25 Sec. 11-74.6-22. Adoption of ordinance; requirements;

1 changes.

2 (a) Before adoption of an ordinance proposing the
3 designation of a redevelopment planning area or a redevelopment
4 project area, or both, or approving a redevelopment plan or
5 redevelopment project, the municipality or commission
6 designated pursuant to subsection (l) of Section 11-74.6-15
7 shall fix by ordinance or resolution a time and place for
8 public hearing. Prior to the adoption of the ordinance or
9 resolution establishing the time and place for the public
10 hearing, the municipality shall make available for public
11 inspection a redevelopment plan or a report that provides in
12 sufficient detail, the basis for the eligibility of the
13 redevelopment project area. The report along with the name of a
14 person to contact for further information shall be sent to the
15 affected taxing district by certified mail within a reasonable
16 time following the adoption of the ordinance or resolution
17 establishing the time and place for the public hearing.

18 At the public hearing any interested person or affected
19 taxing district may file with the municipal clerk written
20 objections to the ordinance and may be heard orally on any
21 issues that are the subject of the hearing. The municipality
22 shall hear and determine all alternate proposals or bids for
23 any proposed conveyance, lease, mortgage or other disposition
24 of land and all protests and objections at the hearing and the
25 hearing may be adjourned to another date without further notice
26 other than a motion to be entered upon the minutes fixing the

1 time and place of the later hearing. At the public hearing or
2 at any time prior to the adoption by the municipality of an
3 ordinance approving a redevelopment plan, the municipality may
4 make changes in the redevelopment plan. Changes which (1) add
5 additional parcels of property to the proposed redevelopment
6 project area, (2) substantially affect the general land uses
7 proposed in the redevelopment plan, or (3) substantially change
8 the nature of or extend the life of the redevelopment project
9 shall be made only after the municipality gives notice,
10 convenes a joint review board, and conducts a public hearing
11 pursuant to the procedures set forth in this Section and in
12 Section 11-74.6-25. Changes which do not (1) add additional
13 parcels of property to the proposed redevelopment project area,
14 (2) substantially affect the general land uses proposed in the
15 redevelopment plan, or (3) substantially change the nature of
16 or extend the life of the redevelopment project may be made
17 without further hearing, provided that the municipality shall
18 give notice of any such changes by mail to each affected taxing
19 district and by publication once in a newspaper of general
20 circulation within the affected taxing district or on the
21 municipality's website. Such notice by mail and by publication
22 shall each occur not later than 10 days following the adoption
23 by ordinance of such changes.

24 (b) Before adoption of an ordinance proposing the
25 designation of a redevelopment planning area or a redevelopment
26 project area, or both, or amending the boundaries of an

1 existing redevelopment project area or redevelopment planning
2 area, or both, the municipality shall convene a joint review
3 board to consider the proposal. The board shall consist of a
4 representative selected by each taxing district that has
5 authority to levy real property taxes on the property within
6 the proposed redevelopment project area and that has at least
7 5% of its total equalized assessed value located within the
8 proposed redevelopment project area, a representative selected
9 by the municipality and a public member. The public member and
10 the board's chairperson shall be selected by a majority of
11 other board members.

12 All board members shall be appointed and the first board
13 meeting held within 14 days following the notice by the
14 municipality to all the taxing districts as required by
15 subsection (c) of Section 11-74.6-25. The notice shall also
16 advise the taxing bodies represented on the joint review board
17 of the time and place of the first meeting of the board.
18 Additional meetings of the board shall be held upon the call of
19 any 2 members. The municipality seeking designation of the
20 redevelopment project area may provide administrative support
21 to the board.

22 The board shall review the public record, planning
23 documents and proposed ordinances approving the redevelopment
24 plan and project to be adopted by the municipality. As part of
25 its deliberations, the board may hold additional hearings on
26 the proposal. A board's recommendation, if any, shall be a

1 written recommendation adopted by a majority vote of the board
2 and submitted to the municipality within 30 days after the
3 board convenes. A board's recommendation shall be binding upon
4 the municipality. Failure of the board to submit its
5 recommendation on a timely basis shall not be cause to delay
6 the public hearing or the process of establishing or amending
7 the redevelopment project area. The board's recommendation on
8 the proposal shall be based upon the area satisfying the
9 applicable eligibility criteria defined in Section 11-74.6-10
10 and whether there is a basis for the municipal findings set
11 forth in the redevelopment plan as required by this Act. If the
12 board does not file a recommendation it shall be presumed that
13 the board has found that the redevelopment project area
14 satisfies the eligibility criteria.

15 (c) After a municipality has by ordinance approved a
16 redevelopment plan and designated a redevelopment planning
17 area or a redevelopment project area, or both, the plan may be
18 amended and additional properties may be added to the
19 redevelopment project area only as herein provided. Amendments
20 which (1) add additional parcels of property to the proposed
21 redevelopment project area, (2) substantially affect the
22 general land uses proposed in the redevelopment plan, (3)
23 substantially change the nature of the redevelopment project,
24 (4) increase the total estimated redevelopment project costs
25 set out in the redevelopment plan by more than 5% after
26 adjustment for inflation from the date the plan was adopted, or

1 (5) add additional redevelopment project costs to the itemized
2 list of redevelopment project costs set out in the
3 redevelopment plan shall be made only after the municipality
4 gives notice, convenes a joint review board, and conducts a
5 public hearing pursuant to the procedures set forth in this
6 Section and in Section 11-74.6-25. Changes which do not (1) add
7 additional parcels of property to the proposed redevelopment
8 project area, (2) substantially affect the general land uses
9 proposed in the redevelopment plan, (3) substantially change
10 the nature of the redevelopment project, (4) increase the total
11 estimated redevelopment project cost set out in the
12 redevelopment plan by more than 5% after adjustment for
13 inflation from the date the plan was adopted, or (5) add
14 additional redevelopment project costs to the itemized list of
15 redevelopment project costs set out in the redevelopment plan
16 may be made without further hearing, provided that the
17 municipality shall give notice of any such changes by mail to
18 each affected taxing district and by publication once in a
19 newspaper of general circulation within the affected taxing
20 district or on the municipality's website. Such notice by mail
21 and by publication shall each occur not later than 10 days
22 following the adoption by ordinance of such changes.

23 Notwithstanding Section 11-74.6-50, the redevelopment
24 project area established by an ordinance adopted in its final
25 form on December 19, 2011 by the City of Loves Park may be
26 expanded by the adoption of an ordinance to that effect without

1 further hearing or notice to include land that (i) is at least
2 in part contiguous to the existing redevelopment project area,
3 (ii) does not exceed approximately 16.56 acres, (iii) at the
4 time of the establishment of the redevelopment project area
5 would have been otherwise eligible for inclusion in the
6 redevelopment project area, and (iv) is zoned so as to comply
7 with this Act prior to its inclusion in the redevelopment
8 project area.

9 (d) After the effective date of this amendatory Act of the
10 91st General Assembly, a municipality shall submit the
11 following information for each redevelopment project area (i)
12 to the State Comptroller under Section 8-8-3.5 of the Illinois
13 Municipal Code, subject to any extensions or exemptions
14 provided at the Comptroller's discretion under that Section,
15 and (ii) to all taxing districts overlapping the redevelopment
16 project area no later than 180 days after the close of each
17 municipal fiscal year or as soon thereafter as the audited
18 financial statements become available and, in any case, shall
19 be submitted before the annual meeting of the joint review
20 board to each of the taxing districts that overlap the
21 redevelopment project area:

22 (1) Any amendments to the redevelopment plan, or the
23 redevelopment project area.

24 (1.5) A list of the redevelopment project areas
25 administered by the municipality and, if applicable, the
26 date each redevelopment project area was designated or

1 terminated by the municipality.

2 (2) Audited financial statements of the special tax
3 allocation fund once a cumulative total of \$100,000 of tax
4 increment revenues has been deposited in the fund.

5 (3) Certification of the Chief Executive Officer of the
6 municipality that the municipality has complied with all of
7 the requirements of this Act during the preceding fiscal
8 year.

9 (4) An opinion of legal counsel that the municipality
10 is in compliance with this Act.

11 (5) An analysis of the special tax allocation fund
12 which sets forth:

13 (A) the balance in the special tax allocation fund
14 at the beginning of the fiscal year;

15 (B) all amounts deposited in the special tax
16 allocation fund by source;

17 (C) an itemized list of all expenditures from the
18 special tax allocation fund by category of permissible
19 redevelopment project cost; and

20 (D) the balance in the special tax allocation fund
21 at the end of the fiscal year including a breakdown of
22 that balance by source and a breakdown of that balance
23 identifying any portion of the balance that is
24 required, pledged, earmarked, or otherwise designated
25 for payment of or securing of obligations and
26 anticipated redevelopment project costs. Any portion

1 of such ending balance that has not been identified or
2 is not identified as being required, pledged,
3 earmarked, or otherwise designated for payment of or
4 securing of obligations or anticipated redevelopment
5 project costs shall be designated as surplus as set
6 forth in Section 11-74.6-30 hereof.

7 (6) A description of all property purchased by the
8 municipality within the redevelopment project area
9 including:

10 (A) Street address.

11 (B) Approximate size or description of property.

12 (C) Purchase price.

13 (D) Seller of property.

14 (7) A statement setting forth all activities
15 undertaken in furtherance of the objectives of the
16 redevelopment plan, including:

17 (A) Any project implemented in the preceding
18 fiscal year.

19 (B) A description of the redevelopment activities
20 undertaken.

21 (C) A description of any agreements entered into by
22 the municipality with regard to the disposition or
23 redevelopment of any property within the redevelopment
24 project area.

25 (D) Additional information on the use of all funds
26 received under this Division and steps taken by the

1 municipality to achieve the objectives of the
2 redevelopment plan.

3 (E) Information regarding contracts that the
4 municipality's tax increment advisors or consultants
5 have entered into with entities or persons that have
6 received, or are receiving, payments financed by tax
7 increment revenues produced by the same redevelopment
8 project area.

9 (F) Any reports submitted to the municipality by
10 the joint review board.

11 (G) A review of public and, to the extent possible,
12 private investment actually undertaken to date after
13 the effective date of this amendatory Act of the 91st
14 General Assembly and estimated to be undertaken during
15 the following year. This review shall, on a
16 project-by-project basis, set forth the estimated
17 amounts of public and private investment incurred
18 after the effective date of this amendatory Act of the
19 91st General Assembly and provide the ratio of private
20 investment to public investment to the date of the
21 report and as estimated to the completion of the
22 redevelopment project.

23 (8) With regard to any obligations issued by the
24 municipality:

25 (A) copies of any official statements; and

26 (B) an analysis prepared by financial advisor or

1 underwriter setting forth: (i) nature and term of
2 obligation; and (ii) projected debt service including
3 required reserves and debt coverage.

4 (9) For special tax allocation funds that have received
5 cumulative deposits of incremental tax revenues of
6 \$100,000 or more, a certified audit report reviewing
7 compliance with this Act performed by an independent public
8 accountant certified and licensed by the authority of the
9 State of Illinois. The financial portion of the audit must
10 be conducted in accordance with Standards for Audits of
11 Governmental Organizations, Programs, Activities, and
12 Functions adopted by the Comptroller General of the United
13 States (1981), as amended, or the standards specified by
14 Section 8-8-5 of the Illinois Municipal Auditing Law of the
15 Illinois Municipal Code. The audit report shall contain a
16 letter from the independent certified public accountant
17 indicating compliance or noncompliance with the
18 requirements of subsection (o) of Section 11-74.6-10.

19 (e) The joint review board shall meet annually 180 days
20 after the close of the municipal fiscal year or as soon as the
21 redevelopment project audit for that fiscal year becomes
22 available to review the effectiveness and status of the
23 redevelopment project area up to that date.

24 (Source: P.A. 98-922, eff. 8-15-14; 99-792, eff. 8-12-16.)

25 (65 ILCS 5/11-74.6-30)

1 Sec. 11-74.6-30. Financing. Obligations secured by the
2 special tax allocation fund set forth in Section 11-74.6-35 for
3 the redevelopment project area may be issued to provide for
4 redevelopment project costs. Those obligations, when so
5 issued, shall be retired in the manner provided in the
6 ordinance authorizing the issuance of those obligations by the
7 receipts of taxes levied as specified in Section 11-74.6-40
8 against the taxable real property included in the area and any
9 other revenue designated by the municipality. A municipality
10 may in the ordinance pledge all or any part of the funds in and
11 to be deposited into the special tax allocation fund created
12 under Section 11-74.6-35 to the payment of the redevelopment
13 project costs and obligations. Any pledge of funds in the
14 special tax allocation fund shall provide for distribution to
15 the taxing districts of moneys not required, pledged,
16 earmarked, or otherwise designated for payment and securing of
17 the obligations and anticipated redevelopment project costs,
18 and any excess funds shall be calculated annually and deemed to
19 be "surplus" funds. If a municipality applies or pledges only a
20 portion of the funds in the special tax allocation fund for the
21 payment or securing of anticipated redevelopment project costs
22 or of obligations, any funds remaining in the special tax
23 allocation fund after complying with the requirements of the
24 application or pledge shall also be calculated annually and
25 deemed "surplus" funds. All surplus funds in the special tax
26 allocation fund shall be distributed annually within 180 days

1 after the close of the municipality's fiscal year by being paid
2 by the municipal treasurer to the county collector in direct
3 proportion to the tax incremental revenue received as a result
4 of an increase in the equalized assessed value of property in
5 the redevelopment project area but not to exceed as to each
6 such source the total incremental revenue received from that
7 source. The county collector shall subsequently distribute
8 surplus funds to the respective taxing districts in the same
9 manner and proportion as the most recent distribution by the
10 county collector to the affected taxing districts of real
11 property taxes from real property in the redevelopment project
12 area.

13 Without limiting the foregoing provisions of this Section,
14 in addition to obligations secured by the special tax
15 allocation fund, the municipality may pledge, for a period not
16 greater than the term of the obligations, towards payment of
17 those obligations any part or any combination of the following:
18 (i) net revenues of all or part of any redevelopment project;
19 (ii) taxes levied and collected on any or all real property in
20 the municipality; (iii) the full faith and credit of the
21 municipality; (iv) a mortgage on part or all of the
22 redevelopment project; or (v) any other taxes or anticipated
23 receipts that the municipality may lawfully pledge.

24 The obligations may be issued in one or more series bearing
25 interest at a rate or rates that the corporate authorities of
26 the municipality determine by ordinance. The obligations shall

1 bear a date or dates, mature at a time or times, not exceeding
2 20 years from their respective issue dates, be in a
3 denomination, carry registration privileges, be executed in a
4 manner, be payable in a medium of payment at a place or places,
5 contain covenants, terms and conditions, and be subject to
6 redemption as the ordinance provides. Obligations issued under
7 this Law may be sold at public or private sale at a price
8 determined by the corporate authority of the municipality. No
9 referendum approval of the electors shall be required as a
10 condition for the issuance of obligations under this Division,
11 except as provided in this Section.

12 If the municipality authorizes issuance of obligations
13 under the authority of this Division secured by the full faith
14 and credit of the municipality, which obligations are other
15 than obligations that may be issued under home rule powers
16 provided by Section 6 of Article VII of the Illinois
17 Constitution, or pledges taxes levied and collected on real
18 property in the municipality or pledges the full faith and
19 credit of the municipality, the ordinance authorizing the
20 issuance of those obligations or pledging those taxes or the
21 municipality's full faith and credit shall be published within
22 10 days after the ordinance has been passed in one or more
23 newspapers with general circulation within that municipality
24 or on the municipality's website. The publication of the
25 ordinance shall be accompanied by a notice of (i) the specific
26 number of voters required to sign a petition requesting the

1 question of the issuance of those obligations or pledging taxes
2 to be submitted to the electors, (ii) the time in which the
3 petition must be filed, and (iii) the date of the prospective
4 referendum. The municipal clerk shall provide a petition form
5 to any individual requesting one.

6 If no petition is filed with the municipal clerk, as
7 provided in this Section, within 30 days after the publication
8 of the ordinance, the ordinance shall become effective. If,
9 however, within that 30 day period, a petition is filed with
10 the municipal clerk, signed by electors numbering not less than
11 10% of the number of registered voters in the municipality,
12 asking that the question of issuing obligations using full
13 faith and credit of the municipality as security for the cost
14 of paying for redevelopment project costs, or of pledging taxes
15 for the payment of those obligations, or both, be submitted to
16 the electors of the municipality, the corporate authorities of
17 the municipality shall call a special election in the manner
18 provided by law to vote upon that question, or, if a general,
19 State or municipal election is to be held within a period of
20 not less than 30 or more than 90 days from the date the
21 petition is filed, shall submit the question at that general,
22 State or municipal election. If it appears upon the canvass of
23 the election by the corporate authorities that a majority of
24 electors voting upon the question voted in favor of the
25 question, the ordinance shall be effective, but if a majority
26 of the electors voting upon the question are not in favor of

1 the question, the ordinance shall not take effect.

2 The ordinance authorizing the obligations may provide that
3 the obligations shall contain a recital that they are issued
4 under this Law. The recital shall be conclusive evidence of
5 their validity and of the regularity of their issuance.

6 In the event the municipality authorizes issuance of
7 obligations under this Section secured by the full faith and
8 credit of the municipality, the ordinance authorizing the
9 obligations may provide for the levy and collection of a direct
10 annual tax upon all taxable property within the municipality
11 sufficient to pay the principal of and interest on the
12 obligations as they mature. The levy may be in addition to and
13 exclusive of the maximum of all other taxes authorized to be
14 levied by the municipality. The levy, however, shall be abated
15 to the extent that moneys from other sources are available for
16 payment of the obligations and the municipality certifies the
17 amount of those moneys available to the county clerk.

18 A certified copy of the ordinance shall be filed with the
19 county clerk of each county in which any portion of the
20 municipality is situated, and shall constitute the authority
21 for the extension and collection of the taxes to be deposited
22 in the special tax allocation fund.

23 A municipality may also issue its obligations to refund, in
24 whole or in part, obligations previously issued by the
25 municipality under the authority of this Law, whether at or
26 before maturity, except that the last maturity of the refunding

1 obligations shall not be expressed to mature later than
2 December 31 of the year in which the payment to the municipal
3 treasurer as provided in subsection (b) of Section 11-74.6-35
4 is to be made with respect to ad valorem taxes levied in the
5 twenty-third calendar year after the year in which the
6 ordinance approving the redevelopment project area is adopted.

7 If a municipality issues obligations under home rule powers
8 or other legislative authority, the proceeds of which are
9 pledged to pay for redevelopment project costs, the
10 municipality may, if it has followed the procedures in
11 conformance with this Law, retire those obligations from funds
12 in the special tax allocation fund in amounts and in the same
13 manner as if those obligations had been issued under the
14 provisions of this Law.

15 No obligations issued under this Law shall be regarded as
16 indebtedness of the municipality issuing the obligations or any
17 other taxing district for the purpose of any limitation imposed
18 by law.

19 (Source: P.A. 91-474, eff. 11-1-99.)

20 (65 ILCS 5/11-76-4.1) (from Ch. 24, par. 11-76-4.1)

21 Sec. 11-76-4.1. Sale of surplus real estate. The corporate
22 authorities of a municipality by resolution may authorize the
23 sale or public auction of surplus public real estate. The value
24 of the real estate shall be determined by a written MAI
25 certified appraisal or by a written certified appraisal of a

1 State certified or licensed real estate appraiser. The
2 appraisal shall be available for public inspection. The
3 resolution may direct the sale to be conducted by the staff of
4 the municipality; by listing with local licensed real estate
5 agencies, in which case the terms of the agent's compensation
6 shall be included in the resolution; or by public auction. The
7 resolution shall be published at the first opportunity
8 following its passage in a newspaper published in the
9 municipality or, if none, then in a newspaper published in the
10 county where the municipality is located. The publication
11 requirement may also be satisfied by publication of the
12 resolution on the municipality's website. The resolution shall
13 also contain pertinent information concerning the size, use,
14 and zoning of the real estate and the terms of sale. The
15 corporate authorities may accept any contract proposal
16 determined by them to be in the best interest of the
17 municipality by a vote of two-thirds of the corporate
18 authorities then holding office, but in no event at a price
19 less than 80% of the appraised value.

20 (Source: P.A. 88-355; 89-78, eff. 6-30-95.)

21 (65 ILCS 5/11-76-4.2) (from Ch. 24, par. 11-76-4.2)

22 Sec. 11-76-4.2. Surplus property; alternative method of
23 sale.

24 (a) This Section applies to any municipality with a
25 population of less than 20,000 which is situated wholly or

1 partially within a county that has an unemployment rate, as
2 determined by the Illinois Department of Employment Security,
3 higher than the national unemployment average, as determined by
4 the U.S. Department of Labor, for at least one month during the
5 6 months preceding the adoption of a resolution to sell real
6 estate under this Section.

7 (b) If a municipality has either (1) adopted an ordinance
8 to sell surplus real estate under Section 11-76-2 and has
9 received no bid on a particular parcel or (2) adopted a
10 resolution to sell surplus real estate under Section 11-76-4.1
11 and has received no acceptable offer on a particular parcel
12 within 6 months after adoption of the resolution, then that
13 parcel of surplus real estate may be sold in the manner set
14 forth in subsection (c) of this Section.

15 (c) If the requirements of subsections (a) and (b) of this
16 Section are met, then the corporate authorities may, by
17 resolution, authorize the sale of a parcel of surplus public
18 real estate in either of the following manners: (1) by the
19 staff of the municipality; (2) by listing with local licensed
20 real estate agencies; or (3) by public auction. The terms of
21 the sale, the compensation of the agent, if any, the time and
22 the place of the auction, if applicable, a legal description of
23 the property and its size, use and zoning shall be included in
24 the resolution. The resolution shall be published once each
25 week for 3 successive weeks in a daily or weekly newspaper
26 published in the municipality or, if none, in a newspaper

1 published in the county in which the municipality is located.
2 The publication requirement may also be satisfied by
3 publication of the resolution on the municipality's website
4 once each week for 3 successive weeks. No sale may be conducted
5 until at least 30 days after the first publication. The
6 corporate authorities may accept any offer or bid determined by
7 them to be in the best interest of the municipality by a vote
8 of three-fourths of the corporate authorities then holding
9 office.

10 (Source: P.A. 86-331.)

11 (65 ILCS 5/11-76.1-3) (from Ch. 24, par. 11-76.1-3)

12 Sec. 11-76.1-3. After the ordinance providing for the lease
13 or purchase of real or personal property has been passed, it
14 shall be published at least twice within 30 days after its
15 passage in one or more newspapers published in the
16 municipality, or, if no newspaper is published therein, then in
17 one or more newspapers with a general circulation within the
18 municipality. The publication requirement may also be
19 satisfied by publication of the ordinance on the municipality's
20 website at least twice within 30 days after its passage. In
21 municipalities with less than 500 population in which no
22 newspaper is published, publication may instead be made by
23 posting a notice in 3 prominent places within the municipality.
24 The ordinance shall not become effective until 30 days after
25 its second publication.

1 (Source: P.A. 87-767.)

2 (65 ILCS 5/11-76.2-2) (from Ch. 24, par. 11-76.2-2)

3 Sec. 11-76.2-2. Upon action being duly adopted pursuant to
4 Section 11-76.2-1 above, a public hearing shall be held by the
5 corporate authorities at a time and place to be designated by
6 them upon such proposal, pursuant to notice of public hearing
7 duly published in a newspaper of general circulation published
8 in said municipality or if no such newspaper is so published
9 then in a newspaper published in the county in which said
10 municipality is wholly or partially situated that has a general
11 circulation in said municipality. The publication requirement
12 may also be satisfied by publication of the notice of public
13 hearing on the municipality's website. Said notice shall be so
14 published not less than 15 days nor more than 30 days prior to
15 the date of the hearing; and shall set forth a legal
16 description of the property or properties to be so exchanged,
17 as well as the property or properties that the municipality is
18 to receive through such exchange, and the proposed terms and
19 conditions otherwise of such exchange.

20 (Source: P.A. 81-858.)

21 (65 ILCS 5/11-84-7) (from Ch. 24, par. 11-84-7)

22 Sec. 11-84-7. Except as herein otherwise provided for
23 municipalities of more than 500,000 population, all contracts
24 for the construction or repair of sidewalks as provided in this

1 Division 84, when the expense thereof exceeds \$1,500, shall be
2 let to the lowest responsible bidder in the following manner:
3 Notice shall be given by the officer or board designated in the
4 ordinance to take charge of the construction or repair and
5 supervision of a sidewalk, by advertisement at least twice, not
6 more than 30 nor less than 15 days in advance of the day of
7 opening the bids, that bids will be received for the
8 construction or repair of that sidewalk in accordance with the
9 ordinance therefor, in one or more newspapers published within
10 the municipality, or if no newspaper is published therein, then
11 in one or more newspapers with a general circulation within the
12 municipality. The advertisement requirement may also be
13 satisfied by publication of the advertisement on the
14 municipality's website at least twice not more than 30 nor less
15 than 15 days in advance of the day of opening the bids. In
16 municipalities with less than 500 population in which no
17 newspaper is published, publication may instead be made by
18 posting a notice in 3 prominent places within the municipality.
19 The notice shall state the time of opening the bids. All bids
20 offered shall be accompanied by cash or a check payable to the
21 order of the officer or board having charge of the improvement,
22 and certified by a responsible bank, for an amount which shall
23 not be less than 10% of the aggregate of the bid. All contracts
24 shall be approved by the officer, or the presiding officer of
25 the board, having the supervision of the construction or repair
26 of that sidewalk.

1 In municipalities of more than 500,000 population, the
2 letting of contracts for the construction or repair of
3 sidewalks as provided in this Division 84 shall be governed by
4 the provisions of Division 10 of Article 8.

5 (Source: Laws 1961, p. 576.)

6 (65 ILCS 5/11-91-1) (from Ch. 24, par. 11-91-1)

7 Sec. 11-91-1. Whenever the corporate authorities of any
8 municipality, whether incorporated by special act or under any
9 general law, determine that the public interest will be
10 subserved by vacating any street or alley, or part thereof,
11 within their jurisdiction in any incorporated area, they may
12 vacate that street or alley, or part thereof, by an ordinance.
13 The ordinance shall provide the legal description or permanent
14 index number of the particular parcel or parcels of property
15 acquiring title to the vacated property. But this ordinance
16 shall be passed by the affirmative vote of at least
17 three-fourths of the aldermen, trustees or commissioners then
18 holding office. This vote shall be taken by ayes and noes and
19 entered on the records of the corporate authorities.

20 No ordinance shall be passed vacating any street or alley
21 under a municipality's jurisdiction and within an
22 unincorporated area without notice thereof and a hearing
23 thereon. At least 15 days prior to such a hearing, notice of
24 its time, place and subject matter shall be published in a
25 newspaper of general circulation within the unincorporated

1 area which the street or alley proposed for vacation serves or
2 on the municipality's website. At the hearing all interested
3 persons shall be heard concerning the proposal for vacation.

4 The ordinance may provide that it shall not become
5 effective until the owners of all property or the owner or
6 owners of a particular parcel or parcels of property abutting
7 upon the street or alley, or part thereof so vacated, shall pay
8 compensation in an amount which, in the judgment of the
9 corporate authorities, shall be the fair market value of the
10 property acquired or of the benefits which will accrue to them
11 by reason of that vacation, and if there are any public service
12 facilities in such street or alley, or part thereof, the
13 ordinance shall also reserve to the municipality or to the
14 public utility, as the case may be, owning such facilities,
15 such property, rights of way and easements as, in the judgment
16 of the corporate authorities, are necessary or desirable for
17 continuing public service by means of those facilities and for
18 the maintenance, renewal and reconstruction thereof. If the
19 ordinance provides that only the owner or owners of one
20 particular parcel of abutting property shall make payment, then
21 the owner or owners of the particular parcel shall acquire
22 title to the entire vacated street or alley, or the part
23 thereof vacated.

24 The determination of the corporate authorities that the
25 nature and extent of the public use or public interest to be
26 subserved in such as to warrant the vacation of any street or

1 alley, or part thereof, is conclusive, and the passage of such
2 an ordinance is sufficient evidence of that determination,
3 whether so recited in the ordinance or not. The relief to the
4 public from further burden and responsibility of maintaining
5 any street or alley, or part thereof, constitutes a public use
6 or public interest authorizing the vacation.

7 When property is damaged by the vacation or closing of any
8 street or alley, the damage shall be ascertained and paid as
9 provided by law.

10 (Source: P.A. 93-383, eff. 7-25-03; 93-703, eff. 7-9-04.)

11 (65 ILCS 5/11-92-8) (from Ch. 24, par. 11-92-8)

12 Sec. 11-92-8. The corporate authorities may enter into a
13 trust agreement to secure payment of the bonds issued under the
14 provisions of Section 11-92-7.

15 After the ordinance has been adopted, it shall within 10
16 days after its passage be published once in a newspaper
17 published and having a general circulation in the city or
18 village, or, if there is no such newspaper, then in a newspaper
19 having a general circulation in the county wherein such city or
20 village, or the greater or greatest portion in area of the city
21 or village, lies. The publication requirement may also be
22 satisfied by publication of the ordinance and notice on the
23 municipality's website within 10 days after its passage.

24 The publication of the ordinance shall be accompanied by a
25 notice of (1) the specific number of voters required to sign a

1 petition requesting the submission to the electors of the
 2 question of acquiring and operating or constructing and
 3 operating a harbor project and issuing bonds for such project;
 4 (2) the time in which the petition must be filed; and (3) the
 5 date of the prospective referendum. The municipal clerk shall
 6 provide a petition form to any individual requesting one.

7 If no petition is filed with the municipal clerk within 30
 8 days after the publication of the ordinance, the ordinance
 9 shall be in effect.

10 However, if within 30 days after the publication of the
 11 ordinance a petition is filed with the clerk of the city or
 12 village signed by electors of the city or village numbering 10%
 13 or more of the number of registered voters in the city or
 14 village, asking that the question of acquiring and operating or
 15 constructing and operating such harbor project and the issuance
 16 of the bonds for the harbor project be submitted to the
 17 electors of the city or village, the municipal clerk shall
 18 certify that question for submission at an election in
 19 accordance with the general election law.

20 The question shall be in substantially the following form:

21 -----
 22 Shall the City (or Village) YES
 23 of issue revenue -----
 24 bonds for acquiring (or
 25 constructing) a harbor? NO
 26 -----

1 If a majority of the electors voting upon that question
2 vote in favor of the issuance of the bonds, the ordinance shall
3 be in effect, otherwise the ordinance shall not become
4 effective.

5 (Source: P.A. 87-767.)

6 (65 ILCS 5/11-94-2) (from Ch. 24, par. 11-94-2)

7 Sec. 11-94-2. Whenever the corporate authorities of a
8 specified municipality determine to construct or acquire and
9 purchase or improve natatoriums or swimming pools, indoor or
10 outdoor tennis courts, handball, racquetball or squash courts,
11 artificial ice skating rinks or golf courses, or any
12 combination of said facilities and to issue bonds under this
13 Division 94 to pay the cost or purchase price thereof, the
14 corporate authorities shall adopt an ordinance describing in a
15 general way the contemplated project and refer to plans and
16 specifications therefor when the project is to be constructed.
17 These plans and specifications shall be filed in the office of
18 the municipal clerk and shall be open for inspection by the
19 public.

20 This ordinance shall set out the estimated cost of the
21 project, determine the period of usefulness thereof, fix the
22 amount of revenue bonds to be issued, the maturities thereof,
23 the interest rate, which shall not exceed the greater of (i)
24 the maximum rate authorized by the Bond Authorization Act, as
25 amended at the time of the making of the contract, or (ii) 8%

1 annually, payable annually or semi-annually and all the details
2 in connection with the bonds. However, from the effective date
3 of this amendatory Act of 1976 through and including June 30,
4 1977, such interest rate shall not exceed 9%. The bonds shall
5 mature within the period of usefulness of the project as
6 determined by the corporate authorities. The ordinance may also
7 contain such covenants and restrictions upon the issuance of
8 additional revenue bonds thereafter as may be deemed necessary
9 or advisable for the assurance of the payment of the bonds
10 thereby authorized. The ordinance shall also pledge the revenue
11 derived from the operation of the natatoriums or swimming
12 pools, indoor or outdoor tennis courts, handball, racquetball
13 or squash courts, artificial ice skating rinks or the golf
14 courses, or any other recreational facility or any combination
15 of facilities as the case may be, for the purpose of paying
16 maintenance and operation costs, providing an adequate
17 depreciation fund, and paying the principal and the interest of
18 the bonds issued under this Division 94. The ordinance may also
19 pledge the revenue derived from the operation of existing
20 natatoriums or swimming pools, indoor or outdoor tennis courts,
21 handball, racquetball or squash courts, artificial ice skating
22 rinks or golf courses, or any combination of facilities.

23 Within 30 days after this ordinance has been passed it
24 shall be published at least once in one or more newspapers
25 published in the municipality, or, if no newspaper is published
26 therein, then in one or more newspapers with a general

1 circulation within the municipality. The publication
2 requirement may also be satisfied by publication of the
3 ordinance and notice on the municipality's website within 30
4 days after its passage. In municipalities with less than 500
5 population in which no newspaper is published, publication may
6 instead be made by posting a notice in 3 prominent places
7 within the municipality.

8 The publication or posting of the ordinance shall be
9 accompanied by a notice of (1) the specific number of voters
10 required to sign a petition requesting the question of
11 constructing or acquiring and purchasing or improving and
12 operating such recreation facility and the issuance of bonds to
13 be submitted to the electors; (2) the time in which such
14 petition must be filed; and (3) the date of the prospective
15 referendum. The municipal clerk shall provide a petition form
16 to any individual requesting one.

17 If no petition is filed with the municipal clerk within 30
18 days after the publication, or posting of the ordinance, the
19 ordinance shall be in effect. But if within this 30 day period
20 a petition is so filed, signed by electors of the municipality
21 numbering 10% or more of the number of registered voters in the
22 municipality asking that the question of constructing or
23 acquiring and purchasing or improving and operating such
24 natatoriums or swimming pools, indoor or outdoor tennis courts,
25 handball, racquetball or squash courts, artificial ice skating
26 rinks or golf courses, or any other recreational facility or

1 any combination of facilities, and the issuance of such bonds
2 be submitted to the electors of the municipality, the municipal
3 clerk shall certify that question for submission at an election
4 in accordance with the general election law.

5 If a majority of the electors voting upon that question
6 vote in favor of constructing or acquiring and purchasing or
7 improving and operating the natatoriums or swimming pools,
8 indoor or outdoor tennis courts, handball, racquetball or
9 squash courts, artificial ice skating rinks or golf courses, or
10 any other recreational facility or any combination of
11 facilities, and the issuance of the bonds, the ordinances shall
12 be in effect. But if a majority of the votes cast are against
13 constructing or acquiring and purchasing or improving and
14 operating the natatoriums or swimming pools, indoor or outdoor
15 tennis courts, handball, racquetball or squash courts,
16 artificial ice skating rinks or golf courses, or any other
17 recreational facility or any combination of facilities, and the
18 issuance of the bonds, the ordinance shall not go into effect.

19 With respect to instruments for the payment of money issued
20 under this Section either before, on, or after the effective
21 date of this amendatory Act of 1989, it is and always has been
22 the intention of the General Assembly (i) that the Omnibus Bond
23 Acts are and always have been supplementary grants of power to
24 issue instruments in accordance with the Omnibus Bond Acts,
25 regardless of any provision of this Act that may appear to be
26 or to have been more restrictive than those Acts, (ii) that the

1 provisions of this Section are not a limitation on the
2 supplementary authority granted by the Omnibus Bond Acts, and
3 (iii) that instruments issued under this Section within the
4 supplementary authority granted by the Omnibus Bond Acts are
5 not invalid because of any provision of this Act that may
6 appear to be or to have been more restrictive than those Acts.

7 The amendatory Acts of 1971, 1972 and 1973 are not a limit
8 upon any municipality which is a home rule unit.

9 This amendatory Act of 1975 is not a limit upon any
10 municipality which is a home rule unit.

11 (Source: P.A. 86-4; 87-767.)

12 (65 ILCS 5/11-102-4b) (from Ch. 24, par. 11-102-4b)

13 Sec. 11-102-4b. The municipal clerk of the municipality
14 which established the airport involved shall publish notice of
15 the hearing at least once, not more than 30 nor less than 15
16 days before the hearing in a newspaper of general circulation
17 in the municipalities affected. If no newspaper is generally
18 circulated in such municipality, publication shall be in a
19 newspaper of general circulation in the county of the
20 municipalities affected. The publication requirement may also
21 be satisfied by publication of the notice on the municipality's
22 website not more than 30 nor less than 15 days before the
23 hearing.

24 (Source: P.A. 76-1341.)

1 (65 ILCS 5/11-102-7) (from Ch. 24, par. 11-102-7)

2 Sec. 11-102-7. The corporate authorities of any
3 municipality availing itself of the provisions of Section
4 11-102-6 shall adopt an ordinance describing in a general way
5 the airport or airports or facilities thereof or relating
6 thereto to be purchased, established or improved and refer to
7 the plans and specifications therefor prepared for that
8 purpose. These plans and specifications shall be open to the
9 inspection of the public. Any such ordinance shall set out the
10 estimated cost of the airport or airports or facilities thereof
11 or relating thereto or of the improvement and shall fix the
12 maximum amount of revenue bonds proposed to be issued therefor.
13 This amount shall not exceed the estimated cost of the airport
14 or airports or facilities thereof or relating thereto or of the
15 improvement including engineering, legal, and other expenses
16 together with interest cost to a date 6 months subsequent to
17 the estimated date of completion. Such ordinance may contain
18 such covenants, which shall be part of the contract between the
19 municipality and the holders of such bonds and the trustee, if
20 any, for such bondholders having such rights and duties as may
21 be provided therein for the enforcement and protection of such
22 covenants, as may be deemed necessary or advisable as to:

23 (a) the issuance of additional bonds that may thereafter be
24 issued payable from the revenues derived from the operation of
25 any such airport or airports, buildings, structures and
26 facilities and for the payment of the principal and interest

1 upon such bonds;

2 (b) the regulations as to the use of any such airport or
3 airports and facilities to assure the maximum use or occupancy
4 thereof;

5 (c) the kind and amount of insurance to be carried,
6 including use and occupancy insurance, the cost of which shall
7 be payable only from the revenues derived from the airport or
8 airports and facilities;

9 (d) operation, maintenance, management, accounting and
10 auditing, employment of airport engineers and consultants and
11 the keeping of records, reports and audits of any such airport
12 or airports and facilities;

13 (e) the obligation of the municipality to maintain the
14 airport or airports and facilities in good condition and to
15 operate the same in an economical and efficient manner;

16 (f) providing for setting aside of sinking funds, reserve
17 funds, depreciation funds and such other special funds as may
18 be found needful and the regulation and disposition thereof;

19 (g) providing for the setting aside of a sinking fund, into
20 which shall be payable from the revenues of such airport or
21 airports, buildings, structures and facilities from month to
22 month, as such revenues are collected, such sums as will be
23 sufficient to pay the accruing interest and retire the bonds at
24 maturity;

25 (h) agreeing to fix and collect rents, rates of toll and
26 other charges for the use of such airport or airports or any

1 buildings, structures or facilities located thereon or related
2 thereto, sufficient, together with other available money, to
3 produce revenue adequate to pay the bonds at maturity and
4 accruing interest and reserves therefor and sufficient to pay
5 cost of maintenance, operation and depreciation thereof in such
6 order of priority as shall be provided by the ordinance
7 authorizing the bonds;

8 (i) fixing procedure by which the terms of any contract
9 with the holders of the bonds may be amended, the amount of
10 bonds the holders of which must consent thereto and the manner
11 in which such consent may be given;

12 (j) providing the procedure for refunding such bonds;

13 (k) providing whether and to what extent and upon what
14 terms and conditions, if any, the holder of bonds or coupons
15 issued under such ordinance or the trustee, if any, therefor
16 may, by action, mandamus, injunction or other proceeding,
17 enforce or compel the performance of all duties required by
18 this Division 102 including the fixing, maintaining and
19 collecting of such rents, rates or other charges for the use of
20 such airport or airports or of any buildings, structures or
21 other facilities located thereon or relating thereto or for any
22 service rendered by the municipality in the operation thereof
23 as will be sufficient, together with other available money, to
24 pay the principal of and interest upon these revenue bonds as
25 the same become due and reserves therefor and sufficient to pay
26 the cost of maintenance, operation and depreciation of the

1 airport or airports and facilities in the order of priority as
2 provided in the ordinance authorizing the bonds, and the
3 application of the income and revenue thereof;

4 (m) such other covenants as may be deemed necessary or
5 desirable to assure a successful and profitable operation of
6 the airport or airports and facilities and prompt payment of
7 the principal of and interest upon the bonds so authorized.
8 After this ordinance has been adopted it shall be published
9 once in a newspaper published and having a general circulation
10 in the municipality or on the municipality's website and may
11 not thereafter be amended or rescinded except as may be
12 provided by specific covenant contained therein as hereinabove
13 authorized. After the expiration of 10 days from the date of
14 this publication the ordinance shall be in effect.

15 (Source: P.A. 83-345.)

16 (65 ILCS 5/11-103-6) (from Ch. 24, par. 11-103-6)

17 Sec. 11-103-6. The corporate authorities of a municipality
18 under this Division 103 may (1) lease all or any part of the
19 municipality's airport, landing field, facilities, and other
20 structures, and fix and collect rentals therefor, (2) fix,
21 charge, and collect rentals, tolls, fees, and charges to be
22 paid, for the use of the whole or any part of the airport or
23 landing field, buildings, or other facilities, (3) make
24 contracts for the operation and management of the airport,
25 landing field, or other air navigation facilities, and (4)

1 provide for the use, management, and operation of the airport,
2 landing field, or air navigation facilities through lessees
3 thereof, or through its own employees, or otherwise. However,
4 no lease for the operation or management of an airport, landing
5 field, or air navigation facilities shall be made for more than
6 one year except to the highest and best bidder, after notice of
7 the lease or contract has been given, not more than 30 nor less
8 than 15 days in advance of the date of the lease or contract,
9 by publishing a notice thereof at least twice in one or more
10 newspapers published in the municipality, or, if no newspaper
11 is published therein, then in one or more newspapers with a
12 general circulation within the municipality. The publication
13 requirement may also be satisfied by publication of the notice
14 on the municipality's website at least twice not more than 30
15 nor less than 15 days in advance of the date of the lease or
16 contract. In municipalities with less than 500 population in
17 which no newspaper is published, publication may instead be
18 made by posting a notice in 3 prominent places within the
19 municipality.

20 (Source: Laws 1961, p. 576.)

21 (65 ILCS 5/11-103-12) (from Ch. 24, par. 11-103-12)

22 Sec. 11-103-12. The corporate authorities of any
23 municipality specified in Section 11-103-1, for the purpose of
24 acquiring land for an airport or landing field or constructing
25 an airport or landing field, or both, may borrow money and as

1 evidence thereof may issue bonds, payable solely from revenue
2 derived, from the operation or leasing of the airport, landing
3 field, and facilities or appurtenances thereof. These bonds may
4 be issued in such amounts as may be necessary to provide
5 sufficient funds to pay all costs of acquiring the land for an
6 airport or landing field or constructing an airport or landing
7 field, or both, including engineering, legal, and other
8 expenses, together with interest on these bonds, to a date 6
9 months subsequent to the estimated date of completion.

10 Whenever the corporate authorities of a specified
11 municipality determine to acquire land for an airport or
12 landing field or to construct an airport or landing field, or
13 both, and to issue bonds under this section for the payment of
14 the cost thereof, the corporate authorities shall adopt an
15 ordinance describing in a general way the contemplated project
16 and refer to the plans and specifications therefor. These plans
17 and specifications shall be filed with the municipal clerk and
18 shall be open for inspection by the public.

19 This ordinance shall set out the estimated cost of the
20 project, fix the amount of revenue bonds to be issued, the
21 maturity or maturities thereof, the interest rate, which shall
22 not exceed the maximum rate authorized by the Bond
23 Authorization Act, as amended at the time of the making of the
24 contract, payable annually or semi-annually, and all details in
25 connection with the bonds. The ordinance shall also declare
26 that a statutory mortgage lien shall exist upon the property of

1 the airport or landing field, and shall pledge the revenue
2 derived from the operation or leasing of the airport, landing
3 field, and the facilities and appurtenances thereof for the
4 payment of maintenance and operating costs, providing an
5 adequate depreciation fund, and paying the principal and
6 interest of the revenue bonds issued thereunder.

7 After this ordinance has been adopted, it shall be
8 published in the same manner and form as is required for other
9 ordinances of the municipality, including on the
10 municipality's website.

11 The publication of the ordinance shall be accompanied by a
12 notice of (1) the specific number of voters required to sign a
13 petition requesting the question of acquiring land for an
14 airport or landing field or constructing such facility and the
15 issuance of bonds to be submitted to the electors; (2) the time
16 in which such petition must be filed; and (3) the date of the
17 prospective referendum. The municipal clerk shall provide a
18 petition form to any individual requesting one.

19 If no petition is filed with the municipal clerk as
20 provided in this section within 30 days after the publication
21 or posting of this ordinance, the ordinance shall be in effect
22 after the expiration of this 30 day period. But if within this
23 30 day period a petition is filed with the municipal clerk
24 signed by electors of the municipality numbering 10% or more of
25 the number of registered voters in the municipality, asking
26 that the question of acquiring land for an airport or landing

1 field or constructing an airport or landing field, or both, and
2 the issuance of the specified bonds, be submitted to the
3 electors thereof, the municipal clerk shall certify that
4 question for submission at an election in accordance with the
5 general election law.

6 If a majority of the votes cast on the question are in
7 favor of acquiring land for an airport or landing field or
8 constructing an airport or landing field, or both, and in favor
9 of the issuance of the specified bonds, this ordinance shall be
10 in effect. But if a majority of the votes cast on the question
11 are against the project and the issuance of the bonds, this
12 ordinance shall not become effective.

13 Bonds issued under this section are negotiable
14 instruments, and shall be executed by the mayor or president
15 and by the municipal clerk of the municipality. In case any
16 officer whose signature appears on the bonds or coupons ceases
17 to hold that office before the bonds are delivered, his
18 signature, nevertheless shall be valid and sufficient for all
19 purposes, the same as though he had remained in office until
20 the bonds were delivered.

21 With respect to instruments for the payment of money issued
22 under this Section either before, on, or after the effective
23 date of this amendatory Act of 1989, it is and always has been
24 the intention of the General Assembly (i) that the Omnibus Bond
25 Acts are and always have been supplementary grants of power to
26 issue instruments in accordance with the Omnibus Bond Acts,

1 regardless of any provision of this Act that may appear to be
2 or to have been more restrictive than those Acts, (ii) that the
3 provisions of this Section are not a limitation on the
4 supplementary authority granted by the Omnibus Bond Acts, and
5 (iii) that instruments issued under this Section within the
6 supplementary authority granted by the Omnibus Bond Acts are
7 not invalid because of any provision of this Act that may
8 appear to be or to have been more restrictive than those Acts.

9 The amendatory Acts of 1971, 1972 and 1973 are not a limit
10 upon any municipality which is a home rule unit.

11 (Source: P.A. 86-4; 87-767.)

12 (65 ILCS 5/11-117-3) (from Ch. 24, par. 11-117-3)

13 Sec. 11-117-3. No municipality shall proceed to acquire or
14 construct any public utility under the provisions of this
15 Division 117 until an ordinance of the corporate authorities
16 providing therefor has been duly passed. This ordinance shall
17 set forth the action proposed, shall describe the plant,
18 equipment, and property proposed to be acquired or constructed,
19 and shall provide for the issuance of bonds, mortgage
20 certificates, or special assessment bonds, as authorized in
21 this Division 117.

22 This ordinance shall not become effective until the
23 question of its adoption is submitted to a referendum vote of
24 the electors of the municipality. The municipal clerk shall
25 certify the question for submission to the vote of the electors

1 of the municipality upon an initiating ordinance adopted by the
2 corporate authorities.

3 The question shall be in substantially the following form:

4 -----

5 Shall the ordinance (stating	YES
6 the nature of the proposed	-----
7 ordinance) be adopted?	NO

8 -----

9 If a majority of the electors voting on the question of the
10 adoption of the proposed ordinance vote in favor thereof, the
11 ordinance shall thereupon become a valid and binding ordinance
12 of the municipality.

13 Prior to the referendum upon this ordinance, the municipal
14 clerk shall have the ordinance published at least once in one
15 or more newspapers published in the municipality, or, if no
16 newspaper is published therein, then in one or more newspapers
17 with a general circulation within the municipality or on the
18 municipality's website. This publication shall be not more than
19 30 nor less than 15 days in advance of the election.

20 (Source: P.A. 81-1489.)

21 (65 ILCS 5/11-118-3) (from Ch. 24, par. 11-118-3)

22 Sec. 11-118-3. Whenever revenue bonds have been issued
23 under this Division 118, the entire revenue received thereafter
24 from the operation of the heating plant and system shall be
25 deposited in a separate fund, designated the heating fund of

1 the municipality of This revenue shall be used only in
2 paying the cost of maintenance and operation of the heating
3 plant and system and the principal of interest upon the bonds
4 issued under this Division 118.

5 Rates charged for heating shall be sufficient to pay the
6 cost of maintenance and operation and to pay the principal of
7 and interest upon all bonds issued under this Division 118, for
8 the construction of the heating plant and system. These rates
9 shall not be reduced while any of these bonds are unpaid.

10 Revenue bonds issued under this Division 118 may be
11 redeemed at any interest-paying date, by proceeding as follows:

12 (1) a written notice shall be mailed to the holder of such a
13 bond 30 days prior to an interest-paying date, notifying the
14 holder that the bond will be redeemed on the next
15 interest-paying date; or (2) if the holder of such a bond is
16 unknown, then a notice describing the bond to be redeemed and
17 the date of its redemption shall be published 30 days prior to
18 an interest-paying date in one or more newspapers published in
19 the municipality, or, if no newspaper is published therein,
20 then in one or more newspapers with a general circulation
21 within the municipality. The publication requirement may also
22 be satisfied by publication of the notice on the municipality's
23 website 30 days prior to an interest-paying date. In
24 municipalities with less than 500 population in which no
25 newspaper is published, publication may instead be made by
26 posting a notice in 3 prominent places within the municipality.

1 When notice has been mailed to the holder of such a bond, or
2 when notice has been published in a newspaper, in case the
3 holder of the bond is unknown, the bond shall cease bearing
4 interest from and after the next interest-paying date.

5 (Source: Laws 1961, p. 576.)

6 (65 ILCS 5/11-122-2) (from Ch. 24, par. 11-122-2)

7 Sec. 11-122-2. Subject to the provisions of Section
8 11-122-6, every city may lease street railways, or any part
9 thereof, owned by the city to any company incorporated under
10 the laws of this state for the purpose of operating street
11 railways for any period, not longer than 20 years, on such
12 terms and conditions as the city council deems for the best
13 interests of the public.

14 Such a city has the power to incorporate in any grant of
15 the right to construct or operate street railways a reservation
16 of the right on the part of the city to take over all or part of
17 those street railways, at or before the expiration of the
18 grant, upon such terms and conditions as may be provided in the
19 grant. The city also has the power to provide in such a grant
20 that in case the reserved right is not exercised by the city
21 and the city grants a right to another company to operate a
22 street railway in the streets or part of the streets occupied
23 by its grantee under the former grant, the new grantee shall
24 purchase and take over the street railways of the former
25 grantee upon the terms that the city might have taken them

1 over. The city council of the city has the power to make a
2 grant, containing such a reservation, for either the
3 construction or operation or both the construction and
4 operation of a street railway in, upon, and along any of the
5 streets or public ways therein, or portions thereof, in which
6 street railway tracks are already located at the time of the
7 making of the grant, without the petition or consent of any of
8 the owners of the land abutting or fronting upon any street or
9 public way, or portion thereof, covered by the grant.

10 No ordinance authorizing a lease for a longer period than 5
11 years, nor any ordinance renewing any lease, shall go into
12 effect until the expiration of 30 days from and after its
13 publication. The ordinance shall be published in a newspaper of
14 general circulation in the city or on the municipality's
15 website. The publication or posting of the ordinance shall be
16 accompanied by a notice of (1) the specific number of voters
17 required to sign a petition requesting the question of
18 authorizing the lease of a street railway for a period longer
19 than 5 years to be submitted to the electors; (2) the time in
20 which such petition must be filed; and (3) the date of the
21 prospective referendum. The city clerk shall provide a petition
22 form to any individual requesting one. And if, within that 30
23 days, there is filed with the city clerk a petition signed by
24 voters in the municipality equal to 10% or more of the
25 registered voters in the municipality, asking that the
26 ordinance be submitted to a popular vote, the ordinance shall

1 not go into effect unless the question of its adoption is first
2 submitted to the electors of the city and approved by a
3 majority of those voting thereon.

4 The signatures to the petition need not all be on one paper
5 but each signer shall add to his signature, which shall be in
6 his own handwriting, his place of residence, giving the street
7 and number. One of the signers of each such paper shall make
8 oath before an officer competent to administer oaths, that each
9 signature on the paper is the genuine signature of the person
10 whose name it purports to be.

11 In case of the leasing by any city of any street railway
12 owned by it, the rental reserved shall be based on both the
13 actual value of the tangible property and of the franchise
14 contained in the lease, and the rental shall not be less than a
15 sufficient sum to meet the annual interest upon all outstanding
16 bonds or street railway certificates issued by the city on
17 account of that street railway.

18 (Source: P.A. 87-767.)

19 (65 ILCS 5/11-122-8) (from Ch. 24, par. 11-122-8)

20 Sec. 11-122-8. Any city having a population of less than
21 500,000 which has constructed, acquired, or purchased street
22 railways under "An Act to authorize cities to acquire,
23 construct, own, operate and lease street railways, to provide
24 the means therefor, and to provide for the discontinuance of
25 such operation and ownership," approved May 18, 1903, as

1 amended, or under this Division 122, by ordinance of the city
 2 council may provide for the discontinuance of their operation
 3 and maintenance and may provide for the sale or disposal, in
 4 such manner as the city council may determine, of the property
 5 and equipment so constructed, acquired, or purchased.

6 This ordinance shall not become effective until the
 7 question of its adoption is certified by the clerk and
 8 submitted to a referendum vote of the electors of the city at
 9 an election designated in the ordinance. At that election, the
 10 ordinance shall be submitted without alteration to the vote of
 11 the electors of the city.

12 The question shall be in substantially the following form:

13 -----
 14 Shall the ordinance (stating YES
 15 the nature of the proposed -----
 16 ordinance) be adopted? NO
 17 -----

18 If a majority of the electors voting on the question of the
 19 adoption of the proposed ordinance vote in favor thereof, the
 20 ordinance shall thereupon become a valid and binding ordinance
 21 of the city.

22 Prior to the election upon this ordinance, the city clerk
 23 shall have the ordinance published at least once in one or more
 24 newspapers published in the city, or, if no newspaper is
 25 published therein, then in one or more newspapers with a
 26 general circulation within the city. The publication

1 requirement may also be satisfied by publication of the
2 ordinance on the city's website. This publication shall be not
3 more than 30 nor less than 15 days in advance of the election.

4 (Source: P.A. 81-1489.)

5 (65 ILCS 5/11-122.1-1) (from Ch. 24, par. 11-122.1-1)

6 Sec. 11-122.1-1. Any municipality shall have power to
7 contract for the operation of a privately owned, local
8 passenger transportation system or a portion thereof within its
9 corporate limits or within a radius of one-half mile thereof
10 upon terms satisfactory to it and to the owner of said system.
11 By such contract, the municipality may bind itself to pay to
12 said owner and operator such sums as may be sufficient, when
13 added to the fares collected from its patrons by the operator,
14 to equal an agreed cost of said service, which cost may include
15 an allowance for depreciation and a reasonable sum for
16 operating and maintaining said transportation system or
17 portion thereof. Such contract shall provide that the
18 municipality may fix the fares to be charged and the service to
19 be rendered by the operator; and a municipality entering into
20 such contract shall have exclusive jurisdiction and control of
21 rates of fare to be charged and service to be provided by such
22 contracting, owning and operating company for the
23 transportation to be provided pursuant to such contract. Upon
24 the execution of such a contract and within 10 days after its
25 effective date the owner of the system shall file 3 copies of

1 such contract certified by the clerk of the municipal
2 corporation executing the same with the Illinois Commerce
3 Commission and shall cause public notice of such contract to be
4 published in a newspaper of general circulation in the area to
5 be served pursuant to such contract or on the municipality's
6 website. Thereafter the Illinois Commerce Commission shall
7 enter an order suspending that portion of the operating rights
8 of the owner of the system covered by the provisions of such
9 contract for the period covered by the contract. Such order
10 shall direct continued compliance by the owner of the system
11 with the provisions of Sections 55a and 55b of "An Act
12 concerning public utilities", approved June 29, 1921, as
13 amended.

14 (Source: Laws 1965, p. 2850.)

15 (65 ILCS 5/11-123-9) (from Ch. 24, par. 11-123-9)

16 Sec. 11-123-9. When any city or village and the owner or
17 claimant have agreed upon a boundary line as provided in
18 Section 11-123-8, the city or village shall commence a civil
19 action in the circuit court of the county in which the land is
20 situated, praying that the boundary line be established and
21 confirmed by judgment of the court. All persons interested in
22 the land as owners or otherwise, who appear of record, if
23 known, or if not known, upon stating the fact, shall be made
24 parties defendant. Interested persons whose names are unknown
25 may be made parties defendant by the description of unknown

1 owners, but in all cases an affidavit shall be filed by or on
2 behalf of the municipality, setting forth that the names of
3 these persons are unknown.

4 The municipality shall publish notice of the commencement
5 of the action once a week for 3 consecutive weeks, in one or
6 more newspapers published in the municipality, or, if no
7 newspaper is published therein, then in one or more newspapers
8 with a general circulation within the municipality. The
9 publication requirement may also be satisfied by publication of
10 the notice on the municipality's website once a week for 3
11 successive weeks. In municipalities with less than 500
12 population in which no newspaper is published, publication may
13 instead be made by posting a notice in 3 prominent places
14 within the municipality. The notices shall contain the title of
15 the action and the return day at which the defendants are to
16 appear, and the last of the notices shall be published not less
17 than 10 nor more than 20 days before the return day. The
18 defendants who do not enter their appearances shall be served
19 with process and the proceedings in the action shall be
20 conducted in the same manner as provided by the Civil Practice
21 Law, as heretofore and hereafter amended and the Supreme Court
22 Rules, now or hereafter adopted, in relation to that Law,
23 except as otherwise provided in this Division 123.

24 If upon a hearing the court finds that the rights and
25 interests of the public have been duly conserved by the
26 agreement, the court shall confirm the agreement and establish

1 the boundary line. Otherwise the court, in its discretion,
2 shall dismiss the suit. If the boundary line agreed upon is so
3 established and confirmed by a court judgment, it shall be the
4 permanent boundary line thereafter and shall not be affected
5 either by accretion or erosion.

6 The establishment of such a boundary line operates as a
7 conveyance and release to the municipality of all the right,
8 title, and interest of owners to all land, property, and
9 property rights, including riparian rights, lying upon the
10 outer or water side of the boundary line. The municipality is
11 hereby granted by the State of Illinois the title to all land,
12 property, and property rights, including riparian rights,
13 lying upon the outer or water side of the boundary line when so
14 established. The owners of the shore land are hereby granted by
15 the State of Illinois the title to the adjacent, adjoining,
16 submerged, or other land, whether of natural or artificial
17 formation, as specifically and particularly described in the
18 court judgment, lying upon the inner or land side of the
19 boundary line when so established. These owners may fill in,
20 improve, protect, and use, sell, and convey this land lying
21 upon the inner or land side of the boundary line free from any
22 adverse claim in any way arising out of any question as to
23 where the shore line was at any time in the past, or as to the
24 title to any existing accretions.

25 (Source: P.A. 82-783.)

1 (65 ILCS 5/11-123-14) (from Ch. 24, par. 11-123-14)

2 Sec. 11-123-14. Every city and village owning and
3 operating, or owning and leasing any portion of a utility,
4 shall keep the accounts for the utilities separate and distinct
5 from other municipal accounts and in such manner as to show the
6 true and complete financial standing and results of the
7 municipal ownership and operation or of the municipal ownership
8 and leasing, as the case may be. These accounts shall be so
9 kept as to show: (1) the actual cost of the municipality of the
10 utilities owned; (2) all costs of maintenance, extension, and
11 improvement; (3) all operating expenses of every description,
12 in case of municipal operation, whether of the whole or of a
13 part of the utilities; (4) if water or other service is
14 furnished for the use of the utilities without charge, as
15 nearly as possible, the value of that service, and also the
16 value of any service rendered by the utilities to any
17 reasonable allowances for interest, depreciation, and other
18 municipal department without charge; (5) insurance; and (6)
19 estimates of the amount of taxes that would be chargeable
20 against the utilities if owned by a private corporation. The
21 corporate authorities of the municipality shall have printed
22 annually for public distribution, a report showing the
23 financial standing and results, in the form specified in this
24 section, of the municipal ownership and operation, or of
25 municipal ownership and leasing. This report shall be published
26 in one or more newspapers published in the municipality, or, if

1 no newspaper is published therein, then in one or more
2 newspapers with a general circulation within the municipality.
3 The publication requirement may also be satisfied by
4 publication of the report on the municipality's website. In
5 municipalities with less than 500 population in which no
6 newspaper is published, publication may instead be made by
7 posting a notice in 3 prominent places within the municipality.

8 The accounts of the utilities shall be examined at least
9 once a year by a licensed Certified Public Accountant permitted
10 to perform audits under the Illinois Public Accounting Act, who
11 shall report to the corporate authorities the results of his
12 examination. This accountant shall be selected in such manner
13 as the corporate authorities may direct, and he shall receive
14 for his services such compensation, to be paid out of the
15 revenue from the utilities, as the corporate authorities may
16 prescribe.

17 (Source: P.A. 94-465, eff. 8-4-05.)

18 (65 ILCS 5/11-126-1) (from Ch. 24, par. 11-126-1)

19 Sec. 11-126-1. Each municipality may provide for a supply
20 of water for fire protection and for the use of the inhabitants
21 of the municipality (1) by constructing and maintaining a
22 system of waterworks, or (2) by uniting with any adjacent
23 municipality in constructing and maintaining a system of
24 waterworks for the joint use of those municipalities, or (3) by
25 procuring such a supply of water from any adjacent municipality

1 already having waterworks.

2 All contracts for the construction of such a system of
3 waterworks or any part thereof shall be let to the lowest
4 responsible bidder therefor, upon not less than 3 weeks' public
5 notice of the terms and conditions upon which the contract is
6 to be let having been given by publication in a newspaper
7 published in the municipality, or if no newspaper is published
8 therein, then in some newspaper published in the county. The
9 publication requirement may also be satisfied by publication of
10 the notice on the municipality's website for not less than 3
11 successive weeks. No member of the corporate authorities shall
12 be directly or indirectly interested in such a contract. In all
13 cases the corporate authorities have the right to reject any
14 and all bids that may not be satisfactory to them.

15 (Source: Laws 1961, p. 576.)

16 (65 ILCS 5/11-127-1) (from Ch. 24, par. 11-127-1)

17 Sec. 11-127-1. In all municipalities where waterworks have
18 been constructed, the corporate authorities of the
19 municipality may purchase or lease the waterworks from the
20 owner thereof. However, such a lease or purchase is not binding
21 upon the municipality until the corporate authorities pass an
22 ordinance which includes the terms of the lease or purchase
23 therein. This ordinance shall be published at least once,
24 within 10 days after passage, in one or more newspapers
25 published in the municipality, or, if no newspaper is published

1 therein, then in one or more newspapers with a general
2 circulation within the municipality. The publication
3 requirement may also be satisfied by publication of the
4 ordinance on the municipality's website within 10 days after
5 its passage. In municipalities with less than 500 population in
6 which no newspaper is published, publication may instead be
7 made by posting a notice in 3 prominent places within the
8 municipality.

9 The publication or posting of the ordinance shall be
10 accompanied by a notice of (1) the specific number of voters
11 required to sign a petition requesting the question of
12 authorizing the purchase or lease of waterworks to be submitted
13 to the electors; (2) the time in which such petition must be
14 filed; and (3) the date of the prospective referendum. The city
15 clerk shall provide a petition form to any individual
16 requesting one.

17 If no petition is submitted to the corporate authorities,
18 as provided in this section, within 30 days after the ordinance
19 is so published and posted, the corporate authorities may
20 consummate the lease or purchase provided for in the ordinance.
21 But if within this period of 30 days there is presented to the
22 corporate authorities a petition signed by electors of the
23 municipality numbering 10% or more of the number of registered
24 voters in the municipality asking that the question, whether
25 the lease or purchase should be made, be submitted to a vote,
26 the corporate authorities by ordinance shall designate the

1 election at which the electors of the municipality may vote
2 upon that question and the city clerk shall promptly certify
3 the proposition for submission. If a majority of the electors
4 voting upon that question vote in favor of making the lease or
5 purchase, then the corporate authorities shall proceed to
6 complete the lease or purchase. But if a majority of the votes
7 cast on the question are against the lease or purchase, the
8 corporate authorities shall proceed no further with the lease
9 or purchase for the period of 6 months next ensuing.

10 (Source: P.A. 87-767.)

11 (65 ILCS 5/11-128-2) (from Ch. 24, par. 11-128-2)

12 Sec. 11-128-2. Whenever any specified municipality desires
13 to avail itself of the provisions of this Division 128, the
14 corporate authorities by ordinance or resolution may contract
15 for the purchase, construction, or enlargement of waterworks
16 for a provisionally certain fixed sum. The contract for
17 purchase, construction, or enlargement, together with a report
18 from the municipal engineer recommending the same, shall be
19 published at least once a week for 3 consecutive weeks in a
20 newspaper with a general circulation in the municipality or on
21 the municipality's website once a week for 3 consecutive weeks.

22 The corporate authorities shall also provide in the specified
23 ordinance or resolution for the levying of a direct annual tax
24 as authorized in Section 11-128-1. The total of this tax for
25 the term levied, together with the annual revenue which is

1 estimated to be derived from the waterworks, shall be
2 sufficient to pay the contract price for the waterworks,
3 together with interest thereon. However, the contract for the
4 purchase, construction, or enlargement, and this tax, shall not
5 be valid or binding until confirmed by a vote as provided by
6 Section 11-128-3.

7 (Source: Laws 1961, p. 576.)

8 (65 ILCS 5/11-129-4) (from Ch. 24, par. 11-129-4)

9 Sec. 11-129-4. Within 10 days after an ordinance for any
10 project under this Division 129 has been passed, it shall be
11 published at least once in one or more newspapers published in
12 the municipality, or, if no newspaper is published therein,
13 then in one or more newspapers with a general circulation
14 within the municipality. The publication requirement may also
15 be satisfied by publication of the ordinance on the
16 municipality's website within 10 days after its passage. In
17 municipalities with less than 500 population in which no
18 newspaper is published, publication may instead be made by
19 posting a notice in 3 prominent places within the municipality.

20 If the ordinance authorizes the issuance of revenue bonds
21 for the purpose of purchasing an existing waterworks system and
22 if the revenue thereof (after proper adjustments and
23 elimination of nonrecurring charges under public ownership
24 based upon the average annual receipts and expenditures for the
25 3 calendar years next preceding the date of the adoption of the

1 ordinance as shown by the annual reports for those years made
2 by the owners to the Illinois Commerce Commission) is
3 sufficient (1) to pay all operating and maintenance expenses,
4 (2) to pay into a depreciation fund a reasonable amount as a
5 depreciation reserve, and (3) to provide for the payment when
6 due of the principal of and interest upon the bonds proposed to
7 be issued to purchase the waterworks system, the ordinance
8 authorizing the issuance of those revenue bonds shall be in
9 effect immediately upon its adoption and publication, or
10 posting, as provided in this section, notwithstanding any
11 provision in this Code or any other law to the contrary.

12 If the ordinance authorizes the issuance of revenue bonds
13 for the purpose of extending or improving an existing
14 waterworks system, after its acquisition, or a presently
15 municipally owned and operated waterworks system, and if the
16 ordinance specifies that those extensions or improvements are
17 to be paid for, either in whole or in part, by a loan or grant,
18 or both, from any federal agency, the ordinance authorizing the
19 issuance of those revenue bonds shall be in effect immediately
20 upon its adoption and publication, or posting, as provided in
21 this section, notwithstanding any provision in this Code or any
22 other law to the contrary.

23 The fact as to the sufficiency of the revenue in case of
24 the purchase of an existing waterworks system, or of the
25 intention of the corporate authorities to pay the cost of the
26 proposed extensions or improvements to an existing system

1 proposed to be purchased, or to a presently municipally owned
2 system, by a loan or grant, or both, from a federal agency
3 shall be determined by the ordinance authorizing the revenue
4 bonds and that determination when so expressed in that
5 ordinance shall be conclusive.

6 In all other cases, if no petition is filed with the
7 municipal clerk, as provided in this section, within 30 days
8 after the publication, or posting, of the ordinance, then,
9 after the expiration of those 30 days, the ordinance shall be
10 in effect. The publication or posting of an ordinance which
11 does not take effect immediately shall be accompanied by a
12 notice of (1) the specific number of voters required to sign a
13 petition requesting the question of authorizing the issuance of
14 revenue bonds for the purpose of building, purchasing,
15 improving or extending the waterworks or water supply system to
16 be submitted to the electors; (2) the time in which such
17 petition must be filed; and (3) the date of the prospective
18 referendum. The municipal clerk shall provide a petition form
19 to any individual requesting one. But if within this period of
20 30 days a petition is filed with the municipal clerk signed by
21 electors of the municipality numbering 10% or more of the
22 number of registered voters in the municipality, asking that
23 the question of building, purchasing, improving, or extending
24 the waterworks or water supply system and the issuance of
25 revenue bonds therefor, as provided in the ordinance, be
26 submitted to the electors of the municipality, the clerk shall

1 certify the proposition for submission at an election in
2 accordance with the general election law.

3 If a majority of the votes cast on the question are in
4 favor thereof, the ordinance shall be in effect. But if a
5 majority of the votes cast on the question are unfavorable, the
6 municipality shall proceed no further and the ordinance shall
7 not take effect.

8 (Source: P.A. 87-767.)

9 (65 ILCS 5/11-130-4) (from Ch. 24, par. 11-130-4)

10 Sec. 11-130-4. Within 10 days after such an ordinance has
11 been passed it shall be published at least once, with a notice
12 to all persons concerned stating that the ordinance has been
13 adopted in one or more newspapers published in the
14 municipality, or, if no newspaper is published therein, then in
15 one or more newspapers with a general circulation within the
16 municipality. The publication requirement may also be
17 satisfied by publication of the ordinance on the municipality's
18 website within 10 days after its passage. In municipalities
19 with less than 500 population in which no newspaper is
20 published, publication may instead be made by posting a notice
21 in 3 prominent places within the municipality. Such notice
22 shall state that the municipality contemplates the issuance of
23 the bonds described in the ordinance, and that any person
24 interested may appear before the corporate authorities upon a
25 certain date, which shall not be less than 10 days subsequent

1 to the publication or posting of the ordinance and notice, and
2 present protests. At this hearing all objections and
3 suggestions shall be heard, and the corporate authorities shall
4 take such action as they shall deem proper in the premises.

5 (Source: Laws 1961, p. 576.)

6 (65 ILCS 5/11-130-12) (from Ch. 24, par. 11-130-12)

7 Sec. 11-130-12. Whenever all of the holders of unpaid water
8 revenue certificates of a particular issue, which were issued
9 prior to July 8, 1927, to pay the cost of constructing
10 waterworks and are payable from the revenue thereof, offer in
11 writing to exchange the certificates for refunding revenue
12 bonds to be issued under this Division 130, the corporate
13 authorities shall receive the certificates, and if found to be
14 properly executed, may adopt an ordinance incorporating
15 therein the offer of the certificate holders. This ordinance
16 shall set forth the determined value of the waterworks as it
17 then exists, the value of as much of the waterworks as was paid
18 for by the issue of certificates, the unpaid portion of which
19 are proposed to be refunded, and the details in connection with
20 the issuance of the refunding revenue bonds in the same manner
21 as is provided for in this Division 130. The ordinance also
22 shall fix the minimum rates to be charged for water and pledge
23 that revenue, if and when the refunding revenue bonds are
24 issued, to pay these refunding revenue bonds. The revenue shall
25 be applied as provided in this Division 130 and particularly in

1 Sections 11-130-8 and 11-130-9.

2 The amount of the refunding revenue bonds shall not exceed
3 and may be less than the par amount of the certificates to be
4 surrendered and shall not exceed and may be less than the
5 determined value of so much of the waterworks as was paid for
6 by that issue of certificates, less the amount of certificates
7 paid. The ordinance shall be published, or posted, together
8 with a notice of a hearing thereon, and a hearing shall be had
9 thereon, in the same manner as is provided in this Division
10 130, including on the municipality's website. After such a
11 hearing the refunding revenue bonds specified in the offer may
12 be issued, or a less amount thereof may be issued with the
13 consent of the certificate holders, or the ordinance may be
14 repealed, as the corporate authorities shall determine. If the
15 refunding revenue bonds are issued, the certificates shall be
16 surrendered and cancelled simultaneously therewith. Refunding
17 revenue bonds issued under this Division 130 shall be payable
18 only out of revenue derived from the waterworks as provided in
19 the ordinance and according to the terms of this Division 130.
20 Holders of refunding revenue bonds issued under this Division
21 130 have rights similar to those of holders of revenue bonds
22 issued under this Division 130, including the power to apply
23 for a receiver to operate the waterworks. The municipality is
24 under the same obligations to the refunding bondholders as it
25 is to holders of revenue bonds issued under this Division 130.
26 (Source: Laws 1961, p. 576.)

1 (65 ILCS 5/11-133-2) (from Ch. 24, par. 11-133-2)

2 Sec. 11-133-2. The corporate authorities of any
3 municipality availing itself of the provisions of this Division
4 133, shall adopt an ordinance describing in a general way the
5 improvements and extensions to be made and refer to the plans
6 and specifications therefor prepared for that purpose. These
7 plans and specifications shall be open to the inspection of the
8 public. This ordinance shall set out the estimated cost of the
9 improvements and extensions and shall fix the amount of
10 certificates proposed to be issued, the maturity, interest
11 rate, and all details in respect thereof. After this ordinance
12 has been adopted and approved, it shall be published once in a
13 newspaper published and having a general circulation in the
14 municipality or on the municipality's website. This ordinance
15 shall be in effect after the expiration of 10 days from the
16 date of this publication.

17 Certificates of indebtedness issued under this Division
18 133, shall be payable solely from the revenue derived from the
19 waterworks system, and these certificates shall not in any
20 event constitute an indebtedness of the municipality within the
21 meaning of the constitutional limitation. It shall be plainly
22 stated on the face of each certificate that it has been issued
23 under the provisions of this Division 133, and that it does not
24 constitute an indebtedness of the municipality within any
25 constitutional or statutory limitation. The total amount of

1 these certificates that may be issued during the 8 years'
2 period of 1958 to 1965 both inclusive, shall not exceed
3 \$150,000,000, which certificates may be issued from time to
4 time within the 8 years' period. The total amount of these
5 certificates that may be issued during the six year period of
6 1966 to 1971 both inclusive, shall not exceed \$60,000,000 which
7 certificates may be issued from time to time within the six
8 year period. The total amount of these certificates that may be
9 issued in the year 1972 shall not exceed \$5,000,000 and in the
10 year of 1973 and each year thereafter shall not exceed
11 \$10,000,000.

12 This amendatory Act of 1973 is not a limit upon any
13 municipality which is a home rule unit.

14 (Source: P.A. 78-211.)

15 (65 ILCS 5/11-135-5) (from Ch. 24, par. 11-135-5)

16 Sec. 11-135-5. Whenever bonds are issued under this
17 Division 135 the revenue received from the operation of the
18 properties under the control of the commission shall be set
19 aside as collected and deposited in a separate fund to be used
20 only (1) in paying the cost of the operation and maintenance of
21 those properties, (2) in providing an adequate depreciation
22 fund, (3) in paying the principal of and interest upon the
23 revenue bonds issued by the commission, as provided by this
24 Division 135, (4) to comply with the covenants of the ordinance
25 or resolution authorizing the issuance of such bonds, and (5)

1 to carry out the corporate purposes and powers of the
2 commission.

3 In case the commission has charge of the operation of a
4 complete waterworks system, including the distribution mains,
5 the commission shall establish rates and charges for water
6 which shall be sufficient at all times to pay the cost of
7 operation and maintenance, to provide an adequate depreciation
8 fund, to pay the principal of and interest upon all revenue
9 bonds issued as provided by this Division 135, to comply with
10 the covenants of the ordinance or resolution authorizing the
11 issuance of such bonds, and to carry out the corporate purposes
12 and powers of the commission. Charges and rates shall be
13 established, revised, and maintained by ordinance and become
14 payable as the commission may determine by ordinance.

15 In case the commission has charge of the operation of a
16 common source of supply of water, the municipalities
17 represented by the commission shall contract with the
18 commission for water. These municipalities shall establish
19 such charges and rates for water supplied by them to consumers
20 as will be sufficient at all times (1) to pay the cost of
21 operation and maintenance of the respective waterworks systems
22 (or waterworks and sewerage systems, where combined) of the
23 municipalities, (2) to provide an adequate depreciation fund
24 therefor, (3) to pay the principal of and interest on all
25 revenue bonds of the municipalities payable from the revenues
26 of the waterworks system (or combined waterworks and sewerage

1 system), and (4) to pay the charges and rates established by
2 the commission for the sale of water by the commission to those
3 municipalities. The commission shall establish such charges
4 and rates for water supplied to those municipalities as will be
5 sufficient at all times (1) to pay the cost of operation and
6 maintenance of the common source of supply of water, (2) to
7 provide an adequate depreciation fund therefor, (3) to pay the
8 principal of and interest on the revenue bonds issued by the
9 commission, (4) to comply with the covenants of the ordinance
10 or resolution authorizing the issuance of such bonds, and (5)
11 to carry out the corporate purposes and powers of the
12 commission, under the provisions of this Division 135.
13 Contracts entered into between the commission and the specified
14 municipalities shall include covenants for the establishment
15 of rates and charges as provided in this section.

16 Municipality contributions to the Illinois Municipal
17 Retirement Fund, by commissions created under this Division 135
18 which have been included under that Fund, shall be considered a
19 cost of operation and maintenance for the purposes of this
20 Section.

21 Any holder of a bond or of any of its coupons, issued under
22 this Division 135, in any civil action, mandamus, or other
23 proceeding, may enforce and compel performance of all duties
24 required by this Division 135 to be performed by such a
25 commission or by any of the municipalities, including the
26 making of rates and charges, the collecting of sufficient

1 revenue, and the application thereof, as provided in this
2 Division 135.

3 All contracts for the construction of a waterworks system
4 or of a common source of supply of water, or both, to be let by
5 such a commission, shall be entered into only after advertising
6 for bids, pursuant to a resolution to be adopted for that
7 purpose by the commission. A notice inviting bids shall be
8 published in a newspaper published and having a general
9 circulation in the county or counties in which the
10 municipalities represented by the commission are located or on
11 the commission's website, not more than 30 nor less than 15
12 days in advance of the receipt of the bids. The notice shall be
13 published at least twice. In the resolution directing the
14 advertising for bids the commission also shall establish all
15 requirements necessary for the bidding, for the awarding of
16 contracts, and for the approval of contractors' faithful
17 performance bonds.

18 (Source: P.A. 82-641.)

19 (65 ILCS 5/11-136-5) (from Ch. 24, par. 11-136-5)

20 Sec. 11-136-5. Whenever bonds are issued under this
21 Division 136 the revenue received from the operation of the
22 properties under the control of the commission shall be set
23 aside as collected and deposited in a separate fund to be used
24 only (1) in paying the cost of the operation and maintenance of
25 those properties, (2) in providing an adequate depreciation

1 fund, and (3) in paying the principal of and interest upon the
2 revenue bonds issued by the commission, as provided by this
3 Division 136.

4 In case the commission has charge of the operation of a
5 complete waterworks system or sewer system including the
6 distribution mains, the commission shall establish rates and
7 charges for water or sewer service or both which shall be
8 sufficient at all times to pay the cost of operation and
9 maintenance, to provide an adequate depreciation fund, and to
10 pay the principal of and interest upon all revenue bonds issued
11 as provided by this Division 136. The rates for water and sewer
12 service need not be the same nor do rates for the same type of
13 service have to be identical in the several municipalities
14 constituting the commission but shall be equitably based upon
15 the net plant account and the expenses of operation in each
16 municipality. Charges and rates shall be established, revised,
17 and maintained by ordinance and become payable as the
18 commission may determine by ordinance.

19 In case the commission has charge of the operation of
20 sources of supply of water, the municipalities specified in
21 Section 11-136-1 represented by the commission shall contract
22 with the commission for water. These municipalities shall
23 establish such charges and rates for water supplied by them to
24 consumers as will be sufficient at all times (1) to pay the
25 cost of operation and maintenance of the respective waterworks
26 systems of the municipalities, (2) to provide an adequate

1 depreciation fund therefor, and (3) to pay the charges and
2 rates established by the commission for the sale of water by
3 the commission to those municipalities, and the commission
4 shall establish such charges and rates for water supplied to
5 those municipalities as will be sufficient at all times (1) to
6 pay the cost of operation and maintenance of the common source
7 of supply of water, (2) to provide an adequate depreciation
8 fund therefor, and (3) to pay the principal of and interest on
9 the revenue bonds issued by the commission, under the
10 provisions of this Division 136. Contracts entered into between
11 the commission and the specified municipalities shall include
12 covenants for the establishment of rates and charges as
13 provided in this section.

14 Municipality contributions to the Illinois Municipal
15 Retirement Fund, by commissions created under this Division 136
16 which have been included under that Fund, shall be considered a
17 cost of operation and maintenance for the purposes of this
18 Section.

19 Any holder of a bond or of any of its coupons, issued under
20 this Division 136, in any civil action, mandamus, or other
21 proceedings, may enforce and compel performance of all duties
22 required by this Division 136 to be performed by such a
23 commission or by any of the municipalities, including the
24 making of rates and charges, the collecting of sufficient
25 revenue, and the application thereof, as provided in this
26 Division 136.

1 All contracts for the construction of a waterworks system
2 or sources of supply of water, or sewer systems, or any
3 combination thereof, to be let by such a commission, shall be
4 entered into only after advertising for bids, pursuant to a
5 resolution to be adopted for that purpose by the commission. A
6 notice inviting bids shall be published in a newspaper
7 published and having a general circulation in the county or
8 counties in which the municipalities represented by the
9 commission are located or on the commission's website, not more
10 than 30 nor less than 15 days in advance of the receipt of the
11 bids. The notice shall be published at least twice. In the
12 resolution directing the advertising for bids the commission
13 also shall establish all requirements necessary for the
14 bidding, for the awarding of contracts, and for the approval of
15 contractors' faithful performance bonds.

16 (Source: P.A. 80-425.)

17 (65 ILCS 5/11-137-2) (from Ch. 24, par. 11-137-2)

18 Sec. 11-137-2. In all municipalities where any person has
19 constructed a waterworks or sewerage system, or both, the
20 municipality may purchase or lease that waterworks or sewerage
21 system, or both, from the owners thereof, subject to the
22 provisions of this Division 137.

23 Before such a lease or purchase is binding upon the
24 municipality, the corporate authorities shall pass an
25 ordinance authorizing the municipality to lease or purchase

1 that waterworks or sewerage system, or both, and shall include
2 in the ordinance the terms, as near as practicable, upon which
3 the lease or purchase shall be made. The ordinance shall be
4 published at least once, within 10 days after passage, in one
5 or more newspapers published in the municipality, or, if no
6 newspaper is published therein, then in one or more newspapers
7 with a general circulation within the municipality. The
8 publication requirement may also be satisfied by publication of
9 the ordinance on the municipality's website within 10 days
10 after its passage. In municipalities with less than 500
11 population in which no newspaper is published, publication may
12 instead be made by posting a notice in 3 prominent places
13 within the municipality.

14 The publication or posting of the ordinance shall be
15 accompanied by a notice of (1) the specific number of voters
16 required to sign a petition requesting the question of
17 authorizing the lease or purchase of a waterworks or sewerage
18 system to be submitted to the electors; (2) the time in which
19 such petition must be filed; and (3) the date of the
20 prospective referendum. The municipal clerk shall provide a
21 petition form to any individual requesting one.

22 If no petition is presented to the corporate authorities as
23 hereinafter provided, within 30 days after the ordinance is so
24 published and posted, the corporate authorities may consummate
25 the lease or purchase of that waterworks or sewerage system, or
26 both, as provided in the ordinance. If within 30 days after the

1 first publication of the ordinance a petition is filed with the
2 municipal clerk signed by electors of the municipality
3 numbering 10% or more of the number of registered voters in the
4 municipality, asking that the question of leasing or purchasing
5 that waterworks or sewerage system, or both, as provided in the
6 ordinance, be submitted to a vote, the clerk shall certify the
7 proposition and the corporate authorities shall designate an
8 election at which the question shall be submitted. If a
9 majority of the votes cast on the question are in favor
10 thereof, the corporate authorities may complete the lease or
11 purchase, but if a majority of the votes cast on the question
12 are unfavorable, no further action shall be taken by the
13 municipality for a period of not less than 6 months.
14 Thereafter, the same or another question may be submitted as
15 before.

16 (Source: P.A. 87-767.)

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