

1 AN ACT concerning municipalities.

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

4 Section 5. The Illinois Municipal Code is amended by
5 changing Section 2-3-5 as follows:

6 (65 ILCS 5/2-3-5) (from Ch. 24, par. 2-3-5)

7 Sec. 2-3-5. Whenever in any county of less than 150,000
8 population as determined by the last preceding federal
9 census, any area of contiguous territory, not exceeding 2
10 square miles, not already included within the corporate
11 limits of any municipality, has residing thereon at least 200
12 inhabitants living in dwellings other than those designed to
13 be mobile, and is owned by at least 30 different owners, it
14 may be incorporated as a village as follows:

15 35 electors residing within the area may file with the
16 circuit clerk of the county in which such area is situated a
17 petition addressed to the circuit court for that county.

18 The petition shall set forth (1) a definite description
19 of the lands intended to be embraced in the proposed village,
20 (2) the number of inhabitants residing therein, (3) the name
21 of the proposed village, and (4) a prayer that a question be
22 submitted to the electors residing within the limits of the
23 proposed village whether they will incorporate as a village
24 under this Code.

25 If the area contains fewer than 7,500 residents and lies
26 within 1 1/2 miles of the boundary line of any existing
27 municipality, the consent of the existing municipality must
28 be obtained before the area may be incorporated. No area in a
29 county with a population of 150,000 or more that is
30 incorporating under the provisions of this Section shall need
31 to obtain the consent of any existing municipality before the

1 area may be incorporated.

2 In addition, any contiguous territory in a county of
3 150,000 or more population which otherwise meets the
4 requirements of this Section may be incorporated as a village
5 pursuant to the provisions of this Section if (1) any part of
6 such territory is situated within 10 miles of a county with a
7 population less than 150,000 and a petition is filed pursuant
8 to this Section before January 1, 1991 or (2) any part of the
9 territory is situated within 25 miles of the Illinois state
10 line in a county having a population, according to the 1990
11 federal decennial census, of at least 150,000 but less than
12 185,000 and a petition is filed pursuant to this Section
13 before January 1, 1998.

14 In addition, contiguous territory not exceeding 2 square
15 miles in a county with a population of not less than 300,000
16 and not more than 350,000 that otherwise meets the
17 requirements of this Section may be incorporated as a village
18 pursuant to the provisions of this Section if (1) any part of
19 the territory is situated within 2 miles of a county with a
20 population of less than 150,000 and (2) a petition is filed
21 in the manner provided in this Section before July 1, 2004
22 ~~2001~~. The requirements of Section 2-3-18 concerning
23 compatibility with the official plan for development of the
24 county shall not apply to any territory seeking incorporation
25 under this paragraph.

26 (Source: P.A. 90-190, eff. 7-24-97; 91-885, eff. 7-6-00.)

27 Section 99. Effective date. This Act takes effect upon
28 becoming law.