



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
SB2151

Introduced 1/14/2004, by Larry K. Bomke

SYNOPSIS AS INTRODUCED:

65 ILCS 5/2-3-5

from Ch. 24, par. 2-3-5

Amends the Illinois Municipal Code. Provides that any contiguous territory in a county of 150,000 or more that meets certain requirements may be incorporated as a village if (i) any part of the territory is situated within 25 (now, 10) miles of a county with a population of less than 150,000 and a petition is filed before January 1, 2005 (now, January 1, 1991). Effective immediately.

LRB093 16644 MKM 42295 b

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 census,
9 any area of contiguous territory, not exceeding 2 square miles,
10 not already included within the corporate limits of any
11 municipality, has residing thereon at least 200 inhabitants
12 living in dwellings other than those designed to be mobile, and
13 is owned by at least 30 different owners, it may be
14 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 of
19 the lands intended to be embraced in the proposed village, (2)
20 the number of inhabitants residing therein, (3) the name of the
21 proposed village, and (4) a prayer that a question be submitted
22 to the electors residing within the limits of the proposed
23 village whether they will incorporate as a village under this
24 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 be
28 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
32 area may be incorporated.

1 In addition, any contiguous territory in a county of
2 150,000 or more population which otherwise meets the
3 requirements of this Section may be incorporated as a village
4 pursuant to the provisions of this Section if (1) any part of
5 such territory is situated within 25 ~~10~~ miles of a county with
6 a population less than 150,000 and a petition is filed pursuant
7 to this Section before January 1, 2005 ~~1991~~ or (2) any part of
8 the territory is situated within 25 miles of the Illinois state
9 line in a county having a population, according to the 1990
10 federal decennial census, of at least 150,000 but less than
11 185,000 and a petition is filed pursuant to this Section before
12 January 1, 1998.

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

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

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.