



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB2611

Introduced 2/18/2005, by Rep. Robert S. Molaro, Lou Lang, Sidney H. Mathias, Harry Osterman and Angelo Saviano

#### SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-12-9

from Ch. 24, par. 11-12-9

Amends the Illinois Municipal Code. Prohibits the corporate authorities of a municipality from entering into a jurisdictional boundary line agreement unless written notice is provided to the owners of all property affected by the proposed agreement.

LRB094 10978 AJO 41579 b

1 AN ACT concerning local government.

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 11-12-9 as follows:

6 (65 ILCS 5/11-12-9) (from Ch. 24, par. 11-12-9)

7 Sec. 11-12-9. If unincorporated territory is within one and  
8 one-half miles of the boundaries of two or more corporate  
9 authorities that have adopted official plans, the corporate  
10 authorities involved may agree upon a line which shall mark the  
11 boundaries of the jurisdiction of each of the corporate  
12 authorities who have adopted such agreement. On and after  
13 September 24, 1987, such agreement may provide that one or more  
14 of the municipalities shall not annex territory which lies  
15 within the jurisdiction of any other municipality, as  
16 established by such line. In the absence of such a boundary  
17 line agreement, nothing in this paragraph shall be construed as  
18 a limitation on the power of any municipality to annex  
19 territory. In arriving at an agreement for a jurisdictional  
20 boundary line, the corporate authorities concerned shall give  
21 consideration to the natural flow of storm water drainage, and,  
22 when practical, shall include all of any single tract having  
23 common ownership within the jurisdiction of one corporate  
24 authority. Such agreement shall not become effective until  
25 copies thereof, certified as to adoption by the municipal  
26 clerks of the respective municipalities, have been filed in the  
27 Recorder's Office and made available in the office of the  
28 municipal clerk of each agreeing municipality.

29 Any agreement for a jurisdictional boundary line shall be  
30 valid for such term of years as may be stated therein, but not  
31 to exceed 20 years, and if no term is stated, shall be valid  
32 for a term of 20 years. The term of such agreement may be

1 extended, renewed or revised at the end of the initial or  
2 extended term thereof by further agreement of the  
3 municipalities.

4 In the absence of such agreement, the jurisdiction of any  
5 one of the corporate authorities shall extend to a median line  
6 equidistant from its boundary and the boundary of the other  
7 corporate authority nearest to the boundary of the first  
8 corporate authority at any given point on the line.

9 On and after January 1, 2006, no corporate authority may  
10 enter into an agreement pursuant to this Section unless, no  
11 less than 30 days and no more than 120 days prior to formal  
12 approval thereof by the corporate authority, it shall have  
13 first provided written notice by registered mail, return  
14 receipt requested, to the owners as reflected in the  
15 authenticated tax records of the County, of all property  
16 affected by the proposed agreement. Each municipality shall be  
17 responsible for notifying the property owners within its  
18 proposed jurisdiction.

19 This amendatory Act of 1990 is declarative of the existing  
20 law and shall not be construed to modify or amend existing  
21 boundary line agreements, nor shall it be construed to create  
22 powers of a municipality not already in existence.

23 (Source: P.A. 85-1209; 86-1169.)