



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB5619

by Rep. Mike Fortner

#### SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-12-5

from Ch. 24, par. 11-12-5

Amends the Illinois Municipal Code. Provides that for the purposes of implementation of ordinances by a plan commission or planning department regarding developer donations or impact fees, the definition of "school grounds" includes technological infrastructure.

LRB098 19147 JLK 54299 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 11-12-5 as follows:

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

7 Sec. 11-12-5. Every plan commission and planning  
8 department authorized by this division 12 has the following  
9 powers and whenever in this division 12 the term plan  
10 commission is used such term shall be deemed to include the  
11 term planning department:

12 (1) To prepare and recommend to the corporate authorities a  
13 comprehensive plan for the present and future development or  
14 redevelopment of the municipality. Such plan may be adopted in  
15 whole or in separate geographical or functional parts, each of  
16 which, when adopted, shall be the official comprehensive plan,  
17 or part thereof, of that municipality. This plan may include  
18 reasonable requirements with reference to streets, alleys,  
19 public grounds, and other improvements hereinafter specified.  
20 The plan, as recommended by the plan commission and as  
21 thereafter adopted in any municipality in this state, may be  
22 made applicable, by the terms thereof, to land situated within  
23 the corporate limits and contiguous territory not more than one

1 and one-half miles beyond the corporate limits and not included  
2 in any municipality. Such plan may be implemented by ordinances  
3 (a) establishing reasonable standards of design for  
4 subdivisions and for resubdivisions of unimproved land and of  
5 areas subject to redevelopment in respect to public  
6 improvements as herein defined; (b) establishing reasonable  
7 requirements governing the location, width, course, and  
8 surfacing of public streets and highways, alleys, ways for  
9 public service facilities, curbs, gutters, sidewalks, street  
10 lights, parks, playgrounds, school grounds, size of lots to be  
11 used for residential purposes, storm water drainage, water  
12 supply and distribution, sanitary sewers, and sewage  
13 collection and treatment; and (c) may designate land suitable  
14 for annexation to the municipality and the recommended zoning  
15 classification for such land upon annexation.

16 (2) To recommend changes, from time to time, in the  
17 official comprehensive plan.

18 (3) To prepare and recommend to the corporate authorities,  
19 from time to time, plans for specific improvements in pursuance  
20 of the official comprehensive plan.

21 (4) To give aid to the municipal officials charged with the  
22 direction of projects for improvements embraced within the  
23 official plan, to further the making of these projects, and,  
24 generally, to promote the realization of the official  
25 comprehensive plan.

26 (5) To prepare and recommend to the corporate authorities

1 schemes for regulating or forbidding structures or activities  
2 which may hinder access to solar energy necessary for the  
3 proper functioning of solar energy systems, as defined in  
4 Section 1.2 of The Comprehensive Solar Energy Act of 1977, or  
5 to recommend changes in such schemes.

6 (6) To exercise such other powers germane to the powers  
7 granted by this article as may be conferred by the corporate  
8 authorities.

9 (7) For purposes of implementing ordinances regarding  
10 developer donations or impact fees, and specifically for  
11 expenditures thereof, "school grounds" is defined as including  
12 land or site improvements, which include school buildings or  
13 other infrastructure, including technological infrastructure,  
14 necessitated and specifically and uniquely attributed to the  
15 development or subdivision in question. This amendatory Act of  
16 the 93rd General Assembly applies to all impact fees or  
17 developer donations paid into a school district or held in a  
18 separate account or escrow fund by any school district or  
19 municipality for a school district.

20 (Source: P.A. 93-330, eff. 7-24-03.)