
ORDINANCE NO. 19-20-12

**AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF
TAX INCREMENT FINANCING "INTERESTED PARTIES" REGISTRIES
AND ADOPTING REGISTRATION RULES FOR SUCH REGISTRIES**

AN ORDINANCE PASSED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF JOHNSBURG
AT A REGULAR MEETING ON AUGUST 20, 2019
PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF JOHNSBURG

President

Edwin P. Hettermann

Board of Trustees

Tom Curry
Beth Foreman
Kyle Frost
Josh Hagen
Greg Klemstein
Kevin McEvoy

Village Administrator

Claudett E. Peters

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WHEREAS, the Village of Johnsburg, McHenry County, Illinois (the “Village”) has identified the Bush School Redevelopment Project Area as an area for study and possible designation as a redevelopment project area, as defined under the Illinois Tax Increment Allocation Redevelopment Act [65 ILCS 5/11-74.4-1 et seq.] (the “TIF Act”); and

WHEREAS, pursuant to Section 11-74.4-4.2 of the TIF Act, the Village is required to establish certain “interested parties” registries and adopt registration rules for such registries; and

WHEREAS, the Village desires to adopt this Ordinance in order to comply with such requirements of the TIF Act.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Johnsburg as follows:

SECTION 1: The foregoing recitals to this Ordinance are incorporated in this Ordinance as if set out in full by this reference.

SECTION 2: The Village Clerk is authorized and directed to create an “interested parties” registry in accordance with Section 11-74.4-4.2 of the TIF Act for each redevelopment project area created under the TIF Act and not terminated by the Village, whether now existing or created after the date of adoption of this Ordinance, including, but not limited to, the proposed Bush School Redevelopment Project Area.

SECTION 3: In accordance with Section 11-74.4-4.2 of the TIF Act, the registration rules attached hereto as Exhibit A are adopted as registration rules for each such “interested parties” registry.

SECTION 4: The Village Clerk is hereby authorized and directed to publish notice of the availability of the interested parties registry in the *Northwest Herald*, a newspaper of general circulation within the Village.

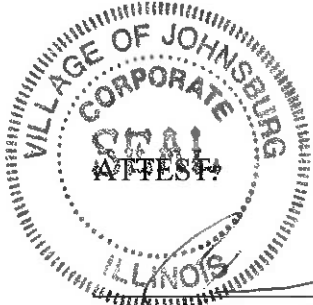
SECTION 5: The provisions and sections of this Ordinance shall be deemed to be separable, and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.

SECTION 6: All ordinances and parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 7: The Village Clerk is hereby directed to publish this Ordinance in pamphlet form.

SECTION 8: This Ordinance shall be in full force and effect from and after its passage and approval, and publication as required by law.

Passed by the President and Board of Trustees of the Village of Johnsburg on the 20th day of August, 2019.





Claudett Peters, Village Clerk



President Edwin Hettermann

Exhibit A

TIF INTERESTED PARTIES REGISTRY REGISTRATION RULES

- A. Definitions. As used in these Registration Rules, the following terms shall have the definitions set forth below.

“Act” shall mean the Illinois Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 *et seq.*, as amended from time to time.

“Village” shall mean the Village of Johnsburg, Illinois.

“Interested Party(s)” shall mean (i) any organization(s) active within the Village, (ii) any resident(s) of the Village and (iii) any other entity or person otherwise entitled under the Act to register in a specific Registry who has registered in such Registry and whose registration has not been terminated in accordance with these Registration Rules.

“Redevelopment Project Area” shall mean a redevelopment project area that (i) is intended to qualify (or has subsequently qualified) as a “redevelopment project area” under the Act and (ii) is subject to the “interested parties” registry requirements of the Act.

“Registration Form” shall mean the form appended to these Registration Rules or such revised form as may be approved by the Village consistent with the requirements of the Act.

“Registry” or “Registries” shall mean each interested parties registry, and all such registries, collectively, established by the Village pursuant to Section 11-74.4-4.2 of the Act for the Redevelopment Project Area.

- B. Establishment of Registry. The Village shall establish a separate interested parties registry for each Redevelopment Project Area, whether existing as of the date of the adoption of these Registration Rules or hereafter established. The Village shall establish a new registry whenever it has identified an area for study and possible designation as a Redevelopment Project Area. In any event, the process of establishing the new registry must be completed prior to the deadline for sending any of the notices required by Section J of these Registration Rules or any other notices required by the Act with respect to the proposed Redevelopment Project Area.
- C. Maintenance of Registry. The Registries shall be maintained by the Village Clerk.
- D. Registration by Residents. An individual seeking to register as an Interested Party with respect to a Redevelopment Project Area must complete and submit a Registration Form to the Village Clerk. Such individual must also submit a copy of a current driver’s license, lease, voter registration card, utility bill, financial statement or such other evidence as may be acceptable to the Village Clerk to establish the individual’s current residency in the Village.

- E. Registration by Organizations. An organization seeking to register as an Interested Party with respect to a Redevelopment Project Area must complete and submit a Registration Form to the Village Clerk. Such organization must also submit a one-page statement describing the organization's current operations in the Village.
- F. Determination of Eligibility. All individuals and organizations whose Registration Form and supporting documentation complies with these Registration Rules shall be registered in the applicable Registry within ten (10) business days of the Village Clerk's receipt of all required submissions. The Village Clerk shall provide written notice to the registrant confirming such registration. Upon registration, Interested Parties shall be entitled to receive all notices and documents required to be delivered under these Registration Rules or as otherwise required under the Act with respect to the applicable Redevelopment Project Area. If the Village Clerk determines that a registrant's Registration Form and/or supporting documentation is incomplete or does not comply with these Registration Rules, the Village Clerk shall give written notice to the registrant specifying the defect(s). The registrant shall be entitled to correct any defects and resubmit a new Registration Form and supporting documentation.
- G. Renewal and Termination. An Interested Party's registration shall remain effective for a period of three (3) years. At any time after such three (3) year period, the Village Clerk may provide written notice by regular mail to the Interested Party stating that such registration shall terminate unless the Interested Party renews such registration within thirty (30) days of the Village Clerk's mailing of written notice. To renew such registration, the Interested Party shall, within such thirty (30) day period, complete and submit the same Registration Form and supporting documentation then required of initial registrants in order to permit the Village Clerk to confirm such person's residency or such organization's operations in the Village. The registration of all individuals and organizations whose Registration Form and supporting documentation is submitted in a timely manner and complies with these Registration Rules shall be renewed for an additional, consecutive three (3) year period. If the Village Clerk determines that a registrant's renewal Registration Form and/or supporting documentation is incomplete or does not comply with these Registration Rules, the Village Clerk shall give written notice to the registrant at the address specified in the renewal Registration Form submitted by such registrant, specifying the defect(s). The registrant shall be entitled to correct any defects and resubmit a new Registration Form and supporting documentation within thirty (30) days of receipt of the Village Clerk's notice. If all defects are not corrected within thirty (30) days of the Interested Party's receipt of the Village Clerk's notice, the Interested Party's registration shall be terminated. Any Interested Party whose registration is terminated shall be entitled to register again as if a first-time registrant.
- H. Amendment to Registration. An Interested Party may amend its registration by giving written notice to the Village Clerk by certified mail or in person of any of the following: (i) a change in address for notice purposes; (ii) in the case of organizations, a change in the name of the contact person; and (iii) a termination of registration. Upon receipt of such notice, the Village Clerk shall revise the applicable Registry accordingly.

- I. Registries Available for Public Inspection. Each Registry shall be available for public inspection during normal Village business hours. The Registry shall include the name, address and telephone number of each Interested Party and, for organizations, the name and phone number of a designated contact person.
- J. Notices to be Sent to Interested Parties. Interested Parties shall be sent the following notices and any other notices required under the Act with respect to the applicable Redevelopment Project Area:
- (i) pursuant to sub-section 11-74.4-5(a) of the Act, notice of the availability of a proposed redevelopment plan and eligibility report, including how to obtain this information, shall be sent by mail within a reasonable period of time after the adoption of the ordinance fixing the public hearing for the proposed redevelopment plan;
 - (ii) pursuant to sub-section 11-74.4-5(a) of the Act, notice shall be sent by mail not later than ten (10) days following the Village's adoption by ordinance of changes to proposed redevelopment plans that do not (1) add additional parcels of property to the proposed redevelopment project area, (2) substantially affect the general land uses proposed in the redevelopment plan, (3) substantially change the nature of or extend the life of the redevelopment project or (4) increase the number of inhabited residential units to be displaced from the redevelopment project area, provided that as measured from the time of creation of the redevelopment project area, the total displacement of households will exceed ten (10);
 - (iii) pursuant to sub-section 11-74.4-5(c) of the Act, notice shall be sent by mail not later than ten (10) days following the Village's adoption by ordinance of amendments to previously approved redevelopment plans that do not (1) add additional parcels of property to the redevelopment project area, (2) substantially affect the general land uses in the redevelopment plan, (3) substantially change the nature of the redevelopment project, (4) increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the redevelopment plan was adopted, (5) add additional redevelopment project costs to the itemized list of redevelopment project costs set out in the redevelopment plan or (6) increase the number of inhabited residential units to be displaced from the redevelopment project area, provided that as measured from the time of creation of the redevelopment project area, the total displacement of households will exceed ten (10);
 - (iv) pursuant to sub-section 11-74.4-5(d)(9) of the Act, for redevelopment plans or projects that would result in the displacement of residents from ten (10) or more inhabited residential units or that contain seventy-five (75) or more inhabited residential units, notice of the availability of the annual report described by sub-section 11-74.4-5(d), including how to obtain the annual report, shall be sent by mail within a reasonable period of time after completion of the certified audit report;

- (v) pursuant to sub-section 11-74.4-6(e) of the Act, notice of the preliminary public meeting required under the Act for a proposed Redevelopment Project Area that will result in the displacement of ten (10) or more inhabited residential units or which will contain seventy-five (75) or more inhabited residential units shall be sent by certified mail not less than fifteen (15) days before the date of such preliminary public meeting; and
 - (vi) such other notices as required by the Act.
- K. Non-Interference. These Registration Rules shall not be used to prohibit or otherwise interfere with the ability of eligible organizations and individuals to register for receipt of information to which they are entitled under the Act or applicable law.
- L. Amendment of Registration Rules. These Registration Rules may be amended by the Village subject to and consistent with the requirements of the Act. These Registration Rules shall be the registration rules for each of the Village's Redevelopment Project Areas and shall replace any previously adopted registration rules.