

CHAPTER 35

TAX INCREMENT FINANCING

ARTICLE I – INTERESTED PARTIES REGISTRIES

35-1-1 **CREATION OF REGISTRY.** The Clerk or his or her designee, is hereby authorized and directed to create an “Interested Parties Registry” in accordance with Section 11-74.4-4.2 of the Act for each redevelopment project area created under the Act and not terminated by the City, whether now existing or created after the date of the adoption of this Code.

35-1-2 **RULES ADOPTED.** In accordance with Section 11-74.4-4.2 of the Act, the City hereby adopts the Registration Rules attached hereto as Exhibit A as Registration Rules for each such “Interested Parties Registry”. The City, with the consent of the City Attorney as to form and legality, shall have the authority to amend such Registration Rules from time to time as may be necessary or desirable to comply with and carry out the purposes intended by the Act.

(Ord. No. 1587; 04-20-09)

EXHIBIT "A"

TIF INTERESTED PARTIES REGISTRY RULES

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

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

"City" shall mean City of Carlinville, a unit of government under Section 6(a) Article VII of the 1970 Constitution of the State of Illinois.

"City Council" shall mean the Mayor and City Council of the City of Carlinville.

"Interested Party or Interested Parties" shall mean (a) any resident(s) of the City (b) any organization(s) active within the City, and (c) any other person or entity 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 (a) is intended to qualify (or has subsequently qualified) as a "redevelopment project area" under the Act and (b) 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 City consistent with the requirements of the Act.

"Registrar" shall mean the City Clerk or any successor designee appointed by the City Council.

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

"Rules" shall mean these rules for maintenance of Registries and registration of any Interested Party as now or hereinafter amended by action of the City Council.

All capitalized terms not otherwise defined shall have the meaning ascribed to them in the Act or the Illinois Municipal Code (**65 ILCS 5/1-1-1 et seq.**)

B. **Appointment of Registrar.** The City Clerk is hereby appointed as the Registrar for the administration and enforcement of these Rules. The City Council may, upon the request of the City Clerk or on its own motion, appoint a successor Registrar. Any successor Registrar may be any officer, employee, department or agent of the City deemed suitable by the City Council. Upon appointment of a successor Registrar, the current Registrar shall:

1. give written notice to all Interested Parties not less than **thirty (30) days** prior to such transfer;

2. publish notice of such transfer in a newspaper of general circulation in the City; and
3. transfer all records of any nature or kind pertaining to any Registry to the successor Registrar.

C. Establishment of Registry. The City shall establish a separate Registry for each Redevelopment Project Area, whether existing as of the date of the adoption of these Rules or hereafter established. The City shall establish a 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 Registry shall be completed prior to the deadline for sending any of the notices required by Section (J) of these rules or any other notices required by the Act with respect to the proposed Redevelopment Project Area.

D. Maintenance of Registry. The Registries shall be maintained by the Registrar.

E. Registration Procedure.

1. A resident or organization seeking to register as an Interested Party with respect to a Redevelopment Project Area must complete and submit a Registration Form to the Registrar.
2.
 - a. With respect to applicants who are individuals, the Registrar may require submission of a copy of a current driver's license, voter registration card, lease, utility bill or such other evidence as may be acceptable to the Registrar to establish the applicant's current City residency.
 - b. With respect to applicants which are organizations, the application shall include a written statement, of not more than one page, describing the organization's current activity in the City. Said statement shall be signed by the authorized person of the organization who is submitting the application.
3. Upon receipt of an application, the Registrar shall determine if the application is complete and if the applicant qualifies for registration as an Interested Party. If the Registrar determines that the application is incomplete or the applicant does not qualify for registration, the Registrar shall notify the applicant, in writing of any such deficiency. Any such notice of deficiency shall be mailed to the address set forth on the application by the applicant. The registrant shall be entitled to correct any defects and resubmit a new or corrected application and supporting documentation. If the applicant does not resubmit within **twenty-one (21) days** following the date of the notice of deficiency, the Registrar shall determine that the application is abandoned and shall not register the applicant on the Registry.

TAX INCREMENT FINANCING EXHIBIT "A"

4. Applicants whose Registration Form, and supporting documentation, if any, complies with these Rules shall be registered in the applicable Registry within **ten (10) business days** of the City Clerk's receipt of all such documents. The Clerk shall provide written notice to the registrant confirming such Registration, which notice shall, at a minimum include the date of registration and the date of expiration of the registration.
5. Upon registration, the applicant shall be deemed to be an Interested Party for a period of **three (3) years** from the date of registration. Not less than **ninety (90) days** prior to the expiration of the registration, the Registrar shall notify the Interested Party of the pending expiration of the registration and the procedure for renewal of the registration. If the Registrar fails to send such notice, the registration of the Interested Party shall be renewed from the date of expiration for an additional **three (3) year** period.
6. Renewal of registration shall be in the same manner as initial registration as set forth in paragraphs 1 through 4 of this Section.
7. An Interested Party may amend its registration by giving written notice to the Registrar by mail of any of the following:
 - a. a change in address for notice purposes;
 - b. in the case of organizations, a change in the name of the contact person; and
 - c. a termination of registration.Upon receipt of such notice, the Clerk shall revise the applicable registration accordingly.

F. Operation and Maintenance of Registry.

1. Each Registry shall be available for public inspection during normal City business hours. The Registry shall include the name, address and telephone number of each Interested Party and a listing of all notices and other material sent pursuant to the Registry.
2. Interested Parties shall be sent the following notices:
 - a. Pursuant to subsections 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, such notice 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;
 - b. Pursuant to subsections 74-4.5(a) of the Act, notice of changes to proposed redevelopment plans that do not (i) add additional parcels of property to the proposed redevelopment project area, (ii) substantially affect the general land uses proposed in the redevelopment plan, (iii) substantially change the nature of or extend the life of the redevelopment project, or (iv) increase the number of low or very low income households to be displaced from

TAX INCREMENT FINANCING EXHIBIT "A"

- the redevelopment project area, provided that measured from the time of creation of the redevelopment project area the total displacement of households will exceed **ten (10)**; such notice shall be sent by mail not later than **ten (10) days** following the City's adoption by ordinance of such changes;
- c. Pursuant to subsection 74-4.5(a) of the Act, notice of changes to proposed redevelopment plans that do not (i) add additional parcels of property to the proposed redevelopment project area, (ii) substantially affect the general land uses proposed in the redevelopment plan, (iii) substantially change the nature of or extend the life of the redevelopment project, or (iv) increase the number of low or very low income households to be displaced from the redevelopment project area, provided that measured from the time of creation of the redevelopment project area the total displacement of households will exceed **ten (10)**; such notice shall be sent by mail not later than **ten (10) days** following the City's adoption by ordinance of such changes;
 - d. Pursuant to subsection 74-4.5(c) of the Act, notice of amendments to previously approved redevelopment plans that do not: (i) add additional parcels of property to the redevelopment project area, (ii) substantially affect the general land uses in the redevelopment plan, (iii) substantially change the nature of the redevelopment project, (iv) increase the total estimated redevelopment project costs set out in the redevelopment plan by more than **five percent (5%)** after adjustment for inflation from the date the plan was adopted, (v) add additional redevelopment project costs to the itemized list of redevelopment project costs set out in the redevelopment plan or (vi) increase the number of low or very low income households to be displaced from the redevelopment project area, provided that measured from the time of creation of the redevelopment project area the total displacement of households will exceed **ten (10)**; such notice shall be sent by mail not later than **ten (10) days** following the City's adoption by ordinance of any such amendment;
 - e. Pursuant to subsection 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 subsections 74-4.5(d), including how to obtain the annual report; such notice shall be sent by mail within a reasonable period of time after completion of the certified audit report;
 - f. Pursuant to subsection 74-4.6(e) of the Act, notice of the preliminary public meeting required under the Act for a proposed

TAX INCREMENT FINANCING EXHIBIT "A"

- 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, such notice shall be sent by certified mail not less than **fifteen (15) days** before the date of such preliminary public meeting;
- g. Any and all material directed by the City Council to be sent to an Interested Party; such material to be sent by mail not later than **ten (10) days** following such direction by the City Council; and,
 - h. Any other notices required under the Act with respect to the applicable Redevelopment Project Area.
3. Upon termination of the Redevelopment Project Area by expiration of its term, repeal of the ordinance of the City Council or by any other action, the Registrar shall terminate the Registry by noting the action terminating the Redevelopment Project Area and notice of the termination to all Interested Parties delivered by mail.
- G. 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.
- H. Amendment of Registration Rules.** These Registration Rules may be amended by the City subject to and consistent with the requirements of the Act.

(Ord. No. 1712; 09-03-13)