

2013-0-14

AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF A TAX INCREMENT FINANCING INTERESTED PARTIES REGISTRY AND ADOPTING REGISTRATION RULES FOR SUCH REGISTRY

WHEREAS, pursuant to Section §4.2 of the Tax Increment Allocation Redevelopment Act, 65 ILCS §5/11-74.4-1, et seq. (the "Act"), in connection with consideration of adoption of a Tax Increment Finance Plan and Project, the Village of Wauconda is required to establish an Interested Parties Registry and adopt rules for such registry; and

WHEREAS, the Village desires to adopt this ordinance in order to comply with requirement of the TIF Act.

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

SECTION I: That the above recitals are incorporated herein and made a part hereof.

SECTION II: The Director of Planning and Zoning is hereby authorized and directed to create and maintain an Interested Parties Registry as required by Section 11-74.4-4.2 of the Act.

SECTION III: In accordance with Section §4.2 of the Act, the Village hereby adopts the registration rules attached hereto as EXHIBIT "A" as registration rules for each such interested parties registry. The Village Board may 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.

SECTION IV: Public Notice of the establishment of the Interested Parties Registry and the availability of registration forms for the Interested Parties Registry shall be published once, in a newspaper of general circulation in the Village, upon the adoption of this Ordinance; with said notice being in the form attached hereto as EXHIBIT "B" and made a part hereof.

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

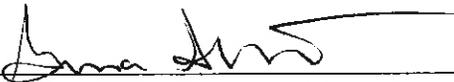
Passed this 18 day of June, 2013.

	Ayes:	Nays:	Absent/Abstain:
Lincoln F. Knight	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John F. Barbini Ed.D	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Teri Burke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda Starkey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ken Arnswald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chuck Black	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

APPROVED:

By:  Date: 25 JUN 13
FRANK A. BART, Mayor

ATTEST:

By: 
GINA STRELECKI, Village Clerk

Presented and read, or reading having been waived, at a duly convened meeting of the Corporate Authorities on June 18, 2013.

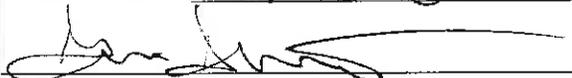

GINA STRELECKI, Village Clerk
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EXHIBIT "A"

**THE VILLAGE OF WAUCONDA 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 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 Wauconda, a municipal corporation under the Constitution of the State of Illinois.

"Director" shall mean the Director of Planning and Zoning of the Village.

"Interested Party(s)" shall mean any individual or organization or entity registered in a Registry, as defined herein, and which 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 as Attachment 1 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 a 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 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 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 Director or his designee. In the event the Village determines that an individual other than the Director should maintain the Registries, the Village may transfer the responsibility for maintaining the Registries to such other Department provided that the Village (i) gives prior written notice to all Interested Parties not less than thirty (30) days prior to such transfer and (ii) publishes notice of such transfer in a newspaper of general circulation in the Village.

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 Director.

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 Director. Filing of an annual request for notice by a news medium pursuant to §2.02(b) of the Illinois Open Meetings Act shall not constitute registration as an Interested Party for purposes of these Rules.

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 Director's receipt of all such documents. The Director 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 Rules or as otherwise required under the Act with respect to the applicable Redevelopment Project Area. If the Director determines that a registrant's Registration Form and/or supporting documentation is incomplete or does not comply with these Registration Rules, the Director 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 years: At any time after such three-year period, the Director 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 Director'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 then required of initial registrants

operating in the Village. The registration of all individuals and organizations whose Registration Form is submitted in a timely manner and complies with these Regulation Rules shall be renewed for an additional, consecutive three-year period. If the Director determines that a registrant's renewal Registration Form is incomplete or does not comply with these Registration Rules, the director 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 within thirty (30) days of receipt of the Director's notice. If all defects are not corrected within thirty (30) days of the Interested Party's receipt of the Director'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 Director by certified mail of any of the following: (i) 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 Director shall revise the applicable Registry accordingly.

I. Registries Available for Public Inspection. Each Registry shall be available for public inspection during normal business hours. The Registry shall include the name, address, email address and telephone number of each Interested Party and for organizations, the name, phone number and email of the designated contact person for the organization.

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 § 5/11-74.4-5(a) of the Act, notice of the availability of a proposed redevelopment plan and eligibility report, including how to obtain this information; such notice will be sent by mail within a reasonable period of time prior to the adoption of the ordinance fixing the public hearing for the proposed redevelopment plan;

(ii) pursuant to § 5/11-74.4-4(a) of the Act, notice of changes to proposed redevelopment plans that do not (1) add additional parcels of property to the proposed development 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 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 inhabited households will exceed 10; such notice will be sent by mail not later than ten (10) days following Village's adoption by ordinance of such changes;

(iii) pursuant to § 5/11-74.4-S(c) of the Act, notice 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 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 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 inhabited households will exceed 10; such notice will be sent by mail not later than ten (10) days following the Village's adoption by ordinance of such amendment;

(iv) pursuant to § 5/11-74.4-5(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 this information, including how to obtain the report required by subsection (d) of Section 5/11-74.4-5 of the Act; such notice will be sent by mail within a reasonable period of time after completion of the certified audit report;

(v) pursuant to § 5/11-74.4-6(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, such notice will be sent by certified mail not less than fifteen (15) days before the date of such preliminary public meeting.

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.

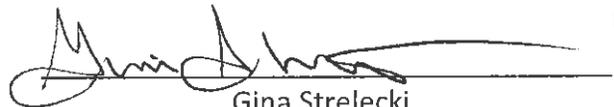
L. Amendment of Registration Rules. These Registration Rules may be amended by the Village subject to and consistent with the requirements of the Act.

M. Failure of the Village to follow these Rules shall not invalidate any action of the Village otherwise in compliance with the Act.

EXHIBIT "B"

PUBLIC NOTICE

The Village of Wauconda, in accordance with the provisions of Section 11-74.4-4.2 of the Illinois Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-4.2 has established an Interested Parties Registry. Residents of the Village and organizations active in the Village may register with the Village to receive information on any proposed designation or amendment to a redevelopment project area, or the approval of a redevelopment plan or project, as well as information regarding certain changes which may be proposed for existing redevelopment plans or projects. Registration forms are available at the Village Hall, 101 N. Main Street, Wauconda, Illinois 60084, between the hours of 8:00 A.M. and 4:30 P.M., Monday through Friday, except on Holidays, or on the Village's website at www.wauconda-il.gov. Rules to implement the registration process have been adopted by the Village Board and may be obtained at the same location.



Gina Strolecki
Village Clerk

