

CHAPTER 35

TAX INCREMENT FINANCING

ARTICLE I – INTERESTED PARTIES REGISTRY REGISTRATION RULES

**35-1-1**      **DEFINITIONS.** As used in these Registration Rules, the following terms shall have the definitions set forth below.

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

(B)            **“Interested Party(s)”** shall mean (1) any organization(s) active within the Village (2) any resident(s) of the Village, and (3) 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.

(C)            **“Redevelopment Project Area”** shall mean a redevelopment project area that (1) is intended to qualify (or has subsequently qualified) as a “redevelopment project area” under the Act and (2) is subject to the “interested parties” registry requirements of the Act.

(D)            **“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.

(E)            **“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.

(F)            **“Village”** shall mean Village of Energy, a unit of government under Section 6(a) Article VII of the 1970 Constitution of the State of Illinois.

**35-1-2**      **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 37-1-10** of these rules or any other notices required by the Act with respect to the proposed Redevelopment Project Area.

**35-1-3**      **MAINTENANCE OF REGISTRY.** The Registries shall be maintained by the Village Clerk or his or her designee. In the event the Village determines that someone other than the Clerk 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.

**35-1-4**      **REGISTRATION BY RESIDENTS.** An individual seeking to register as an Interested Person 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, utility bill, financial statement or such other evidence as may be acceptable to the Clerk to establish the individual's current Village residency.

**35-1-5**      **REGISTRATION BY ORGANIZATIONS.** An organization seeking to register as an Interested Person with respect to a Redevelopment Project Area must complete and submit a Registration Form to the Village Clerk. Such organization must also submit a copy of a one-page statement describing the organization's current operations in the Village.

**35-1-6**      **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 such documents. The 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 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 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.

**35-1-7**      **RENEWAL AND TERMINATION.** An Interested Person's registration shall remain effective for a period of **three (3) years**. At any time after such **three (3) year** period, the Village Clerk shall provide written notice by regular mail to the Interested Person stating that such registration shall terminate unless the Interested Person renews such registration within **thirty (30) days** of the Clerk's mailing of written notice. To renew such registration, the Interested Person 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 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 Regulation 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 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 Clerk's notice. If all defects are not corrected within **thirty (30) days** of the Interested Person's receipt of the Village Clerk's notice, the Interested Person's registration shall be terminated. Any Interested Person whose registration is terminated shall be entitled to register again as if a first-time registrant.

**35-1-8**      **AMENDMENT TO REGISTRATION.** An Interested Party may amend its registration by giving written notice to the Village Clerk by certified mail of any of the following: (1) a change in address for notice purposes; (2) in the case of organizations, a change in the name of the contact person; and (3) a termination of registration. Upon receipt of such notice, the Clerk shall revise the applicable Registry accordingly.

**35-1-9**      **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 Person and for organizations, the name and phone number of a designated contact person.

**35-1-10**     **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:

(A)            Pursuant to subsection 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 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 subsection 8/11-74.4-5(a) of the Act, notice 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 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 Village's adoption by ordinance of such changes.

(C)            Pursuant to subsection 5/11-74.4-5(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 **five percent (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 households will exceed ten (10); such notice shall be sent by mail not later than **ten (10) days** following the Village's adoption by ordinance of any such amendment.

(D)            Pursuant to subsection 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 the annual report described by subsection 5/11-74.4-5(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.

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(E) Pursuant to subsection 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 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 public meeting.

**35-1-11** **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.

**35-1-12** **AMENDMENT OF REGISTRATION RULES.** These Registration Rules may be amended by the Village subject to and consistent with the requirements of the Act.

**(Ord. No. 16-04; 03-22-16)**