



# Village of Downers Grove

## Official Village Policy Approved by Village Council

Description:	<b>Special Service Areas</b>		
Res. or Ord. #:	<b>Res. 95-43</b>	Effective Date:	<b>8/21/95</b>
Category:	<b>Financial Services</b>		
	<input type="checkbox"/>	New Council Policy	
	<input checked="" type="checkbox"/>	Amends Previous Policy Dated:	<b>9/26/83 and 11/2/87</b>
		Description of Previous Policy (if different from above):	

### **RESOLUTION NO. 95-43**

#### **A RESOLUTION ESTABLISHING THE POLICY OF THE COUNCIL OF THE VILLAGE OF DOWNERS GROVE CONCERNING SPECIAL SERVICE AREAS**

WHEREAS, Chapter 35 of the Illinois Compiled Statutes, Sections 200/27-5 et seq. establishes procedures for the levy and collection of taxes for provision of special services to areas within the boundaries of home rule units; and

WHEREAS, the Village of Downers Grove is a home rule unit pursuant to Article VII, Section 6 of the Illinois Constitution, and is authorized thereby to legislate for its "government and affairs"; and

WHEREAS, the Council of the Village of Downers Grove has determined it to be necessary and desirable to set forth a written policy by this resolution concerning the establishment of special service areas within the Village in the discretion of the Village Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Downers Grove, DuPage County, Illinois as follows:

1. That the establishment of statutorily authorized special service areas and the imposition of special taxes in conjunction therewith is within the sole discretion of the Village Council.
2. That the Village Council will consider the establishment of special service areas for provision of special services or improvements within the Village if the defined area is a contiguous area in which:
  - (a) services or improvements desired by the property owners in the area are in addition to those customarily provided by the Village; or
  - (b) improvements desired by the property owners are among those required of developers in new subdivisions or planned developments, or otherwise required of property owners pursuant to Village ordinance, but which do not exist in the area due to the time of its development or other factors; or

- (c) services or improvements desired by the property owners in the area are not included in financial plans approved by the Village for the immediate future and such property owners seek accelerated completion of such improvements; or
- (d) services or improvements in the area include extensive off-site improvements related to a proposed development or redevelopment of the area; such improvements are to be required of the developers in order to obtain Village approval, and construction of such improvements prior to full development of the area will allow for completion at an earlier date or in concert with other improvements in the area to provide the least possible disruption during construction.

3. If the special service area is to be provided under the conditions established in subparagraphs (a), (b) or (c) of paragraph 2 herein, the Village Council will consider the establishment of a special service area in accordance with the manner established by law.

4. That the nature, rate and amount of the tax to be levied; the amount, interest rate, and life of bonds to be issued, if any, for the special service area shall be determined in the sole discretion of the Village Council upon the recommendation of the Village Manager.

5. That the validity of any action taken by the Council which is otherwise in conformance with applicable law shall not be invalidated, impaired or otherwise affected by noncompliance with any part of the policy set forth herein.

6. That all resolutions or parts of resolutions in conflict with this resolution, and specifically including the provisions of Resolution 83-30, are hereby repealed.

7. That this resolution shall be in full force and effect from and after its passage and approval as provided by law.

Betty M. Cheever, Mayor

Passed: August 21, 1995  
Published: August 22, 1995  
Attest: April K. Holden, Deputy Village Clerk