

## COUNCIL WORKSHOP ITEM

**ITEM:** “Interested Parties” Ordinance  
**DATE:** June 4, 2002  
**PREPARED BY:** Brian Pabst – Deputy Village Manager  
**PURPOSE:** Review and Place on the Active Agenda for Approval by Ordinance

### DISCUSSION:

As of January 1, 2000, modifications to the TIF law require that, as a part of the TIF process, the council approve an ordinance for the “Interested Parties Registries” and adopting registration rules for such registries. The intent is simply to create a system whereby any citizen can register with the particular municipality’s clerk in order to receive any information regarding council action as it pertains to the TIF district. Although the village had an Interested Parties Registry system in place during the first downtown TIF process, a registry ordinance at that time was not required.

### ATTACHMENT:

Ordinance for the Interested Parties Registries Notice, Rules and Registry Form.

### RECOMMENDATION:

Place on the Active Agenda for Approval by Ordinance

cc: Rick Ginex – Village Manager  
Enza Petrarca – Acting Village Attorney  
Dave Van Vooren, Deputy Village Manager – Administration  
Marty Lyons, Director – Financial Services

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS  
AUTHORIZING THE ESTABLISHMENT OF  
TAX INCREMENT FINANCING "INTERESTED PARTIES" REGISTRIES  
AND ADOPTING REGISTRATION RULES FOR SUCH REGISTRIES

WHEREAS, the Village of Downers Grove (the "Village") is a home rule municipality as described in the Constitution of the State of Illinois, and as such may exercise any power and function pertaining to its government and affairs;

WHEREAS, pursuant to Section § 11-74.4-4.2 of the Tax Increment Allocation Redevelopment Act, 65 ILCS § 5/11-74.4-1, et seq. (the "Act"), the Village is required to establish certain "Interested Parties" Registries and adopt Registration Rules for such Registries;

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 VILLAGE BOARD OF THE VILLAGE OF DOWNERS GROVE:

SECTION 1: The above recitals are incorporated herein and made a part hereof.

SECTION 2: The Village 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 Village, whether now existing or created after the date of the adoption of this ordinance.

SECTION 3: In accordance with Section § 11-74.4-4.2 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 4: If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance.

SECTION 5: All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 6: This ordinance shall be in full force and effect immediately upon its passage.

Attachment -- Attachment A: TIF Interested Parties Registry Registration Rules

ORDINANCE NO. \_\_\_\_\_ -

APPROVED: \_\_\_\_\_

Mayor

PASSED:

ATTEST: \_\_\_\_\_

Village Clerk

THE VILLAGE OF DOWNERS GROVE  
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 Downers Grove, a home rule unit of government under Constitution of the State of Illinois.

"Interested Party(s)" shall mean any individual or organization or entity registered 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 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 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 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 Village Clerk or his or her designee. In the event the Village determines that an individual 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.
- 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 (see Attachment 1, Part A) to the Village Clerk.

- 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 (see Attachment 1, Part A) to the Village Clerk.
- 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 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.
- 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 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 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 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 Village Clerk determines that a registrant's renewal Registration Form 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 within thirty (30) days of receipt of the 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 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 Clerk 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 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 § 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 § 5/11-74.4-5(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 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.

ATTACHMENT 1

TIF INTERESTED PARTIES REGISTRATION FORM

Registration Rules: If you would like to register on the Interested Parties Registry for one or more tax increment financing (TIF) Redevelopment Project Area, please complete Part A of this form.

Registration for Organizations: If you would like to register on the Interested Parties Registry for one or more tax increment financing (TIF) Redevelopment Project Areas, please complete Part B of this form.

PART A: REGISTRATION FOR MUNICIPAL RESIDENTS (Please Print)

Name \_\_\_\_\_

Street Address \_\_\_\_\_

Zip Code \_\_\_\_\_ Home Telephone \_\_\_\_\_

Fax Number \_\_\_\_\_ E-mail Address \_\_\_\_\_

Please list the TIF(s) you are interested in below:

PART B: REGISTRATION FOR ORGANIZATIONS (Please Print)

Organization Name \_\_\_\_\_

Contact Name \_\_\_\_\_

Street Address \_\_\_\_\_

Village \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone (\_\_\_\_) \_\_\_\_\_ Fax (\_\_\_\_) \_\_\_\_\_

E-mail Address \_\_\_\_\_

Please list the TIF(s) you are interested in below:

Please return this form to: TIF Interested Parties Registry  
Village Clerk's Office  
801 Burlington Avenue  
Downers Grove, Illinois 60515

Signature/Title \_\_\_\_\_ Date \_\_\_\_\_

**NOTICE – VILLAGE OF DOWNERS GROVE  
TAX INCREMENT FINANCING REDEVELOPMENT  
DOWNTOWN TIF  
OGDEN AVENUE TIF  
REGISTRATION FOR INTERESTED PARTIES REGISTRY**

Pursuant to Section § 5/11-74.4-4.2 of the Tax Increment Allocation Redevelopment Act, 65 ILCS § 5/11-74.4-1 et seq. (the "Act"), the Village of Downers Grove (the "Village") is required to establish an Interested Parties Registry ("Registry" or "Registries") for each Tax Increment Financing ("TIF") Redevelopment Project Area created pursuant to the Act (a "Redevelopment Project Area") whether existing as of the date of this notice or hereafter established. The Village has adopted an ordinance authorizing the establishment of Registries by the Village Clerk ("Clerk") and adopting Registration Rules for such Registries. The purpose of this notice is to inform Interested Parties of the Registries and Registration Rules for the Registries and to invite Interested Parties (as defined below) to register in the Registry for any Redevelopment Project Area.

Any individual or organization requiring information pertaining to activities within the Redevelopment Project Area (an "Interested Party") is entitled to register in the Registry for the Redevelopment Project Area. Organizations include, but are not limited to, businesses, business organizations, civic groups, not-for-profit corporations and community organizations.

An organization seeking to register as an Interested Party with respect to the Redevelopment Project Area must also complete and submit a Registration Form to the Clerk.

An Interested Parties Registry is being established for the following TIF Redevelopment Project Area, which has been adopted by the Village:

Village of Downers Grove Downtown TIF  
Village of Downers Grove Ogden Avenue TIF

All individuals and organizations whose Registration Forms comply with the Registration Rules, either in person or by mail, to the Village Clerk, located at 801 Burlington Avenue, Downers Grove, Illinois 60515, will be registered in the applicable Registry within ten (10) business days of the Clerk's receipt of all such documents. The Clerk will provide written notice to the registrant confirming such registration. Upon registration, Interested Parties will be entitled to receive all notices and documents required to be delivered under the Act with respect to the applicable Redevelopment Project Area. If the Clerk determines that a registrant's Registration Form is incomplete or does not comply with the Registration Rules adopted by the Village, the Clerk will give written notice to the registrant specifying the defects. The registrant will be entitled to correct any defects and resubmit a new Registration Form and supporting documentation. An Interested Party's registration will remain effective for a period of three years. Rules for the renewal or amendment of an Interested Party's registration are included with the Registration Form that may be obtained as described herein.

Each Registry will be available for public inspection at the Office of the Clerk during normal business hours. The Registry will include the name, address and telephone number of each Interested Party and, for organizations, the name and phone number of a designated contact person.

Interested Parties will 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 § 5/11-74.4-5(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 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.

Registration Forms can be picked up at the Office of the Village Clerk, 801 Burlington Avenue, Downers Grove, Illinois. 60515.

Registration Forms can be obtained by Interested Parties in person or by their representatives. Registration Forms will not be mailed or faxed. If you require additional information, please call the Office of the Village Clerk or the Village Administrator at (630)964-0300.