



Office of the City Clerk

City Hall
121 N. LaSalle St.
Room 107
Chicago, IL 60602
www.chicityclerk.com

Legislation Text

File #: O2015-7216, Version: 1

PUBLIC HEARING ORDINANCE

WHEREAS, special service areas may be established pursuant to Article VII, Sections 6(1) and 7(6) of the Constitution of the State of Illinois, and pursuant to the provisions of the Special Service Area Tax Law, 35 ILCS 200/27-5 et seq., as amended from time to time, and pursuant to the Property Tax Code, 35 ILCS 200/1-1 et seq., as amended from time to time (the "Property Tax Code"); and

WHEREAS, on November 7, 2007, the City Council of the City of Chicago (the "City Council") enacted an ordinance, as amended on December 12, 2007 (collectively the "Establishment Ordinance") which established an area known and designated as City of Chicago Special Service Area Number 44 (the "Original Area") and authorized the levy of an annual tax, for the period beginning in 2007 through and including 2016 (the "Original Period"), not to exceed an annual rate of two and a half percent (2.5%) of the equalized assessed value of the taxable property therein (the "Services Tax") to provide certain special services in and for the Area in addition to the services provided by and to the City of Chicago generally (the "Original Special Services"); and

WHEREAS, the Establishment Ordinance established the Original Area as that territory consisting approximately of the area on the north side of 103rd Street, from Longwood Drive on the west to the Metra tracks (Hale Avenue) on the east, and the south side of 103rd Street from Longwood Drive on the west to Wood Street on the east; and

WHEREAS, the Original Special Services authorized in the Establishment Ordinance include but are not limited to, maintenance and beautification, new construction, coordinated marketing and promotional activities, parking and transit programs, area strategic planning, business retention and recruitment, building facade improvements, security services and other technical assistance activities to promote community and economic development; and

WHEREAS, the City now desires to (i) enlarge the boundaries of the Original Area (as enlarged, the "Area") and authorize the levy of the Services Tax within the enlarged Area, (ii) authorize certain special services in the Area distinct from the Original Special Services (the "Special Services"), and (iii) to authorize the extension of the time period for which the levy of the Services Tax is authorized within the Area from the Original Period to a period from tax year 2015 through and including tax year 2029 (the "Levy Period"); and

WHEREAS, the City Council finds that

a) it is in the public interest that consideration be given to (i) the enlargement of the boundaries of the Original Area to the Area while keeping its designation as City of Chicago Special Service Area Number 44, (ii) the authorization of the Special Services distinct from the Original Special Services, and (iii) the authorization of the extended Levy Period for the levy of the Services Tax within the Area;

b) the Area is contiguous; and

c) the proposed Special Services are in addition to municipal services provided by and to the City generally; now, therefore,

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The preambles of this ordinance are hereby incorporated into this text as if set out herein in full.

SECTION 2. A public hearing shall be held by the Committee on Finance of the City Council of the City of Chicago at the City Council Chambers, City Hall, Chicago, Illinois (the "Hearing") to consider (i) the enlargement of the boundaries of the Original Area to the Area while keeping its designation as City of Chicago Special Service Area Number 44, (ii) the authorization of the Special Services distinct from the Original Special Services, and (iii) the authorization of the extended Levy Period for the levy of the Services Tax within the Area. At the Hearing there will be considered the extension of the levy of the Services Tax upon the taxable property within the Area sufficient to produce revenues required to provide the Special Services in the Area. The Services Tax shall not exceed the annual rate of two and a half percent (2.5%) of the equalized assessed value of the taxable property within the Area. The Services Tax shall be authorized to be extended and levied in tax years 2015 through and including 2029. The proposed amount of the tax levy for the Special Services in tax year 2015 is \$14,458. The Services Tax shall be in addition to all other taxes provided by law and shall be levied pursuant to the provisions of the Property Tax Code, as amended from time to time. The Special Services to be considered include, but are not limited to: customer attraction, public way aesthetics, sustainability and public place enhancements, economic/business development, safety programs, and other activities to promote commercial and economic development. The Special Services shall be in addition to services provided to and by the City of Chicago generally. The Area shall consist of territory described on Exhibit 1 hereto and hereby incorporated herein. The approximate street location of said territory consists of Walden Parkway from 99th Street to 107th Street; from Longwood Drive to Wood Street along 103rd Street.

SECTION 3. Notice of the Hearing shall be published at least once, not less than fifteen (15) days prior to the Hearing, in a newspaper of general circulation within the City of Chicago. In addition, notice by mail shall be given by depositing said notice in the United States mail addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each property lying within the Area. The notice shall be mailed not less than ten (10) days prior to the time set for the Hearing. In the event taxes for the last preceding year were not paid, the notice shall be sent to the person last listed on the tax rolls prior to that year as the owner of the property.

SECTION 4. Notice of the Hearing shall be substantially in the following form:

Notice of Public Hearing

City of Chicago Special Service Area Number 44

Notice is hereby given that at _____ o'clock _____ .m, on the day of _____, 2015 at the City Council Chambers, City Hall, 121 North LaSalle Street, Chicago, Illinois, a public hearing will be held by the Committee on Finance of the City Council of the City of Chicago to consider certain matters with respect to an area Within the City of Chicago known and designated as _____

Special Service Area Number 44 and the authorization of the levy of a special annual services tax (the "Services Tax") within the Area. The matters shall include (i) enlarging the boundaries of the original special service area while keeping the designation as City of Chicago Special Service Area Number 44 (as enlarged, the "Area"), (ii) authorizing certain special services in the Area distinct from the original special services authorized to be provided (the "Special Services"), and (iii) authorizing the extension of the time period for which the levy of the Services Tax is authorized within the Area through and including tax year 2029. The Services Tax under consideration shall be authorized to be levied annually in tax years 2015 through and including 2029 for the provision of the Special Services. The purpose of the Services Tax shall be to provide the Special Services within the Area, which may include, but are not limited to: customer attraction, public way aesthetics, sustainability and public place enhancements, economic/business development, safety programs, and other activities to promote commercial and economic development.

The Services Tax to be levied against the taxable property included within the Area for the provision of the Special Services shall not exceed the annual rate of two and a half percent (2.5%) of the equalized assessed value of taxable property within the Area. The proposed amount of the tax levy for Special Services in tax year 2015 is \$14,458. The Services Tax shall be in addition to all other taxes provided by law and shall be levied pursuant to the provisions of the Property Tax Code, 35 ILCS 200/1-1 et seq., as amended from time to time.

The Area consists of the territory described herein and incorporated hereto as Exhibit 1. The approximate street location of said territory consists of Walden Parkway from 99th Street to 107th Street; from Longwood Drive to Wood Street along 103rd Street.

At the public hearing any interested person, including all persons owning taxable real property located within the proposed Area, affected by (i) the enlargement of the boundaries of the original special service area to the Area while keeping the designation as City of Chicago Special Service Area Number 44, (ii) the authorization of the Special Services in the Area distinct from the original special services provided therein, and (iii) the authorization of the extension of the time period for which the levy of the Services Tax is authorized within the Area from the initial period to the period from tax year 2015 through and including tax year 2029 may file with the City Clerk of the City of Chicago written objections to and may be heard orally with respect to any issues embodied in this notice.

The Committee on Finance of the City Council of the City of Chicago shall hear and determine all protests and objections at said hearing, and said hearing may be adjourned to another date without further notice other than a motion to be entered upon the minutes fixing the time and place it will reconvene.

If a petition signed by at least fifty-one percent (51%) of the electors residing within the boundaries of the Area and by at least fifty-one percent (51%) of the landowners included within the boundaries of the Area objecting to (i) the enlargement of the boundaries of the original special service area to the Area

while keeping the designation as City of Chicago Special Service Area Number 44, (ii) the authorization of the Special Services in the Area distinct from the original special services provided therein, and/or (iii) the authorization of the extension of the time period for which the levy of the Services Tax is authorized within the Area from the initial period to the period from tax year 2015 through and including tax year 2029, is filed with the City Clerk of the City of Chicago within sixty (60) days following the final adjournment of the public hearing, then such action objected to shall

not be approved or authorized.

By order of the City Council of the City of Chicago, Cook County, Illinois.

Dated this day of , 2015.

City Clerk, City of Chicago, Cook County,
Illinois

SECTION 5. This ordinance shall become effective from its passage and approval.

EXHIBIT 1

Legal Description and Permanent Index Numbers See attached pages.

PUBLIC HEARING ORDINANCE

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1 et seq., as amended from time to time (the "Property Tax Code"); and

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WHEREAS, the Establishment Ordinance established the Original Area as that territory consisting approximately of the area on the north side of 103rd Street, from Longwood Drive on the west to the Metra tracks (Hale Avenue) on the east, and the south side of 103rd Street from Longwood Drive on the west to Wood Street on the east; and

WHEREAS, the Original Special Services authorized in the Establishment Ordinance include but are not limited to, maintenance and beautification, new construction, coordinated marketing and promotional activities, parking and transit programs, area strategic planning, business retention and recruitment, building facade improvements, security services and other technical assistance activities to promote community and economic development; and

WHEREAS, the City now desires to (i) enlarge the boundaries of the Original Area (as enlarged, the "Area") and authorize the levy of the Services Tax within the enlarged Area, (ii) authorize certain special services in the Area distinct from the Original Special Services (the "Special Services"), and (iii) to authorize the extension of the time period for which the levy of the Services Tax is authorized within the Area from the Original Period to a period from tax year 2015 through and including tax year 2029 (the "Levy Period"); and

WHEREAS, the City Council finds that

a) it is in the public interest that consideration be given to (i) the enlargement of the boundaries of the Original Area to the Area while keeping its designation as City of Chicago Special Service Area Number 44, (ii) the authorization of the Special Services distinct from the Original Special Services, and (iii) the authorization of the extended Levy Period for the levy of the Services Tax within the Area;

b) the Area is contiguous; and

c) the proposed Special Services are in addition to municipal services provided by and to the City generally; now, therefore,

1

2015 SSA44-Public Hearing Ord ccs Final (Revised) v2.doc

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2

2015 SSA44-Public Hearing Ord ccs Final (Revised) v2.doc

Special Service Area Number 44 and the authorization of the levy of a special annual services tax (the "Services Tax") within the Area. The matters shall include (i) enlarging the boundaries of the original special service area while keeping the designation as City of Chicago Special Service Area Number 44 (as enlarged, the "Area"), (ii) authorizing certain special services in the Area distinct from the original special services authorized to be provided (the "Special Services"), and (iii) authorizing the extension of the time period for which the levy of the Services Tax is authorized within the Area through and including tax year 2029. The Services Tax under consideration shall be authorized to be levied annually in tax years 2015 through and including 2029 for the provision of the Special Services. The purpose of the Services Tax shall be to provide the Special Services within the Area, which may include, but are not limited to: customer attraction, public way aesthetics, sustainability and public place enhancements, economic/business development, safety programs, and other activities to promote commercial and economic development.

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3

2015 SSA44-Public Hearing Ord ccs Final (Revised) v2.doc

while keeping the designation as City of Chicago Special Service Area Number 44, (ii) the authorization of the Special Services in the Area distinct from the original special services provided therein, and/or (iii) the authorization of the extension of the time period for which the levy of the Services Tax is authorized within the Area from the initial period to the period from tax year 2015 through and including tax year 2029, is filed with the City Clerk of the City of Chicago within sixty (60) days following the final adjournment of the public hearing, then such action objected to shall not be approved or authorized.

By order of the City Council of the City of Chicago, Cook County, Illinois.

Dated this _____ day of _____, 2015.

City Clerk, City of Chicago, Cook County,
Illinois

SECTION 5. This ordinance shall become effective from its passage and approval.

4

2015 SSA44-Public Hearing Ord ccs Final (Revised) v2.doc

EXHIBIT 1

Legal Description and Permanent Index Numbers See attached pages.

5

2015 SSA44-Public Hearing Ord ccs Final (Revised) v2.doc

CHICAGO September 24, 2015 To the President and

Members of the City Council: Your Committee on Finance having had under consideration

An ordinance authorizing the Committee on Finance to hold a public hearing in order to consider the expansion of Special Service Area Number 44.

Direct Introduction

Having had the same under advisement, begs leave to report and recommend that your Honorable Body pass the proposed Ordinance Transmitted Herewith

This recommendation was concurred in by **(afviva voce vote**
of members of the committee with **dissenting vote(s)**

Respectfully submitted

Chairman