

**CHAPTER 35 – TAX INCREMENT FINANCING**

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## 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 Sec. 5/11-74.4-1 et seq.** as amended from time to time.

(B)            **“City”** shall mean City of Newton, Jasper County, Illinois.

(C)            **“Interested Party(s)”** shall mean (1) any organization(s) active within the City (2) any resident(s) of the City, and (3) any other entity or person otherwise entitled under the Act to register in a specific Registry who has been registered in such Registry and whose registration has not been otherwise terminated in accordance with these Registration Rules.

(D)            **“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.

(E)            **“Registration Application Form”** shall mean the form appended to these Registration Rules or such revised form as may be approved by the City consistent with the requirements of the Act.

(F)            **“Registry” or “Registries”** shall mean each interested parties registry, and all such registries, collectively, established by the City pursuant to Section 11-74.4-4.2 of the Act for the Redevelopment Project Area.

**35-1-2**        **ESTABLISHMENT OF REGISTRY.** The City shall establish a separate interested parties registry for each Redevelopment Project Area being considered by the City or hereafter established. The City 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 35-1-11** 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 City Clerk or his or her designee shall maintain the Registries. The Registry shall include the name, address, and telephone number of each registered resident; and for registered organizations, the name and phone number of a designated contact person.

**35-1-4**        **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 Application Form to the City 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 residency in the City.

**35-1-5**        **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 Application Form to the City Clerk. Such organization must also submit a copy of a one-page statement describing the organization’s current operations in the City.

**35-1-6**        **DETERMINATION OF ELIGIBILITY.** All individuals and organizations whose Registration Application Form and supporting documentation complies with these Registration Rules shall be registered in the applicable Registry within **ten (10) business days** of the City Clerk's receipt of all such documents. If the City Clerk determines that an applicant's Registration Application Form and/or supporting documentation is incomplete or does not comply with these Registration Rules, the Clerk shall give written notice to the applicant specifying the defect(s). The applicant shall be entitled to correct any defects and resubmit a new Registration Application Form and supporting documentation.

**35-1-7**        **NOTICES AND AVAILABILITY OF INFORMATION.** Upon registration, Interested Parties shall be entitled to receive all notices required under the Act, including how to obtain information concerning the applicable Redevelopment Project Area. The City reserves the right to charge recipients for the cost of copies and postage/delivery charges for requested documents.

**35-1-8**        **RENEWAL AND TERMINATION.** An Interested Party's registration shall remain effective for a period of **three (3) years**. At any time after such **three (3) year** period, the City 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 Application 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 City. The registration of all individuals and organizations whose Registration Application 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 City Clerk determines that a registrant's renewal Registration Application 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 Application Form submitted, specifying the defect(s). The registrant shall be entitled to correct any defects and resubmit a new Registration Application 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 Party's receipt of the City 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 applicant.

**35-1-9**        **AMENDMENT TO REGISTRATION.** An Interested Party may amend its registration by giving written notice to the City Clerk by certified mail for any of the following reasons: (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.

**35-1-10**       **REGISTRIES AVAILABLE FOR PUBLIC INSPECTION.** Each Registry shall be available for public inspection during the City's normal business hours.

**35-1-11**       **NOTICES TO BE SENT TO INTERESTED PARTIES.** Interested Parties shall be sent the following notices as well as any other notices required under the Act with respect to the applicable Redevelopment Project Area:

(A)            pursuant to subsection 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 a time and place for the public hearing for the proposed redevelopment plan;

(B) pursuant to subsection 74-4.5(a) of the Act, notice of changes to a *proposed* redevelopment plans that does 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 City's adoption by ordinance of such changes.

(C) pursuant to subsection 74-4.5(c) of the Act, notice of amendments to a *previously approved* redevelopment plan that does 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 City's adoption by ordinance of such amendment.

(D) pursuant to subsection 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 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.

(E) pursuant to subsection 74-4.6(e) of the Act, notice of the 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 and shall include the information required under subsection 74-4.6(e) of the Act.

**35-1-12**      **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.

**35-1-13**      **AMENDMENT OF REGISTRATION RULES.** These Registration Rules may be amended by the City subject to and consistent with the requirements of the Act.

**(Ord. No. 2008-10; 04-01-08)**