

ORDINANCE NO. F-0171

AN ORDINANCE ESTABLISHING CITY OF WHEATON
SPECIAL SERVICE AREA NUMBER FIVE

BE IT ORDAINED by the City Council of the City of Wheaton, Illinois, as follows:

Section 1: AUTHORITY. Special Service Area Number Five is established pursuant to the provisions of Article VII, Sections 6A and 6L of the Constitution of the State of Illinois and pursuant to:

An Act to provide the manner of levying or imposing taxes for the provision of special services to areas within the boundaries of home rule units and non-home rule municipalities and counties. (Public Act 78-901)

Section 2: FINDINGS.

A. The question of the establishment of the area hereinafter described as a special service area is considered by the City of Wheaton pursuant to an Ordinance entitled: "An Ordinance Proposing the Establishment of a Special Service Area Number Five in the City of Wheaton and Providing for a Public Hearing and Other Procedures in Connection Therewith" adopted June 16, 1997, and is considered pursuant to a hearing held on July 21, 1997, by the City Council pursuant to Notice duly published in the Wheaton Sun, June 27, 1997, a newspaper published in the City of Wheaton, at least fifteen (15) days prior to the hearing and pursuant to Notice by mail addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract, or parcel of land lying within the special service area. Said Notice was given by depositing said Notice in the United States mail not less than ten (10) days prior to the time set for the public hearing. In the event taxes for the last preceding year were not paid, the said Notice was sent to the person last listed on the tax rolls prior to that year as the owner of said property. A Certificate of Publication of said Notice and an Affidavit of Mailing of said Notice are attached to this Ordinance as Exhibits 1 and 2. Said Notices conformed in all respects to the requirements of Section 5 of Public Act 78-901, aforesaid.

B. That a public hearing on the question set forth in the Notice was held on July 21, 1997. All interested persons were given an opportunity to be heard on the question of the creation of the special service area and on the question of an annual tax for maintenance of the special service area. After taking testimony on the issue, the public hearing was adjourned.

C. That after considering the data, as presented at the public hearing, the City Council of the City of Wheaton finds that it is in the public interest of Special Service Area Number Five that said special service area, as hereinafter described, be established.

D. Said area is compact and contiguous and constitutes a definable geographical area within the City limits of the City of Wheaton.

E. It is in the best interests of said special service area that management, maintenance and promotion services proposed herein be considered for the common interests of said area.

F. Said area is zoned for C-2 Commercial District, C-4 Commercial District, and R- 7 Residential District purposes and will benefit specially from services proposed to be provided. The proposed services are unique and in addition to the municipal services provided to the City of Wheaton, as a whole.

Section 3: CITY OF WHEATON SPECIAL SERVICE AREA NUMBER FIVE,
ESTABLISHED: A Special Service Area to be known and designated as City of Wheaton Special Service Area Number Five is established and shall consist of the property described in Exhibit 3 attached to this ordinance.

Section 4: PURPOSE OF AREA: City of Wheaton Special Service Area Number Five is established to provide management, maintenance and promotion services. Annual taxes may be levied to pay for the special services on property in Special Service Area Number Five in addition to all other taxes provided by law and shall be levied pursuant to the provisions of the Illinois Revenue Act of 1939, as amended; provided, however, the special annual tax levy shall not exceed an annual rate of ninety-five hundredths of one percent (.95%) of the assessed value, as equalized, of the property in the Special Service Area (i.e., .95% per \$100 of assessed value, as equalized), said tax to be levied for a maximum of seven (7) levy years from the effective date of this ordinance.

Section 5: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are repealed.

Section 6: EFFECTIVE DATE: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in a manner provided by law, since no valid petitions have been filed opposing the creation of the Special Service Area pursuant to the provisions of the Illinois Special Service Areas Act.



Mayor

Attest:



Emily M. Consalvo
City Clerk

Roll Call Vote:

Ayes:

Councilwoman Davenport
Councilman Eckhoff
Mayor Carr
Councilman Gresk
Councilman Johnson
Councilwoman Johnson
Councilman Mork

Nays:

None

Absent:

None

Motion Carried Unanimously

Passed: October 6, 1997
Published: October 7, 1997