

CHAPTER 35

TAX INCREMENT FINANCE – REGISTRY

ARTICLE I – TIF 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 5/11-74.4-1, et seq.**, as amended from time to time.

(B) **“Clerk”** shall mean the City Clerk.

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

(D) **“Redevelopment Project Area”** shall mean a redevelopment project area that (i) is intended to qualify or that has previously or subsequently qualified as a “redevelopment project area” under the Act, and (ii) is subject to the “interested parties registry” requirements of the Act.

(E) **“Registration Form”** shall mean the form appended to these Registration Rules, or such revised form as may be approved by the Department 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 a Redevelopment Project Area.

(G) **“City”** shall mean the City of Gibson, an Illinois Municipal Corporation.

35-1-2 **ESTABLISHMENT OF REGISTRY.** The City 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.

35-1-3 **MAINTENANCE OF REGISTRY.** The Registries shall be maintained by the Clerk, which has a principal business office located at City Hall, Gibson City, Illinois. The City may transfer the responsibility for maintaining the Registries to such other Department provided that the City (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 City.

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 Form to the Clerk. Such individual must also submit a copy of a current driver's license, lease, utility bill, or such other evidence as may be acceptable to the Clerk to establish the individual's current residency.

35-1-5 **REGISTRATION BY ORGANIZATION.** An organization seeking to register as an Interested Party with respect to a redevelopment project area must complete and submit a Registration Form to the 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 form and supporting documentation complies with these Registration Rules shall be registered in the applicable Registry within **ten (10) business days** of the 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 Clerk determines that a registrant's Registration Form and/or supporting documentation is incomplete or does not comply with these 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.

35-1-7 **RENEWAL AND TERMINATION.** An Interested Party's registration shall remain effective for a period of **three (3) years**. At the time after such **three (3) year** period, the 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 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 Form and supporting documentation is submitted in a timely manner and complies with these Registration Rules shall be reviewed for an additional, consecutive **three (3) year** period. If the Clerk determines that a registrant's renewal 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 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 and supporting documentation within **thirty (30) days** of receipt of the Clerk's notice. If all defects are not corrected within **thirty (30) days** or the Interested Party's receipt of the 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.

35-1-8 **AMENDMENT TO REGISTRATION.** An Interested party may amend its registration by giving written notice to the Clerk by certified mail of any of the following: (i) a 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.

35-1-9 **REGISTRIES AVAILABLE FOR PUBLIC INSPECTION.** Each Registry shall be available for public inspection during normal City business hours. The Registry shall include the name, address and telephone number of each Interested Person and, for organizations, the name and phone number of a designated contact person.

35-1-10 **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.

(A) **Notice of Availability.** Pursuant to §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 the public hearing for the proposed redevelopment plan.

(B) **Redevelopment Plan Revisions.** Pursuant to §74.4-5(a) of the Act, notice of changes to proposed redevelopment plans that do 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 the 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) **Notice of Amendments.** Pursuant to §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 **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 any such amendment.

(D) **Displacement of Residents.** Pursuant to §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 certified audit report described in §74.4-5(d)(9), including how to obtain the certified audit report; such notice shall be sent by mail within a reasonable period of time after completion of the certified audit report.

(E) **Preliminary Public Meeting.** Pursuant to 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 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 preliminary public meeting.

35-1-11 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.

35-1-12 AMENDMENT OF REGISTRATION RULES. These Registration Rules may be amended by the City Council, subject to and consistent with the requirements of the Act.

(Ord. No. 06-33; 12-26-06)

(See 65 ILCS Sec. 5/11-74.4-1)