

ORDINANCE NO. 592

VILLAGE OF BELLEVUE, ILLINOIS

AN ORDINANCE AMENDING AND EXTENDING THE BARTONVILLE / BELLEVUE /
PEORIA COUNTY ENTERPRISE ZONE

ORDINANCE

WHEREAS, the business climate of the Village of Bartonville, Illinois ("Bartonville"), the Village of Bellevue, Illinois ("Bellevue") with Bartonville and Bellevue collectively referred to as Villages, and the adjacent unincorporated area in the County of Peoria, Illinois ("County") is severely depressed; and

WHEREAS, the State of Illinois has enacted the Illinois Enterprise Zone Act (20 ILCS 655, "Act") to alleviate distressed economic conditions in certain depressed areas; and

WHEREAS, the Illinois Enterprise Zone Act authorizes a municipality or municipalities and a county to adopt an Ordinance designating an area within its jurisdiction as an Enterprise Zone, subject to certification by the Illinois Department of Economic Opportunity; ("DCEO") and

WHEREAS, the health, safety and welfare of the residents of Bartonville, Bellevue and the County are enhanced by a healthy private business sector in the Villages and County; and

WHEREAS, the development, growth and expansion of the private business sector is best achieved through the cooperative and continuous partnership between government and the private business sector; and

WHEREAS, there are certain areas within the Villages and the County that need the particular attention of government, business and labor to attract private sector investment as a healthy business climate in those areas will aid the entire County and the residents thereof; and

WHEREAS, the population of the Villages and the contiguous unincorporated area of the County has decreased as a reaction to the depressed economic conditions in the Village and the surrounding area; and

WHEREAS, these economic conditions adversely impact upon the individual citizens, business and taxing authorities within the entire County; and

WHEREAS, to alleviate the aforesaid conditions the County and Bartonville did previously make application to the State of Illinois for designation of certain territory in Bartonville and certain adjacent unincorporated territory in the County; and

WHEREAS, the State of Illinois on October 29, 1986, did approve the above-noted request and designated the territory described in Exhibit 1, as an Enterprise Zone pursuant to the Act; and

WHEREAS, territory in Bellevue has previously been added to the Enterprise Zone originally approved in 1986, and

WHEREAS, the County and the Villages recognize that the life of the Enterprise Zone should be extended to continue the economic development in progress; and

WHEREAS, the residents of the Villages and the County have indicated their willingness and desire to cooperate in designating a portion of their Villages as well as portions of the unincorporated areas of the County as an Enterprise Zone; and

WHEREAS, the amendment to the Enterprise Zone requires an adoption of a new ordinance by the County which supersedes and replaces the Enterprise Zone Ordinance previously adopted by the County.

NOW THEREFORE, BE IT AND THE SAME IS HEREBY ORDAINED THIS 15TH DAY OF DECEMBER, 2006 BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF BELLEVE, PEORIA COUNTY THAT THE VILLAGE OF BELLEVUE HEREBY DESIGNATES AN AMENDED ENTERPRISE ZONE WITHIN THE UNINCORPORATED AREA ADJACENT TO THE VILLAGE OF BARTONVILLE AND THE VILLAGE OF BELLEVUE.

Section 1 - Description: That the area more precisely described in the attachment hereto marked Exhibit 1 and incorporated herein as if fully set forth, be, and the same is hereby designated as an amended Enterprise Zone in accordance with the provisions of the Act, and further affirms that:

- A. The zone area is a contiguous area;
- B. The zone area comprises a minimum of one-half square mile and not more than thirteen square miles in total area;
- C. The zone area is a depressed area;
- D. The zone area satisfies any additional criteria established by the DCEO;
- E. On the 5th day of October, 2006, at 4:00 pm, a public hearing was conducted within the zone area on the questions of whether to amend the Enterprise Zone, what local plans, tax incentives and other programs should be established in connection with the amended zone, and what the boundaries of the amended zone should be. Public notice was given in at least one newspaper of general circulation within the zone area not more than 20 days nor less than 5 days before the hearing.
- F. The zone area is entirely within the borders of the Village of Bartonville, the Village of Bellevue, or the unincorporated area of Peoria County.

Section 2 - Enterprise Zone Designation: The area described in Exhibit 1, attached, is hereby designated as an Enterprise Zone as amended subject to the approval of DCEO, in accordance with the law.

Section 3 - Term and Effect: The area described in Exhibit 1 shall be designated as an Enterprise Zone for a period of thirty (30) calendar years, such designation shall commence on that date the original area described in Exhibit 1, was certified as an Enterprise Zone by DCEO (October 29, 1986) and shall end on the earliest of the following occurrences:

- A. Midnight, December 31, 2016;
- B. This ordinance is rescinded by the County of Peoria;
- C. A lesser number of years is specified by the DCEO;
- D. This Ordinance is amended to include a lesser term;
- E. DCEO decertifies the Enterprise Zone.

Section 4 - Sales Tax Deduction: The definitions as set forth in the Retailers' Occupation Tax Act, 35 ILCS 120/1 shall apply to Section 4 of this Ordinance.

During the period the Enterprise Zone is certified by DCEO each retailer who makes a sale of building materials to be incorporated into commercial or industrial real estate, located in the Enterprise Zone area established in the Villages and/or the unincorporated area of the County, by remodeling, rehabilitation or new construction may deduct receipts from such sales when calculating the tax imposed pursuant to Section 22-16 the "Service Occupation Tax," and Section 22-26, the "Retailers Occupation Tax", of the Code of Peoria County, Illinois provided the commercial or industrial enterprise has obtained a Certificate of Eligibility for Sales Tax Exemption, or such form of verification of exemption as State law provides for industrial and commercial entities in an enterprise zone.

The exemption provided for in this section shall apply only when such remodeling, rehabilitation or new construction for commercial or industrial enterprises is of the nature and scope for which a building permit is required and has been obtained.

The incentive provided by this Section shall commence on the first day of the calendar month following the month in which the Enterprise Zone is designated and certified by DCEO and shall continue for the term of the Enterprise Zone.

Section 5 - Property Tax Abatement: The Village of Bellevue hereby authorizes and directs the County Clerk of Peoria and or the Village Clerk of Bellevue to abate the ad valorem taxes levied by the County of Peoria and or the Village of Bellevue and imposed upon the commercial and industrial real estate located in the amended Enterprise Zone of the Villages and/or the County, upon which new improvements have been constructed or existing improvements which have been renovated or rehabilitated, subject to the following conditions:

- A. The improvements or renovations are of the scope and nature for which a building permit is required and has been obtained;
- B. Such abatement shall be allowed only for commercial or industrial property located within the zone area; which complies with the uses permitted under the then current Ordinance entitled "Zoning" adopted by the County and any comparable "Zoning" Ordinance adopted by the Villages.
- C. Such abatement shall be an amount equal to one hundred percent (100%) of the increase in Village's portion of the real property tax attributable solely to the increase in value to the property as a result of the construction, renovation or rehabilitation; however any abatement of real property taxes on any parcel shall not exceed the amount

attributable to the cost of construction of the improvements and the renovation or rehabilitation of existing improvements on such parcel;

- D. The abatement shall apply to the Village's share of the real property taxes due for the assessment year the construction, remodeling or rehabilitation is made and for the four assessment years immediately following the year in which the improvement is made.
- E. The abatement provided for in this Section 5 shall not apply to an increase in the assessment/ valuation in the Enterprise Zone which may result from the application of a "County wide multiplier" certified to the Clerk of Peoria County under Section 17-30 of the Property Tax Code, 35 ILCS 200/17-40, or for a general increase in value of the property which is unrelated to the improvement. In such event, the abatement shall be calculated in accordance with sub-section (C) above.
- F. The abatement provided for in this Section 5 shall not apply to any such improvement located within the boundaries of the Tax Increment Redevelopment Project Areas established by the Village of Bartonville Ordinance No. 706, adopted and approved, January 8, 1981, as amended, or as later amended and the Starr Lane Tax Increment Project Area adopted by the Village of Bellevue.
- G. The abatement incentive provided for in this Section 5 shall continue and be in full force for any improvement which is completed within the term of the Enterprise Zone as specified in Section 3 of this enactment.
- H. The abatement incentive provided for in this Section 5 shall continue for any improvement for no longer than a period of five years from the date that the improvement is constructed or renovated, unless that period is extended by separate Ordinance of the Village of Bellevue.
- I. Any improvements which have been granted five (5) year property tax abatements which would exceed the life of the Enterprise Zone before the extension provided by this Ordinance shall be allowed the full five (5) year abatement of property taxes.

Section 6 - Permit and Fee Waivers: Upon application by the applicant, the Village shall waive building permit fees or zoning application fees for commercial or industrial property within the Enterprise Zone. All permits and inspections will otherwise continue to follow existing laws or ordinances.

Section 7 - Expedited Procedures: The Village of Bellevue Zoning Administrator and the Village of Bellevue Zoning Board of Appeals shall expedite the plan review process and the zoning, variance and special use process with respect to any improvements made upon commercial or industrial property within the Enterprise Zone for the term of the Enterprise Zone.

Section 8 - Zone Management Organization: Upon designation of the amended Enterprise Zone by the Illinois Department of Economic Opportunity, a Zone Management Organization will be formed. This Organization shall be made up of representatives of the Bartonville Village Board, the Bellevue Village Boards and representatives of the Peoria County Board. The number of representatives from each body will be by agreement of the President and Chairman of the respective bodies. The Management Organizations will be the advisory body to the Zone Administrator and will be responsible for all policy decisions within the zone.

The Zone Administrator will be the individual who will be responsible for the day-to-day implementations within the Zone and will be the liaison between the Management Organization, the Village Boards, the County Board and the Illinois Department of Economic Opportunity.

Section 9 - Designated Zone Organization: The Zone Administrator shall recommend to the Zone Management Organization, any organization that qualifies as a Designated Zone Organization (DZO) under the provisions of the Illinois Enterprise Zone Act. Upon approval by the Management Organization, for a term of years set by the Management Organization, the DZO may:

- A. Provide or contract for provisions of services including, but not limited to: crime watch patrols within zone neighborhoods; volunteer day care centers; or, other types of public services as provided by ordinance or regulation;
- B. Provide a forum for business, labor and government action on Enterprise Zone innovations;
- C. Receive title to publicly-owned land;
- D. Solicit and receive contributions to improve the quality of life in the zone area; and
- E. Perform such other functions as the Management Organization may deem appropriate, not inconsistent with the Illinois Enterprise Zone Act.

Section 10 - Zone Administrator: The position of "Zone Administrator" is hereby created. The Zone Administrator shall be the current Peoria County Administrator who is an officer or employee of Peoria County. The duties of the Zone Administrator shall be performed in addition to the regular duties of the Peoria County Administrator. It shall be the power and duty of the Zone Administrator to:

- A. Supervise the implementation of the provisions of this ordinance and the Illinois Enterprise Zone Act;
- B. Act as liaison between the Village of Bartonville, the Village of Bellevue, the Peoria County Board, the Illinois Department of Economic Opportunity, designated zone organization(s); and other state, federal and local agencies, whether public or private;
- C. Promote the coordination of other relevant programs including, but not limited to, housing, community and economic development, small business, financial assistance and employment training with the Enterprise Zone; and
- D. Recommend qualified DZO to the Management Organization.

The Zone Administrator through the appointment of an Assistant Zone Administrator will be responsible for the duties and tasks listed below. To accomplish these duties and tasks, the Zone Administrator will appoint an Assistant Zone Administrator who will be a current employee of the Economic Development Council, Inc., a professional organization having active and ongoing economic development programs within the Enterprise Zone as amended.

Duties of Assistant Zone Administrator:

1. To develop and recommend a comprehensive planning program for the Enterprise Zone as amended.
2. To serve as the primary technical/professional advisor to the Management Organization.
3. To examine and recommend local incentives, benefits and programs to accomplish stated objectives, to stimulate economic activity in the Enterprise Zone as amended and to address impediments to capital investment.
4. To develop and analyze social, physical and economic data regarding population trends; labor force; land use patterns; size, type and status of existing commercial, industrial and manufacturing facilities and capacity within the Enterprise Zone as amended; infrastructure availability and condition, and other factors pertaining to community planning; and, to recommend appropriate actions.
5. To recommend necessary legislative and administrative controls for guiding Enterprise Zone development, including planned capital improvement.
6. To review supportive planning studies and reports to insure technical proficiency.
7. To coordinate planning activities and program implementation with other County and/or Village programs.
8. To act as a liaison between the County of Peoria, the Village of Bellevue and the Village of Bartonville and any designated zone organization, IDCEO, and Federal agency, and any local planning groups in support of the Enterprise zone program and plan.
9. To collect and analyze data and submit reports required by the Department of Economic Opportunity on a timely basis.
10. To conduct an ongoing evaluation of the Enterprise Zone program and submit such evaluative reports on at least an annual basis to the Zone Management Organization.
11. To act as program manager responsible for the Enterprise Zone's day-to-day operations.

BE IT FURTHER ORDAINED BY THE VILLAGE OF BELLEVUE, PEORIA COUNTY, ILLINOIS THAT:

Section 11 - Validity of Ordinance: That this Ordinance, and every provision hereof, shall be considered separable, and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.

Section 12 - Conflict: That all ordinances and/or resolutions, or parts thereof in conflict herewith are hereby repealed.

Section 13 - Effectiveness: That this Ordinance shall take effect, as indicated in Section 3, above, following its passage, approval, recording, inspection and publication, as may be required, according to law.

Section 14 - Recording this Document: Upon receipt of the certification as an Enterprise Zone, the Economic Development Council, Inc., shall promptly record the document with the Recorder of Deeds of Peoria County.

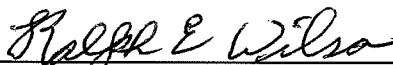
PASSED AND APPROVED THIS 15TH DAY OF DECEMBER, 2006

AYES: 5

NAYES: 0


ABSENT: 1

VILLAGE OF BELLEVUE



Ralph Wilson, President

Attest:



Carol Howard, Clerk