

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Municipal Code is amended by  
5 changing Section 2-3-5a as follows:

6 (65 ILCS 5/2-3-5a) (from Ch. 24, par. 2-3-5a)

7 Sec. 2-3-5a. Incorporation of village.

8 (a) Whenever in any county of 150,000 or more population as  
9 determined by the last preceding federal census any area of  
10 contiguous territory contains at least 4 square miles and 2500  
11 inhabitants residing in permanent dwellings, that area may be  
12 incorporated as a village if a petition filed by 250 electors  
13 residing within that area is filed with the circuit clerk of  
14 the county in which such area is located addressed to the  
15 circuit court for that county. The petition must set forth:

16 (1) a legal description of the area intended to be  
17 included in the proposed village,

18 (2) the number of residents in that area,

19 (3) the name of the proposed village, and

20 (4) a prayer that the question of the incorporation of  
21 the area as a village be submitted to the electors residing  
22 within the limits of the proposed village.

23 If the area contains fewer than 7,500 residents and lies  
24 within 1 1/2 miles of the limits of any existing municipality,  
25 the consent of that municipality must be obtained before the  
26 area may be incorporated.

27 (b) If, in a county having more than 240,000 but fewer than  
28 400,000 inhabitants as determined by the last preceding federal  
29 census, an area of contiguous territory contains at least 3  
30 square miles and 5,000 inhabitants residing in permanent  
31 dwellings, that area may be incorporated as a village in the  
32 same manner as is provided in subsection (a). The consent of a

1 municipality need not be obtained.

2 (c) If, in a county having more than 316,000 but fewer than  
3 318,000 inhabitants as determined by the last preceding federal  
4 census, an area of contiguous territory that does not exceed  
5 one square mile and between 1000 and 1500 inhabitants residing  
6 in permanent dwellings, and is located within 10 miles of a  
7 county with a population of less than 150,000 as determined by  
8 the last preceding federal census, that area may be  
9 incorporated as a village in the same manner as is provided in  
10 subsection (a). The consent of a municipality need not be  
11 obtained.

12 (d) If, in a county having more than 400,000 but fewer than  
13 410,000 inhabitants, as determined by the last preceding  
14 federal census, an area of contiguous territory not exceeding  
15 one square mile contains at least 400 inhabitants residing in  
16 permanent dwellings and is located in a township adjacent to a  
17 county of less than 150,000 inhabitants, as determined by the  
18 last preceding federal census, then that area and the area  
19 adjacent thereto and also within such township, not exceeding,  
20 however, 4 square miles in total, may be incorporated as a  
21 village in the same manner as provided in subsection (a).  
22 Neither the consent of a municipality nor the finding of the  
23 county board under Section 2-3-18, if otherwise applicable,  
24 need be obtained.

25 (Source: P.A. 91-680, eff. 6-1-00.)

26 Section 99. Effective date. This Act takes effect upon  
27 becoming law.