

SB2089



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB2089

Introduced 2/14/2008, by Sen. M. Maggie Crotty

SYNOPSIS AS INTRODUCED:

65 ILCS 5/7-1-13

from Ch. 24, par. 7-1-13

Amends the Illinois Municipal Code. Adds additional notice requirements for annexation proceedings. Provides that, if notice is given, no other municipality may annex the proposed territory for a period of 60 days, subject to certain exceptions.

LRB095 19252 HLH 45517 b

A BILL FOR

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 7-1-13 as follows:

6 (65 ILCS 5/7-1-13) (from Ch. 24, par. 7-1-13)

7 Sec. 7-1-13. Annexation.

8 (a) Whenever any unincorporated territory containing 60
9 acres or less, is wholly bounded by (a) one or more
10 municipalities, (b) one or more municipalities and a creek in a
11 county with a population of 400,000 or more, or one or more
12 municipalities and a river or lake in any county, (c) one or
13 more municipalities and the Illinois State boundary, (d) one or
14 more municipalities and property owned by the State of
15 Illinois, except highway right-of-way owned in fee by the
16 State, (e) one or more municipalities and a forest preserve
17 district or park district, or (f) if the territory is a
18 triangular parcel of less than 10 acres, one or more
19 municipalities and an interstate highway owned in fee by the
20 State and bounded by a frontage road, that territory may be
21 annexed by any municipality by which it is bounded in whole or
22 in part, by the passage of an ordinance to that effect after
23 notice is given as provided in subsection (b) of this Section.

1 ~~The corporate authorities shall cause notice, stating that~~
2 ~~annexation of the territory described in the notice is~~
3 ~~contemplated under this Section, to be published once, in a~~
4 ~~newspaper of general circulation within the territory to be~~
5 ~~annexed, not less than 10 days before the passage of the~~
6 ~~annexation ordinance. When the territory to be annexed lies~~
7 ~~wholly or partially within a township other than that township~~
8 ~~where the municipality is situated, the annexing municipality~~
9 ~~shall give at least 10 days prior written notice of the time~~
10 ~~and place of the passage of the annexation ordinance to the~~
11 ~~township supervisor of the township where the territory to be~~
12 ~~annexed lies.~~ The ordinance shall describe the territory
13 annexed and a copy thereof together with an accurate map of the
14 annexed territory shall be recorded in the office of the
15 recorder of the county wherein the annexed territory is
16 situated and a document of annexation shall be filed with the
17 county clerk and County Election Authority. Nothing in this
18 Section shall be construed as permitting a municipality to
19 annex territory of a forest preserve district in a county with
20 a population of 3,000,000 or more without obtaining the consent
21 of the district pursuant to Section 8.3 of the Cook County
22 Forest Preserve District Act nor shall anything in this Section
23 be construed as permitting a municipality to annex territory
24 owned by a park district without obtaining the consent of the
25 district pursuant to Section 8-1.1 of the Park District Code.

26 (b) The corporate authorities shall cause notice, stating

1 that annexation of the territory described in the notice is
2 contemplated under this Section, to be published once, in a
3 newspaper of general circulation within the territory to be
4 annexed, not less than 10 days before the passage of the
5 annexation ordinance. The corporate authorities shall also,
6 not less than 15 days before the passage of the annexation
7 ordinance, serve written notice, either in person or, at a
8 minimum, by certified mail, on the taxpayer of record of the
9 proposed annexed territory as appears from the authentic tax
10 records of the county. When the territory to be annexed lies
11 wholly or partially within a township other than the township
12 where the municipality is situated, the annexing municipality
13 shall give at least 10 days prior written notice of the time
14 and place of the passage of the annexation ordinance to the
15 township supervisor of the township where the territory to be
16 annexed lies.

17 (c) When notice is given as described in subsection (b) of
18 this Section, no other municipality may annex the proposed
19 territory for a period of 60 days from the date the notice is
20 mailed or delivered to the taxpayer of record unless that other
21 municipality has initiated annexation proceedings or a valid
22 petition as described in Section 7-1-2, 7-1-8, 7-1-11 or 7-1-12
23 of this Code has been received by the municipality prior to the
24 publication and mailing of the notices required in subsection
25 (b).

26 (Source: P.A. 94-396, eff. 8-1-05.)