

Ordinance No. 2016-08

AN ORDINANCE OF THE VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS, TO SET A DATE FOR A PUBLIC HEARING FOR THE DOWNTOWN BUSINESS DISTRICT NO. 1

BE IT ORDAINED by the Village President and Board of Trustees of the Village of West Dundee, Kane County, Illinois (the "*Village*"), as follows:

Section 1. It is necessary and in the best interests of the Village that a public hearing be held at least one week prior to the adoption of an ordinance or ordinances by the Board of Trustees approving the Downtown Business District No. 1 Business District Plan prepared by Kane, McKenna and Associates, Inc. and dated February, 2016 (the "*Business District Plan*"), establishing the Downtown Business District No. 1 (the "*Business District*"), and imposing retailers' and service occupation taxes (the "*Taxes*"), in accordance with the Business District Development and Redevelopment Law, 65 ILCS 5/11-74.3-1, *et seq.* (the "*Act*").

Section 2. The proposed Business District includes the area legally described *Exhibit A* attached hereto and generally described as the downtown area of West Dundee which includes the following properties: the properties fronting IL Route 72 (Main Street) from the Fox River on the East to Third Street on the West; the properties fronting Washington Street from the Fox River on the East to Third Street on the West; the properties fronting Oregon Street located on the North side of Oregon street only from the Fox River on the East to Second Street on the West; the properties fronting First Street from the Fox River on the North to Oregon Street on the South; the properties fronting Second Street from Lincoln Avenue on the North to Oregon Street on the South; the properties fronting Third Street from Washington Street on the North to IL Route 72 (Main Street) on the South; and the properties fronting Lincoln Avenue from Second Street on the South to Third Street on the North.

Section 3. The Act grants the Village the power to establish by ordinance procedures for the planning, execution and implementation of business district plans; and, pursuant to the Act, the Village desires to set a date for a public hearing (the "*Public Hearing*") on the proposed Business District Plan, proposed Business District, and the imposition of Taxes therein, and the publication of notice thereof.

Section 4. It is hereby determined that the Public Hearing shall be held by the Village President and Board of Trustees of the Village of West Dundee on the 21st day of March, 2016, at 7:30 p.m., at the West Dundee Village Hall, 102 South Second Street, West Dundee, IL 60118.

Section 5. Notice of the Public Hearing is hereby authorized to be given by publication in a newspaper of general circulation within the Village on at least two (2) occasions, with the first publication occurring not more than thirty (30) nor less than ten (10) days prior to the Public Hearing, in the form attached hereto as Exhibit B.

Section 6. If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause, or provision shall not affect any of the other provisions of this Ordinance.

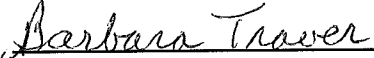
PASSED by the Village President and Board of Trustees of the Village of West Dundee, Kane County, Illinois, this 7th day of March, 2016, pursuant to a roll call vote, as follows:

AYES: Trustees Pflanz, Wilbrandt, Kembitzky, Price and Yuscka

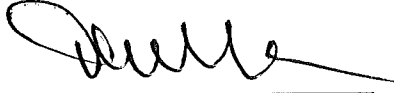
NAYS: None

ABSENT: Trustee Hanley

APPROVED by me, as Village President of the Village of West Dundee, Kane County, Illinois, this 7th day of March, 2016.



Barbara Traver
Village Clerk



Christopher Nelson
Village President

EXHIBIT A

That part of the East Half of the Southeast Quarter of Section 22, and part of the West Half of the Southwest Quarter of Section 23, Township 42 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at the Southeast corner of Lot 1 in Block 1 in Joseph Russell's Addition to West Dundee; thence Westerly along the South line of said Block 1 and Block 2 in said Subdivision to the Southwest corner of said Block 2; thence North along the West line of said Block 2, 150.0 feet to the Southwest corner of Lot 5 in said Block 2 of said Original Town of West Dundee; thence West along the Westerly extension of the South line of said Lot 5, and also along the Southerly line of Lots 1 through 5 in Block 3 in the Original Town of West Dundee 360.0 feet to the Southwest corner of said Lot 5 in Block 3; thence North along the West line of said Block 3 extended and Block 13 in said Original Town to the Southwest corner of Block 15; thence East along the South line of said Block 15, a distance of 45.4 feet; thence North along a line parallel to the West line of said Block 15 to the Westerly Bank of the Fox River; thence Southeasterly along the Westerly Bank of the Fox River to the point of beginning, all in the Village of West Dundee, Kane County, Illinois.

EXHIBIT B

(See public notice attached hereto).

PUBLIC NOTICE

Public Notice is hereby given of a Public Hearing to be held on the 21st day of March, 2016 at 7:30 p.m. before the President and Board of Trustees of the Village of West Dundee (the "Village") at the West Dundee Village Hall, 102 South Second Street, West Dundee, IL 60118 on the proposed Downtown Business District No. 1 Business District Plan (the "*BD Plan*") and Eligibility Report, establishing the proposed Downtown Business District No. 1 (the "*BD District*") and imposing a retailers' occupation tax, a service occupation tax, and a hotel operators' occupation tax, all in accordance with the Business District Development and Redevelopment Law, 65 ILCS 5/11-74.3-1 *et seq.* (the "*BDD Act*"). The proposed BD District includes the area legally described on *Exhibit A* attached hereto and generally described as the downtown area of West Dundee which includes the following properties: the properties fronting IL Route 72 (Main Street) from the Fox River on the East to Third Street on the West; the properties fronting Washington Street from the Fox River on the East to Third Street on the West; the properties fronting Oregon Street located on the North side of Oregon street only from the Fox River on the East to Second Street on the West; the properties fronting First Street from the Fox River on the North to Oregon Street on the South; the properties fronting Second Street from Lincoln Avenue on the North to Oregon Street on the South; the properties fronting Third Street from Washington Street on the North to IL Route 72 (Main Street) on the South; and the properties fronting Lincoln Avenue from Second Street on the South to Third Street on the North.

The objectives of the BD District are to reduce or eliminate blighting conditions and to enhance the tax base of the Village by assuring opportunities for development or redevelopment and attracting sound and stable commercial growth, all in accordance with the provisions of the BDD Act.

The Village may impose a retailers' occupation tax, a service occupation tax, and a hotel operators' occupation tax in the BD District for the planning, execution, and implementation of the BD Plan and to pay for project costs as set forth therein in an amount of one-half of one percent (1.0%). The Village may issue obligations to finance project costs in accordance with the BD Plan, which obligations may be secured by the Business District Tax Allocation Fund.

At the Public Hearing, the BD Plan, designation of the BD District, and the imposition of a retailers' occupation tax, a service occupation tax, and a hotel operators' occupation tax in the BD District will be reviewed and discussed. All interested persons will be given an opportunity to be heard.

Copies of the BD Plan are available at the West Dundee Village Hall, 102 South Second Street, West Dundee, IL 60118.