

ORDINANCE NO. 20__ - __

AN ORDINANCE PROPOSING THE ESTABLISHMENT OF SPECIAL SERVICE AREA NO. 33 (DOWNTOWN MAINTENANCE EXPENSES AND MARKETING COSTS) IN THE CITY OF NAPERVILLE AND PROVIDING FOR A PUBLIC HEARING FOR ITS ESTABLISHMENT

WHEREAS, the City of Naperville has had a long history of providing special services to downtown area merchants and paying for those services with revenue collected from the property owners in the downtown area through a special service area tax; and

WHEREAS, Special Service Area No. 20, approved on October 3, 2000 by Ordinance No. 00-162, generated revenue to pay for a portion of those special services which generally include the provision of parking operations and maintenance, sidewalk snowplowing and snow removal when snow accumulation exceeds two inches, maintenance of landscaping in public parking lots, holiday decorative lighting on parkway trees, and the maintenance of the Washington Street parkway trees; and

WHEREAS, Special Service Area No. 20 expired and was replaced by Special Service Area No. 22 on July 5, 2005 by Ordinance No. 05-126; and Special Service Area No. 22 expired and was replaced by Special Service Area No. 24 on August 17, 2010 by Ordinance No. 10-108; and; Special Service Area No. 24 expired and was replaced by Special Service Area No. 26 on August 17, 2015 by Ordinance No. 15-173

WHEREAS, Special Service Area No. 26 expires August 17, 2020 and it is the City's intent to replace it with a new special service area to be known as Special Service Area No. 33; and

WHEREAS, Special Service Area No. 26 shall remain in effect until its expiration.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in the exercise of its home rule powers, as follows:

SECTION 1: The foregoing Recitals are a material part of this Ordinance and are incorporated in this Section 1 as though fully set forth in this Section 1.

SECTION 2: The City of Naperville has the authority pursuant to its home rule powers, pursuant to Article VII, Section 6(l) of the 1970 Constitution of the State of Illinois, and pursuant to the Special Service Area Tax Law, 35 ILCS 200/27-5 *et seq.*, to provide special services to contiguous areas within its corporate boundaries and to provide the manner of levying and imposing additional taxes to pay for the cost of such special services.

SECTION 3: The City Council of the City of Naperville makes the following findings of fact:

(a) It is in the public interest that a special service area be proposed and considered for the area and purposes described herein, and that the City Council conduct a public hearing as required by law to consider the establishment of the special service area for the property legally described on Exhibits A, as described by address and permanent index numbers on Exhibit B, and as shown on the map depicted on Exhibit C. (Exhibits A, B, and C are attached hereto and made part hereof.)

(b) The special service area is compact and contiguous, and no part of the area lies within any incorporated municipality other than the City of Naperville, or within any unincorporated area.

(c) The property owners and businesses in the special service area will benefit specifically from the services proposed to be provided, and the proposed services are in addition to municipal services generally provided to the residents and businesses in the City of Naperville as a whole.

SECTION 4: A public hearing shall be held on the 18th of August 2020, at 7:00 p.m., or as soon thereafter as possible, in the Council Chambers of the Naperville Municipal Center, 400 S. Eagle Street, Naperville, Illinois, to consider the establishment of the special service area described herein, to be titled “Special Service Area No. 33” of the City of Naperville for the property described

in Exhibits A and depicted on the map attached as Exhibit C. At the public hearing, the City Council will consider:

(a) The establishment of Special Service Area No. 33 to provide special municipal services to the designated area that include: parking lot operations and maintenance, maintenance of public parking garages, custodial services, sidewalk and parking lot snow removal, maintenance of landscaping, streetscape, and street lighting, holiday lighting on parkway trees and buildings, sidewalk maintenance including brick paver repair, special directional signage, public safety, capital improvements, efforts to market the downtown area to provide services that will promote business expansion and retention, and other special services as may be determined to be necessary to properly maintain the downtown area, together with the approved costs of engineering, construction, inspection, legal fees, the City's mailing costs, publication, recording, and other necessary and incidental expenses incurred in establishing the special service area;

(b) A special tax to be levied for a period not to exceed five (5) years and not to exceed 2.5% per \$100.00 of equalized assessed value, as equalized against the property included in Special Service Area No. 33. The proposed amount of the tax levy for special services for the initial year for which taxes will be levied within Special Service Area No. 33 is \$1,151,973 in the aggregate for the entirety of said Special Service Area 33.

SECTION 5: Notice of the public hearing for proposed Special Service Area No. 33 shall be published not less than fifteen (15) days prior to the public hearing in a newspaper of general circulation in the City of Naperville. In addition, notice by mailing shall be given by depositing the notice in the U.S. mail addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each property within the special service area. A list of the last known taxpayers is available for inspection and viewing at the office of the City Clerk. The notice shall be

mailed not less than ten (10) days prior to the date set for the public hearing. In the event taxes for the last preceding year were not paid, the notice shall be sent to the person last listed on the tax rolls prior to that year as the owner of the property. The notice shall include the following: the time and place of the public hearing; the boundaries of the area by the legal description and by street location, where possible; the permanent tax index number of each parcel located within the area; the nature of the proposed special services to be provided within the special service area, and a statement as to whether the proposed special services are for new construction, maintenance, or other purposes; the proposed amount of the tax levy for special services for the initial year for which taxes will be levied within the special service area; a notification that all interested persons, including all persons owning taxable real property located within the special service area, will be given an opportunity to be heard at the hearing regarding the tax levy and an opportunity to file objections to the amount of the tax levied upon the property; and the maximum rate of taxes to be extended within the special service area in any year, and the maximum number of years that taxes will be levied.

SECTION 6: Special Service Area No. 26 shall remain in effect until its expiration.

SECTION 7: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this ___ day of _____, 2020

AYES:

NAYS:

ABSENT:

APPROVED this ___ day of _____, 2020

Steve Chirico
Mayor

ATTEST:

Pam LaFeber, Ph.D.
City Clerk

