

ORDINANCE NO. 2017-0-009

AN ORDINANCE PROPOSING THE ESTABLISHMENT OF MESD SPECIAL SERVICE AREA NO. 1 IN THE METRO EAST SANITARY DISTRICT AND FOR PROVIDING FOR A PUBLIC HEARING FOR ITS ESTABLISHMENT

(RE: THE AREA OF THE DISTRICT SERVED BY THE LANSDOWNE SEWER INTERCEPTOR LINE FOR THE MAINTENANCE, REPAIR, OPERATION, RECONSTRUCTION, PRESERVATION AND REHABILITATION OF THE DISTRICTS SANITARY SEWER FACILITIES SERVING THE SUBJECT PROPERTY)

BE IT ORDAINED, by the President and Board of Commissioners of the Metro East Sanitary District, Madison and St. Clair Counties, Illinois (the "*District*") as follows:

SECTION 1: Authority to Establish Special Service Areas.

A. Special Service Areas are established pursuant to the Illinois Special Service Area Tax Law, Section 27-5. (35 ILCS 200/27-5).

"Special Service Area" means a contiguous area within a municipality or county in which special governmental services are provided in addition to those services provided generally throughout the municipality or county, the cost of the special services to be paid from revenues collected from taxes levied or imposed upon property within that area. Territory shall be considered contiguous for purposes of this Article even though certain completely surrounded portions of the territory are excluded from the special service area. A county may create a special service area within a municipality or municipalities when the municipality or municipalities consent to the creation of the special service area. *A municipality may create a special service area within a municipality and the unincorporated area of a county or within another municipality when the county or other municipality consents to the creation of the special area.*

B. The Metro East Sanitary District is an Illinois municipality created by the "Metro-East Sanitary District Act of 1974". (70 ILCS 2905/1-2)

C. Pursuant to the provisions of the Illinois Special Service Area Tax Law, (35 ILCS 200/7-5 et seq.), the District has authority 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 2: Findings. The Board of Commissioners of the District find as follows:

A. It is in the public interest that the creation of the area hereinafter described as a special service area for the purposes set forth herein be considered.

B. That said area is compact and contiguous and constitutes the sole area to be benefitted from the maintenance and operation of said improvements.

C. The purpose of the MESD Special Service Area No. 1 created herein (is to provide special municipal services and improvements (hereinafter "Special Service Area Services") if needed to: (1) fully implement and carry out all obligations and responsibilities pertaining to the interceptor sewer lines; (2) facilitate the operation, maintenance, repair and reconstruction of the interceptor sewer lines servicing the MESD Special Service Area 1, being legally described in the attached Exhibit No. 1; and (3) provide for the reimbursement of costs and expenses expended by the District for administrative, engineering, legal and other costs or expenses incurred by the District in connection with the MESD Special Service Area No. 1 which are unique and in addition to other services provided to the District.

D. The MESD Special Service Area No. 1, are those parts of the Metro East Sanitary District, as legally defined in Exhibit No. 1, which is attached hereto and made a part hereof.

SECTION 3. Public Hearing – Tax Rates

That a public hearing be will be held on September 29, 2017 at the offices of the Metro East Sanitary District located at 1800 Edison Ave., Granite City, IL at 1:00 p.m. to consider the creation of MESD Special Service Area Number 1, in the territory described in the Notice set forth in Section 4 hereof. At the hearing, there will be considered the levy of an annual tax the proposed rate of taxes for the initial year shall not exceed \$0.95 for every \$100.00 of equalized assessed value and the maximum rate of such taxes to be extended in any year within the proposed special service area shall not exceed \$0.95 for every \$100.00 of equalized assessed value. Said taxes shall be in addition to all other taxes provided by law and shall be levied pursuant to the provisions of the Property Tax Code (35 ILCS 200/et seq.). The District may annually levy hereunder up to the maximum rate specified herein for the cost of said services, as said services become necessary and are provided for.

SECTION 4. Notice of Hearing.

Notice of hearing shall be published at least once not less than fifteen (15) days prior to the public hearing in one or more newspapers in general circulation in the Metro East Sanitary District. In addition, notice by mailing shall be given by depositing said notice in the U.S. Mail addressed to the person or persons in whose name the general taxes for the preceding year were paid on each lot, block, tract, or parcel of land lying within the proposed Special Service Area. Said notices shall be mailed not less than ten (10) days prior to the time set for the public hearing. In the event the taxes for 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 be in substantially the following form:

**NOTICE OF PUBLIC HEARING
FOR THE FORMATION OF MESD SPECIAL SERVICE AREA NO. 1**

Pursuant to Illinois Statute (35 ILCS 200/27-25) a public hearing will be held on September 29, 2017 at the offices of the Metro East Sanitary District located at 1800 Edison Ave., Granite City, IL at 1:00 p.m.

The subject of the hearing is the formation of MESD Special Service Area No. 1 in an area of the District in which includes your real property. The formation of the district is for the construction, improvement and maintenance of the District's receptor sewer lines that service the MESD Special Service Area No. 1.

The maximum levy for the special service area shall not exceed \$0.95 per \$100.00 of equalized assessed valuation annually. The assessment shall continue from year to year. At the meeting, you will be given the opportunity to be heard and voice any objections you may have regarding the tax levy. A complete legal description the permanent tax index number of each parcel located within the area of MESD Special Service Area No. 1 are set out below in Exhibit No. 1 and Exhibit No. 2.

Section 5. Ordinances in Conflict.

That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 6. Effective Date.

That this Ordinance shall be in full force and effect from and after its passage and filing by the District Clerk.

PASSED BY Metro East Sanitary District Board of Commissioners this 6th day of September 2017.


Clerk

APPROVED by me this 6th day of September, 2017.


President