
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE APPROVING A THREE-YEAR PROPERTY TAX REBATE
PROGRAM FOR NEW SINGLE-FAMILY HOME CONSTRUCTION**

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ORDINANCE NO. ____

AN ORDINANCE APPROVING A THREE-YEAR PROPERTY TAX REBATE PROGRAM FOR NEW SINGLE-FAMILY HOME CONSTRUCTION

WHEREAS, Section 7 of Article VII of the 1970 Constitution of the State of Illinois provides that a municipality that is not a home rule unit shall only have the powers granted to them by law and as such the City of Rochelle (“City”), Ogle County, Illinois being a non-home rule unit pursuant to the provisions of said Section 7 of Article VII, and may exercise only the powers expressly granted by law; and

WHEREAS, the Illinois General Assembly granted non-home rule municipalities broad authority to “pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities.” 65 ILCS 5/1-2-1; and

WHEREAS, the City of Rochelle (“City”) has determined that it has or will have on hand surplus funds from its receipt of certain real estate property taxes paid for tax year 2018, 2019, and 2020; and

WHEREAS, the City’s surplus applies to the portion of real estate property taxes monies received from Ogle County and does not include any real estate property taxes paid to any school district or other taxing body; and

WHEREAS, the City desires to use the surplus funds to reimburse individuals who construct new single-family homes that pay the City’s share of real estate property taxes for tax years 2018, 2019, and 2020 (“Property Tax Rebate Program”); and

WHEREAS, it has been determined by the Corporate Authorities of the City of Rochelle that it is in the best interest of the City and its residents to implement said Property Tax Rebate Program; and

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHELLE, ILLINOIS:

SECTION ONE: That the City hereby incorporates all of the recitals above into this Ordinance as if fully set forth herein.

SECTION TWO: That the Corporate Authorities of the City of Rochelle hereby declare that a Property Tax Rebate Program shall be created and implemented to reimburse individuals who construct new single-family residences within the City, the portion of real estate property taxes paid to the City for tax years 2018, 2019, and 2020, upon application and proper documentation.

SECTION THREE: The reimbursements will only be paid to individuals who maintain tax liability for newly constructed single-family homes within the City who demonstrate that they (or their mortgage company) have paid 2018, 2019, and 2020 real estate property taxes in full, and who certify that they have no prior year property taxes outstanding.

SECTION FOUR: The City Manager and/or his designee are directed to develop an application form and an application process for said Property Tax Rebate Program and incorporate the specifications of this Ordinance and such other requirements as are necessary to effectuate said Property Tax Rebate Program.

SECTION FIVE: If any provision of this Ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

SECTION SIX: Where the conditions imposed by any provisions of this Ordinance are more restrictive than comparable provisions imposed elsewhere in any other local law, ordinance, resolution, rule or regulation, the regulations of this Ordinance will govern.

SECTION SEVEN: The City Clerk shall publish this Ordinance in pamphlet form.

SECTION EIGHT: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED THIS ____ day of _____, 2018.

AYES:

NAYS:

ABSENT:

APPROVED THIS ____ day of _____, 2018.

MAYOR

ATTEST:

CITY CLERK

STATE OF ILLINOIS)
)
COUNTY OF OGLE) SS.

CERTIFICATE

I, _____, City Clerk of the City of Rochelle, County of Ogle and State of Illinois, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. _____, “AN ORDINANCE APPROVING A THREE-YEAR PROPERTY TAX REBATE PROGRAM FOR NEW SINGLE-FAMILY HOME CONSTRUCTION,” which was adopted by the Mayor and City Council of the City of Rochelle on _____, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this _____ day of _____, 2018.

CITY CLERK