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**Filed: 2/18/2004**

09300SB2151sam001

LRB093 16644 MKM 47349 a

1 AMENDMENT TO SENATE BILL 2151

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2151 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Municipal Code is amended by  
5 changing Section 2-3-5 as follows:

6 (65 ILCS 5/2-3-5) (from Ch. 24, par. 2-3-5)

7 Sec. 2-3-5. Whenever in any county of less than 150,000  
8 population as determined by the last preceding federal census,  
9 any area of contiguous territory, not exceeding 2 square miles,  
10 not already included within the corporate limits of any  
11 municipality, has residing thereon at least 200 inhabitants  
12 living in dwellings other than those designed to be mobile, and  
13 is owned by at least 30 different owners, it may be  
14 incorporated as a village as follows:

15 35 electors residing within the area may file with the  
16 circuit clerk of the county in which such area is situated a  
17 petition addressed to the circuit court for that county.

18 The petition shall set forth (1) a definite description of  
19 the lands intended to be embraced in the proposed village, (2)  
20 the number of inhabitants residing therein, (3) the name of the  
21 proposed village, and (4) a prayer that a question be submitted  
22 to the electors residing within the limits of the proposed  
23 village whether they will incorporate as a village under this  
24 Code.

1           If the area contains fewer than 7,500 residents and lies  
2 within 1 1/2 miles of the boundary line of any existing  
3 municipality, the consent of the existing municipality must be  
4 obtained before the area may be incorporated. No area in a  
5 county with a population of 150,000 or more that is  
6 incorporating under the provisions of this Section shall need  
7 to obtain the consent of any existing municipality before the  
8 area may be incorporated.

9           In addition, any contiguous territory in a county of  
10 150,000 or more population which otherwise meets the  
11 requirements of this Section may be incorporated as a village  
12 pursuant to the provisions of this Section if (1) any part of  
13 such territory is situated within 10 miles of a county with a  
14 population less than 150,000 and a petition is filed pursuant  
15 to this Section before January 1, 1991 or (2) any part of the  
16 territory is situated within 25 miles of the Illinois state  
17 line in a county having a population, according to the 1990  
18 federal decennial census, of at least 150,000 but less than  
19 185,000 and a petition is filed pursuant to this Section before  
20 January 1, 1998.

21           In addition, contiguous territory not exceeding 2 square  
22 miles in a county with a population of not less than 187,000  
23 ~~300,000~~ and not more than 190,000 ~~350,000~~ that otherwise meets  
24 the requirements of this Section may be incorporated as a  
25 village pursuant to the provisions of this Section if (1) any  
26 part of the territory is situated within 13 ~~2~~ miles of a county  
27 with a population of less than 38,000 and more than 36,000  
28 ~~150,000~~ and (2) a petition is filed in the manner provided in  
29 this Section before January 1, 2005 ~~July 1, 2001~~. The  
30 requirements of Section 2-3-18 concerning compatibility with  
31 the official plan for development of the county shall not apply  
32 to any territory seeking incorporation under this paragraph.  
33 (Source: P.A. 90-190, eff. 7-24-97; 91-885, eff. 7-6-00.)

1           Section 99. Effective date. This Act takes effect upon  
2    becoming law.".