



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB1101

Introduced 02/08/05, by Rep. John J. Millner - Randall M. Hultgren

SYNOPSIS AS INTRODUCED:

65 ILCS 5/7-1-13

from Ch. 24, par. 7-1-13

Amends the Illinois Municipal Code. Provides that any unincorporated territory containing 60 acres or less may be annexed by any municipality by which it is bounded if it is wholly bounded by one or more municipalities in a county with a population of more than 800,000 inhabitants and less than 2,000,000 inhabitants and either (i) a utility right-of-way that is at least 100 feet wide or (ii) a railroad or operating property, as defined in the Property Tax Code, being immediately adjacent to, but exclusive of the property. Nothing in these provisions shall subject any railroad property to the zoning or jurisdiction of a municipality annexing the territory, nor shall the utility property be included for purposes of calculating the territory annexed. Effective immediately.

LRB094 08133 AJO 38318 b

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Municipal Code is amended by
5 changing Section 7-1-13 as follows:

6 (65 ILCS 5/7-1-13) (from Ch. 24, par. 7-1-13)

7 Sec. 7-1-13. Whenever any unincorporated territory
8 containing 60 acres or less, is wholly bounded by (a) one or
9 more municipalities, (b) one or more municipalities and a creek
10 in a county with a population of 400,000 or more, or one or
11 more municipalities and a river or lake in any county, (c) one
12 or more municipalities and the Illinois State boundary, (d) one
13 or more municipalities and property owned by the State of
14 Illinois, except highway right-of-way owned in fee by the
15 State, (e) one or more municipalities and a forest preserve
16 district, ~~or~~ (f) if the territory is a triangular parcel of
17 less than 10 acres, one or more municipalities and an
18 interstate highway owned in fee by the State and bounded by a
19 frontage road, or (g) one or more municipalities in a county
20 with a population of more than 800,000 inhabitants and less
21 than 2,000,000 inhabitants and either (i) a utility
22 right-of-way that is at least 100 feet wide or (ii) a railroad
23 or operating property, as defined in the Property Tax Code (35
24 ILCS 200/11-70), being immediately adjacent to, but exclusive
25 of that railroad property, that territory may be annexed by any
26 municipality by which it is bounded in whole or in part, by the
27 passage of an ordinance to that effect after notice is given as
28 provided in this Section. Nothing in this Section shall subject
29 any railroad property to the zoning or jurisdiction of any
30 municipality annexing the property under this Section, nor
31 shall the utility property be included for purposes of
32 calculating the territory annexed under this Section. The

1 corporate authorities shall cause notice, stating that
2 annexation of the territory described in the notice is
3 contemplated under this Section, to be published once, in a
4 newspaper of general circulation within the territory to be
5 annexed, not less than 10 days before the passage of the
6 annexation ordinance. When the territory to be annexed lies
7 wholly or partially within a township other than that township
8 where the municipality is situated, the annexing municipality
9 shall give at least 10 days prior written notice of the time
10 and place of the passage of the annexation ordinance to the
11 township supervisor of the township where the territory to be
12 annexed lies. The ordinance shall describe the territory
13 annexed and a copy thereof together with an accurate map of the
14 annexed territory shall be recorded in the office of the
15 recorder of the county wherein the annexed territory is
16 situated and a document of annexation shall be filed with the
17 county clerk and County Election Authority. Nothing in this
18 Section shall be construed as permitting a municipality to
19 annex territory of a forest preserve district in a county with
20 a population of 3,000,000 or more without obtaining the consent
21 of the district pursuant to Section 8.3 of the Cook County
22 Forest Preserve District Act.

23 (Source: P.A. 86-769; 87-895.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.