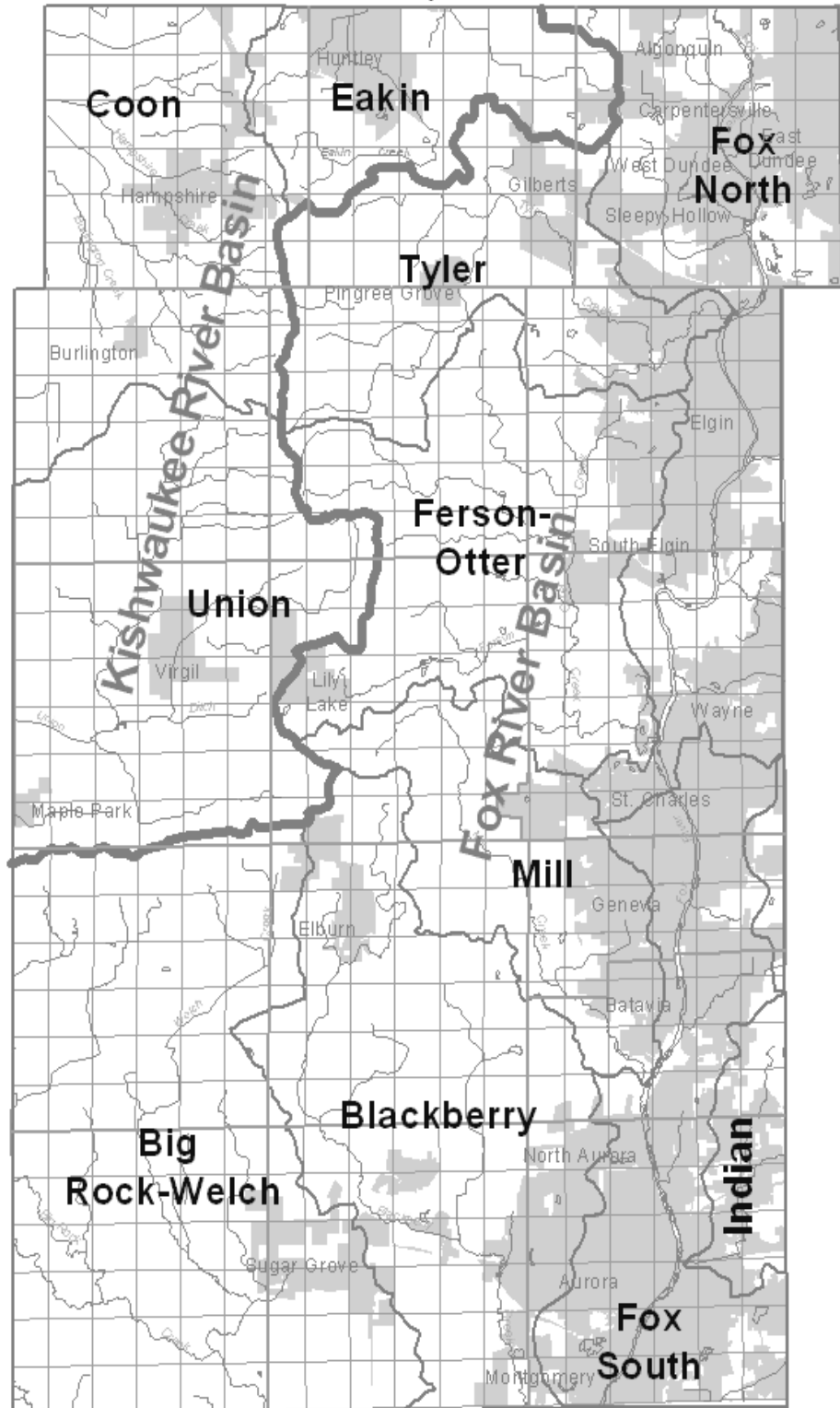


APPENDIX A—WATERSHED BOUNDARIES

Appendix A. Watershed Boundaries for Major Watersheds Kane County, Illinois



APPENDIX B—QUALIFIED ENGINEER REVIEW SPECIALIST STATEMENT

I, _____, of _____, with professional licensure in the State of Illinois, do hereby state that I have read and understand the Kane County Stormwater Ordinance and the Technical Manual which accompanies it, and will obtain, read and abide by any amendments thereto. I affirmatively state that I meet the requirements set forth in § 1401 of the ordinance. I will review projects for compliance with the ordinance using my expertise in stormwater management system design and permitting, floodplain and floodway policies and procedures, soil erosion and sediment control procedures and practices, and construction practices and inspections. I will exercise professional judgment with respect to projects submitted for my review in accordance with the customary standard of care applicable to persons providing similar services in the same or similar communities in order to insure substantial conformance with the ordinance. I understand that failure to adequately discharge this obligation may, with due process, result in loss of this status. It is my responsibility to provide the Director with any changes to the information provided.

Signed

P. E. Registration Number Expiration Date

(Seal)

Telephone:_____

Fax:_____

Email:_____

Employer:_____

(Attach a one-page summary of your qualifications under § 1401 of the ordinance.)

APPENDIX C—QUALIFIED WETLAND REVIEW SPECIALIST STATEMENT

I, _____, of _____, do hereby state that I have read and understand the Kane County Stormwater Ordinance and the Technical Manual which accompanies it, and will obtain, read and abide by any amendments thereto. I affirmatively state that I meet the requirements set forth in § 1402 of the ordinance. I will review projects for compliance with those sections of the ordinance pertaining to wetlands, including, without limitation, wetland delineation and the calculation of buffer widths. I will use my expertise in wetland delineations or field identification of wetland indicators in the Upper Midwest. I understand that failure to adequately discharge this obligation may, with due process, result in loss of this status. It is my responsibility to provide the Director with any changes to the information provided.

Signed

Telephone:_____

Fax:_____

Email:_____

Employer:_____

(Attach a one-page summary of your qualifications under § 1402 of the ordinance.)

APPENDIX D—SAMPLE SPECIAL SERVICE AREA ORDINANCES

[CITY/VILLAGE] OF _____

ORDINANCE NO. _____

AN ORDINANCE PROPOSING THE ESTABLISHMENT OF THE
_____ SPECIAL SERVICE AREA [or SPECIAL SERVICE AREA
NO. _____] OF _____, ILLINOIS
AND THE LEVY OF TAXES FOR THE PURPOSE OF PAYING THE COST
OF PROVIDING SPECIAL SERVICES IN AN FOR SUCH AREA

ADOPTED BY THE
[MAYOR AND CITY COUNCIL/PRESIDENT AND BOARD OF TRUSTEES]
OF THE
[CITY/VILLAGE] OF _____

[DATE]

ORDINANCE NO. _____

**AN ORDINANCE PROPOSING THE ESTABLISHMENT OF THE
_____ SPECIAL SERVICE AREA [or SPECIAL SERVICE AREA
NO. _____] OF _____, ILLINOIS
AND THE LEVY OF TAXES FOR THE PURPOSE OF PAYING THE COST
OF PROVIDING SPECIAL SERVICES IN AN FOR SUCH AREA**

WHEREAS pursuant to the provisions of the 1970 Constitution of the State of Illinois (the *Constitution*), the [City/Village] of _____, Kane County, Illinois (the [*City/Village*]), is authorized to create special service areas in and for the [City/Village]; and

WHEREAS special service areas are established by non-home rule¹ units pursuant to Section 7(6) of Article VII of the Constitution, which provides that—

[M]unicipalities...which are not home rule units shall have...powers...to levy or impose additional taxes upon areas within their boundaries in the manner provided by law for the provision of special services to those areas and for the payment of debt incurred in order to provide those special services;

and are established “in the manner provided by law” pursuant to the provisions of “AN ACT to provide the manner of levying or imposing taxes for the provision of special services to areas within the boundaries of home rule units and non-home rule municipalities and counties,” approved September 21, 1973, as amended, and pursuant to the Revenue Act of 1939 of the State of Illinois, as amended; and

WHEREAS it is in the public interest that the establishment of the area hereinafter described as a special service area for the purposes set forth herein and to be designated as the _____ Special Service Area [or Special Service Area No. _____], of the [City/Village] (the *Area*) be considered; and

WHEREAS the Area is compact and contiguous, totally within the corporate limits of the [City/Village]; and

WHEREAS the Area will benefit specially from the municipal services to be provided by the [City/Village] (the *Services*), and the Services are unique and in addition to the services provided to the [City/Village] as a whole, and it is, therefore, in the best interests of the [City/Village] that the establishment of the Area be considered; and

WHEREAS it is in the public interest that the levy of a direct annual *ad valorem* tax upon all taxable property within the Area be considered for the purpose of paying the cost of providing the Services; and

WHEREAS the revenue from such tax shall be used solely and only for Services for which the [City/Village] is authorized under the provisions of the Illinois Municipal Code, as amended, to levy taxes or special assessments or to appropriate the funds of the [City/Village], all of the Services to be in and for the Area and all of the necessary construction and maintenance to be on property now owned or to be acquired by the [City/Village], or property in which the [City/Village] will obtain an interest sufficient for the provision of the Services; and

WHEREAS said direct annual *ad valorem* tax shall be levied upon all taxable property within the Area for an indefinite period of time beginning for the year _____ and shall not exceed an annual rate of _____ of the assessed valuation of each tax parcel within the Area and shall be in addition to all other taxes permitted by law; and

¹Home rule municipalities should alter this language accordingly.

WHEREAS a public hearing will be held at _____, on the _____ day of _____, _____, in the [City/Village] Hall, _____, Illinois _____ (the **Hearing**), to consider the establishment of the Area for the purpose of providing the Services and the levy of an additional direct annual *ad valorem* tax for the purpose of paying the cost thereof, all as described in the Notice of Public Hearing set forth in Section 2 hereof (the **Notice**); and

WHEREAS the Notice shall be given by publication and mailing. Notice by publication shall be given by publication on a date, such date being not less than 15 days prior to the Hearing, in a newspaper published within the [City/Village] [or, of general circulation within the [City/Village], there being no newspaper published therein]. Notice by mailing shall be given by depositing the Notice in the United States Mail addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract, or parcel of land lying within the Area. The Notice shall be mailed not less than 10 days prior to the time set for the 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 said property.

NOW, THEREFORE, Be it Ordained by the [Mayor and City Council/President and the Board of Trustees] of the [City/Village] of _____, Kane County, Illinois, as follows:

§1. Incorporation of preambles

The preambles of this ordinance are hereby incorporated into this text as if set out herein in full.

§2. Notice

The [Mayor and City Council/President and Board of Trustees] determine that the Notice is in the proper statutory form as set forth as follows:

**NOTICE OF PUBLIC HEARING
[City/Village] OF _____, KANE COUNTY, ILLINOIS
_____ SPECIAL SERVICE AREA [or NO. _____]**

NOTICE IS HEREBY GIVEN that on _____, at _____, in the [City/Village] Hall, _____, _____, Illinois, a public hearing (the **Hearing**) will be held by the [Mayor and City Council/President and Board of Trustees] of the [City/Village] of _____, Kane County, Illinois (the **[City/Village]**), to consider the establishment of the _____ Special Service Area [No. _____], (the **Area**), of the [City/Village], consisting of the following described territory:

SEE ATTACHED EXHIBIT A

Said territory consists of approximately ___ acres lying [insert general description of location]. An accurate map of said territory is on file in the office of the [City/Village] Clerk and is available for public inspection.

The purpose of the establishment of the Area is to provide the following special services (the **Services**) to the Area: the operation, maintenance, repair, rehabilitation, replacement and reconstruction of any storm water site runoff storage area, drainageway, ditch, swale, storm sewer or other stormwater facility; costs of design, engineering and other consulting services, surveying and permits, public liability insurance, and all administrative, legal and other costs or expenses incurred in connection therewith and with the administration of the Area, including the repayment of any loan or debt incurred for the provision of any of such Services, all of the Services to be in and for the Area.

All of the Services are to be on property now owned or to be acquired by the [City/Village], or property in which the [City/Village] will obtain an interest sufficient for the provision of the Services.

The levy of a direct annual *ad valorem* tax upon all taxable property within the Area for the purpose of paying the cost of the Services will also be considered at the Hearing. The tax shall be levied upon all taxable property within the Area for an indefinite period of time beginning for the year _____ and

shall not exceed an annual rate of _____ of the assessed valuation of each tax parcel within the Area and shall be in addition to all other taxes permitted by law.

All interested persons affected by the establishment of the Area or tax levy, including all owners of real estate located within the Area, will be given an opportunity to be heard at the Hearing regarding the establishment of the Area and the tax levy and an opportunity to file objections to the establishment of the Area or the tax levy.

At the Hearing, any interested persons affected by the Area may file with the [City/Village] Clerk written objections to and may be heard orally in respect to any issues embodied in this notice. The [Mayor and City Council/President and Board of Trustees] shall hear and determine all protests and objections at the Hearing, and the Hearing may be adjourned to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of its adjournment.

If a petition signed by at least 51% of the electors residing within the Area and by at least 51% of the owners of record of the land included within the boundaries of the Area is filed with the [City/Village] Clerk within 60 days following the final adjournment of the Hearing objecting to the creation of the Area or the levy or imposition of a tax for the provision of the Services to the Area, no such Special Service Area may be created or no tax may be levied or imposed.

By order of the [Mayor and City Council/President and Board of Trustees] of the [City/Village] of _____, Kane County, Illinois.

DATED this _____ day of _____, _____.

/s/

[City/Village] Clerk, [City/Village] of _____, Kane County, Illinois

§3. Miscellaneous

The [City/Village] agrees to produce or file such forms, statements, proceedings and supporting documents as may be required and in a timely manner in order to establish the Area and levy the taxes and, if deemed necessary or advisable by its officers, to employ and pay fiscal agents, financial advisors, attorneys and other persons to assist the [City/Village] in these endeavors.

§4. Repealer; effective date

All ordinances, orders and resolutions and parts thereof in conflict herewith be and the same are hereby repealed, and this ordinance be in full force and effect forthwith upon its passage, approval and publication as provided by law.

DATED: _____.

<i>Alder- man/Trustee</i>	<i>Aye</i>	<i>Nay</i>	<i>Absent</i>	<i>Abstain</i>
Totals				

Approved:

[Mayor/President]

Attested, Filed in my office, and published in pamphlet form on _____, 20__:

Clerk of the [City/Village] of _____,
Kane County, Illinois

[CITY/VILLAGE] OF _____

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING THE
_____ SPECIAL SERVICE AREA [OR NO. _____]
OF _____, ILLINOIS
AND PROVIDING FOR THE LEVY OF TAXES FOR THE PURPOSE OF
PAYING THE COST OF PROVIDING SPECIAL SERVICES
IN AND FOR SUCH AREA

ADOPTED BY THE
[MAYOR AND CITY COUNCIL/PRESIDENT AND BOARD OF TRUSTEES]
OF THE
[CITY/VILLAGE] OF _____

[DATE]

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING THE _____ SPECIAL SERVICE AREA [or NO. ____] OF _____, ILLINOIS AND PROVIDING FOR THE LEVY OF TAXES FOR THE PURPOSE OF PAYING THE COST OF PROVIDING SPECIAL SERVICES IN AND FOR SUCH AREA

WHEREAS, pursuant to the provisions of the 1970 Constitution of the State of Illinois (the *Constitution*), the [City/Village] of _____, Kane County, Illinois (the *[City/Village]*), is authorized to create special service areas in and for the [City/Village]; and

WHEREAS, special service areas are established by non-home rule² units pursuant to Section 7(6) of Article VII of the Constitution, which provides that—

municipalities...which are not home rule units shall have only the powers granted to them by law and the powers...(6) to levy or impose additional taxes upon areas within their boundaries in the manner provided by law for the provision of special services to those areas and for the payment of debt incurred in order to provide those special services;

and

WHEREAS, special service areas are established “in the manner provided by law” pursuant to the provisions of “AN ACT to provide the manner of levying or imposing taxes for the provision of special services to areas within the boundaries of home rule units and non-home rule municipalities and counties,” approved September 21, 1973, as amended (the *Act*), and pursuant to the provisions of the Revenue Act of 1939 of the State of Illinois, as amended; and

WHEREAS, it is in the public interest that the area hereinafter described be established as the _____ Special Service Area [or No. _____] of the [City/Village] for the purposes set forth herein (the *Area*); and

WHEREAS, the Area is compact and contiguous and totally within the boundaries of the [City/Village]; and

WHEREAS, the Area will benefit specially from the services to be provided by the [City/Village] (the *Services*), and the Services are unique and in addition to the services provided to the [City/Village] as a whole, and it is, therefore, in the best interests of the [City/Village] that the Area be established; and

WHEREAS, the cost of providing the Services shall be paid by the levy of a direct annual *ad valorem* tax upon all taxable property within the Area; and

WHEREAS, said direct annual tax shall be levied upon all taxable property within the Area for an indefinite period of time beginning for the year _____ and shall not exceed an annual rate of _____ of the assessed valuation of each tax parcel within the Area and shall be in addition to all other taxes permitted by law; and

WHEREAS, the establishment of the Area was proposed by the [City Council/Board of Trustees] of the [City/Village] (the *[Council/Board]*) pursuant to Ordinance No. _____, entitled:

AN ORDINANCE proposing the establishment of the _____ Special Service Area [or No. _____] of _____, Illinois, and the levy of

²Home rule units should alter this language accordingly.

taxes for the purpose of paying the cost of providing special services in and for such Area.

(the *Proposing Ordinance*), duly adopted on _____, and was considered at a public hearing (the *Hearing*) held by the [Council/Board] on _____; and

WHEREAS, notice of the Hearing was given by publication at least once not less than 15 days prior to the Hearing in _____, the same being a newspaper published in the [City/Village] [or, of general circulation with the [City/Village], there being no newspaper published therein]; and

WHEREAS, mailed notice of the Hearing was given by depositing notice in the United States mails addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract or parcel of land lying within the Area not less than 10 days prior to the time set for the Hearing, and in the event taxes for the last preceding year were not paid, the notice was sent to the person or persons last listed on the tax rolls prior to that year as the owner or owners of said property; and

WHEREAS, said notice complied with all of the applicable provisions and requirements of the Act; and

WHEREAS, all interested persons affected by the establishment of the Area or the levy of the tax to pay the cost of providing the Services, including all owners of real estate located within the Area, were given an opportunity to be heard at the Hearing regarding the establishment of the Area and the levy of said tax and an opportunity to file objections to the establishment of the Area or the levy of said tax; and

WHEREAS, at the Hearing, all interested persons affected by the Area were permitted to file with the [City/Village] Clerk written objections to and to be heard orally in respect to any issue embodied in the notice given of the Hearing; and

WHEREAS, the Council/Board has determined and does hereby determine that it is in the public interest and in the interest of the [City/Village] and the Area that the Area be established;

NOW, THEREFORE, Be It Ordained by the [Mayor and City Council/President and Board of Trustees] of the [City/Village] of _____, Kane County, Illinois, as follows:

§1. Incorporation of preambles

The preambles of this ordinance are hereby incorporated into this text as if set out herein in full.

§2. Final adjournment of Hearing

The Hearing was finally adjourned on _____.

§3. Establishment of Area

(a) The _____ Special Service Area [or No. _____] of the [City/Village] is hereby established in and for the [City/Village] and shall consist of the territory legally described in Exhibit A attached.

(b) Said territory consists of approximately _____ acres lying [insert a general description of the location of the area] in the [City/Village]. An accurate map of the Area is attached hereto and made a part hereof.

§4. Purpose of the establishing the Area

The purpose of establishing the Area is to provide the Services to the Area, including the operation, maintenance, repair, rehabilitation, replacement and reconstruction of any site runoff storage area, drainageway, ditch, swale, storm sewer, or other stormwater facility; costs of design, engineering and other consulting services, surveying and permits, public liability insurance, and all administrative, legal

and other costs or expenses incurred in connection therewith and with the administration of the Area, including the repayment of any loan or debt incurred for the provision of any of such Services, all of the Services to be in and for the Area and all of said construction and improvements to be on property now owned or to be acquired by the [City/Village], or property in which the [City/Village] will obtain an interest sufficient for the provision of the Services.

§5. Tax Levy

The cost of the Services shall be paid by the levy of a direct annual *ad valorem* tax upon all taxable property within the Area for an indefinite period of time beginning for the year _____ and shall not exceed an annual rate of _____ of the assessed valuation of each tax parcel within the Area and shall be in addition to all other taxes permitted by law.

§6. Filing

The [City/Village] Clerk is hereby directed to file a certified copy of this ordinance, including an accurate map of the Area, in the office of the Kane County Clerk and in the office of the Kane County Recorder forthwith after its adoption and approval.

§7. Repealer

All ordinances, orders and resolutions and parts thereof in conflict herewith be and the same are hereby repealed, and this ordinance be in full force and effect forthwith upon its adoption.

DATED: _____.

<i>Alder- man/Trustee</i>	<i>Aye</i>	<i>Nay</i>	<i>Absent</i>	<i>Abstain</i>
Totals				

Approved:

[Mayor/President]

Attested, Filed in my office and published in pamphlet form on _____, 20__:

Clerk of the [City/Village] of _____,
Kane County, Illinois