

STATE OF ILLINOIS)
) SS
COUNTY OF OGLE)

ORDINANCE NO. 2017-0902

**AN ORDINANCE APPROVING AMENDMENTS TO THE TEXT OF THE
*OGLE COUNTY AMENDATORY ZONING ORDINANCE***

WHEREAS, Michael Reibel, Ogle County Planning & Zoning Administrator, under the direction of the Supervisor of Assessments and Planning & Zoning Committee of the Ogle County Board , has filed a petition for an Amendment to the Text of the *Ogle County Amendatory Zoning Ordinance* (Petition No. 1-17AM) in accordance with the applicable requirements of the *Ogle County Amendatory Zoning Ordinance* and the laws of the State of Illinois; and

WHEREAS, the Ogle County Regional Planning Commission, at its August 17, 2017 monthly meeting, recommended that the requested Text Amendment by adopted as presented, said requested Text Amendment being consistent with the goals and objectives of the *Ogle County Amendatory Comprehensive Plan*; and

WHEREAS, following due and proper notice by publication in the Ogle County Life, Rochelle News-Leader, Ogle County News, Dixon/Sterling Telegraph, and Tempo, newspapers of general circulation within the County of Ogle, at least fifteen (15) days prior thereto, and by mailing notice to all municipalities within the County of Ogle, and by mailing notice to all Township Supervisors and Township Planning Commissions within the County of Ogle, the Ogle County Zoning Board of Appeals conducted a public hearing as required by law on August 24, 2017; and,

WHEREAS, the Zoning Board of Appeals, having considered the evidence, testimony and exhibits presented has made its report and findings of fact, and has recommended that the requested Text Amendment be adopted as amended and as set forth in the Findings of Fact and Recommendation of the Ogle County Zoning Board of Appeals dated August 24, 2017, a copy of which is appended hereto as Exhibit “I”; and,

WHEREAS, the Supervisor of Assessments and Planning & Zoning Committee of the Ogle County Board has reviewed the testimony presented at the aforesated public hearing and has considered the findings of fact and recommendation of the Zoning Board of Appeals, and has forwarded a recommendation to the Ogle County Board that the proposed amendments to the text of the *Ogle County Amendatory Zoning Ordinance* as amended by the Zoning Board of Appeals be adopted by the Ogle County Board.

WHEREAS, the Ogle County Board has considered the recommendation of the Regional Planning Commission, the findings of fact and recommendation of the Zoning Board of Appeals and the recommendation of the Supervisor of Assessments and Planning & Zoning Committee, and has determined that adoption of the requested Text Amendment (Petition No. 1-17 Text Amendment) as amended by the Zoning Board of Appeals and as indicated in Exhibit “I” appended hereto is consistent with the public interest, is consistent with the goals and objectives of the *Ogle County Amendatory Comprehensive Plan*, and is in the best interests of the citizens of the County of Ogle.


NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF OGLE COUNTY, ILLINOIS, as follows:

SECTION ONE: The Findings of Fact and Recommendation of the Ogle County Zoning Board of Appeals, Exhibit "I" appended hereto, is hereby accepted, and the finding of fact set forth above are hereby adopted as the findings of fact and conclusions of the Ogle County Board.

SECTION TWO: The proposed amendments to the text of the *Ogle County Amendatory Zoning Ordinance* as amended by the Zoning Board of Appeals and as indicated in Exhibit "I" appended hereto are hereby adopted by the Ogle County Board.

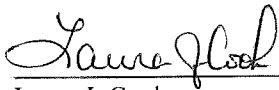
SECTION THREE: This amendment to the text of the *Ogle County Amendatory Zoning Ordinance* shall be in full force and effect immediately upon its adoption and passage by the County Board of Ogle County, Illinois.

PASSED BY THE OGLE COUNTY BOARD THIS 19TH DAY OF SEPTEMBER 2017 A.D.



Kim P. Gouker
Chairman, Ogle County Board

ATTEST:



Laura J. Cook
Ogle County Clerk and
Ex Officio Clerk of the Ogle County Board



Exhibit "I"
Findings of Fact and Recommendation
of the Zoning Board of Appeals

Ogle County Zoning Board of Appeals

911 Pines Road
Oregon, IL 61061
(815) 732-1190
Fax: (815) 732-3709

FINDINGS OF FACT AND RECOMMENDATION OF THE OGLE COUNTY ZONING BOARD OF APPEALS

This is the findings of fact and the recommendation of the Ogle County Zoning Board of Appeals concerning an application of Michael Reibel, Ogle County Planning & Zoning Administrator, under the direction of the Supervisor of Assessments and Planning & Zoning Committee of the Ogle County Board in case #1-17 Text Amendment. The applicant is proposing to amend the text of the *Ogle County Amendatory Zoning Ordinance* as indicated in Exhibit "A" attached hereto.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on August 24, 2017 in the County Board Room, 3rd Floor of the Ogle County Courthouse, Oregon, Illinois and hereby reports its findings and recommendation as follows:

FINDINGS: The Zoning Board of Appeals hereby finds that the proposed amendments to the text of the *Ogle County Amendatory Zoning Ordinance* AS AMENDED BY THE ZONING BOARD OF APPEALS, Exhibit "A" attached hereto, are consistent with the public interest and the goals and objectives of the *Ogle County Amendatory Comprehensive Plan*, and are in the best interests of the citizens of the Ogle County, Illinois.

RECOMMENDATION: The Zoning Board of Appeals hereby recommends that the proposed amendments to the text of the *Ogle County Amendatory Zoning Ordinance* AS AMENDED BY THE ZONING BOARD OF APPEALS, Exhibit "A" attached hereto, be adopted by the Ogle County Board.

ROLL CALL VOTE: The roll call vote was 5 members for the motion to recommend adoption of the proposed amendments to the text of the *Ogle County Amendatory Zoning Ordinance* as amended by the Zoning Board of Appeals, 0 opposed.

Respectfully submitted this 24th day of August 2017 by the Ogle County Zoning Board of Appeals.

Randy Ocken, Chairman
Maynard Stivers
Paul Soderholm
James Reed
Mark Hayes

Randy Ocken, Chair

ATTEST:



Michael Reibel, Secretary

EXHIBIT "A"
PROPOSED AMENDMENTS TO THE
OGLE COUNTY AMENDATORY ZONING ORDINANCE
AS AMENDED AND RECOMMENDED BY THE
OGLE COUNTY ZONING BOARD OF APPEALS ON AUGUST 24, 2017

**NOTE: "RED-LINED TEXT" INDICATES NEW TEXT TO BE ADDED;
"STRIKE-OUT TEXT" INDICATES TEXT TO BE DELETED.**

A. Division 2, Section 16-2-2: Rules and Definitions; Definitions

Add the following definitions:

BANQUET FACILITY: An establishment that is rented by individuals or groups and is intended and designed to accommodate private (invitation only) functions including, but not limited to banquets, weddings, anniversaries, conferences, business meetings and other similar events. Such a use may include kitchen facilities for preparation of food to be consumed on the premises, and outdoor gardens or reception facilities.

FIREARM RANGE, INDOOR: A rifle, pistol, silhouette, skeet, trap, black powder, or other similar range that is within a fully enclosed building or part of a fully enclosed building, such building being specifically designed for discharging firearms in a sporting event, for practice or instruction in the use of a firearm including qualifying for a Concealed Carry License, or for the testing of firearms. This definition shall not include the lawful discharge of firearms on private property by the owner of said property (ZBA 8/24/17).

HOME SHARE LODGING ESTABLISHMENT: An owner-occupied single-family dwelling where not more than one (1) short term (less than 30 days) lodging room is provided for compensation.

SOLAR COLLECTOR: A device, structure or part of a device or structure (i.e. array, panel, etc.) installed for the purpose of transforming solar energy into thermal, mechanical, chemical or electrical energy.

SOLAR ENERGY: Radiant energy received from the sun that is collected in the form of heat or light by a solar collector.

SOLAR FARM: A use of land where a series of solar collectors are placed in an area for the purpose of converting solar energy into electrical power for interconnection with the power grid primarily for off-site energy consumption. The term includes any associated cabling, devices, equipment, and structures located on site that are associated with the operation of a solar farm. The use of solar collectors for residential or business consumption that occurs on-site is not considered a solar farm.

STORY, HALF: A half story is that portion of a building under a gable, hip or mansard roof, the wall plates of which on at least two opposite exterior walls are not more than four and one-half feet above the finished floor of each story. In the case of one-family dwellings, two-family dwellings and multiple-family dwellings less than three stories in height, a half story in a sloping roof shall not be counted as a story for the purpose of this ordinance. In the case of multiple family dwellings three or more stories in height, a half story shall be counted as a story.

B. Division 2, Section 16-2-2: Rules and Definitions; Definitions

Amend the following definitions:

BED AND BREAKFAST ESTABLISHMENT: An owner-occupied ~~dwelling unit, or portion thereof,~~ **single-family dwelling** where **not more than five (5) short term (less than 30 days) lodging rooms, with or without meals breakfast,** are provided for compensation. ~~The owner of the establishment shall live on the premises or in adjacent premises.~~ **Any “bed and breakfast establishment” shall comply with all requirements of the Illinois Bed and Breakfast Act (50 ILCS 820/).**

BOARDING HOUSE: A residential use consisting of at least one dwelling unit together with more than two rooms that are rented or are designed or intended to be rented but which rooms, individually or collectively, do not constitute separate dwelling units; **or, a single-family dwelling provided for rental by one or more persons but not exceeding ten persons, for a period of less than 30 days.** A boarding house is designed to be occupied by ~~overnight or weekly guests~~ **short term (less than 30 days) guests.**

CAMPGROUND: Any parcel or tract of land under the control of any person(s), organization, **private entity** or governmental entity ~~wherein sites are offered for the use of the public or members of an organization for the establishment of temporary living sites for two or more recreational vehicles or camping units~~ **upon which 3 or more tents, cabins, recreational vehicles or other permanent or non-permanent type shelters are erected and maintained for camping or where space is provided for camping, temporary parking of recreational vehicles or placing of such tents, cabins, recreational vehicles or other permanent or non-permanent type shelters of any kind for 4 or more camping days during a calendar year. It shall include any structure, tent, vehicle, enclosure, appurtenances or recreational equipment related to or used or intended for use as a part of such campground. "Camping" means the act of resting or establishing temporary shelter using a tent, cabin, recreational vehicle or other permanent or non-permanent type shelter erected or placed on an area of land. "Camping Day" means any 24 hour period or portion thereof during which the participants remain overnight at the site.**

GUN CLUB FIREARM RANGE: ~~A facility used for target shooting, trap or skeet, including rifle and pistol clubs~~ **A rifle, pistol, silhouette, skeet, trap, black powder, or other similar range used for discharging firearms in a sporting event, for practice or instruction in the use of a firearm including qualifying for a Concealed Carry License, or**

for the testing of a firearm. This definition shall not include the lawful discharge of firearms in the course of hunting activities, or the lawful discharge of firearms on private property by the owner of said property.

C. Division 5, Section 16-5-1B: AG-1 Agricultural District; Permitted Uses

Amend the following existing listed Permitted Use:

Governmental buildings, including township, county, state or federal; and also including law enforcement buildings (police station) and fire protection buildings (fire station).

Add the following to the list of Permitted Uses:

Greenhouses, wholesale.

D. Division 5, Section 16-5-1C: AG-1 Agricultural District; Special Uses

Add the following to the list of Special Uses:

- Banquet facility.
- Boarding house.
- Campground.
- Churches, temples, synagogues or other places of worship, provided towers and steeples associated with such uses shall not exceed seventy-five feet (75') in height, and the main building shall not exceed thirty-five feet (35') in height.
- Solar farm.

Amend the following existing listed Special Uses:

Greenhouses, ~~wholesale and retail.~~

~~Essential public service and public utility **Public or Private Utilities and Service** uses and structures including, but not limited to, electrical and telephone substations and distribution centers, fire stations, police stations, gas regulator stations, pumping stations, public service sewage treatment plants, water filtration plants, water reservoirs and towers, well head stations, well separators, gas regulator stations and other similar public service, public utility and governmental **uses.** (ZBA 8/24/17)~~

Essential public service and public utility uses and structures. (ZBA 8/24/17)

~~Gun clubs~~ **Firearm range**, if located not nearer than one thousand feet (1,000') to any residence other than that of the owner of lessee of the site.

E. Division 5, Section 16-5-7B: B-1 Business District; Permitted Uses

Amend the following existing listed Permitted Use:

Sale, lease and/or rental of automobile, motor bikes or motor scooters, trailers, recreational vehicles, agricultural and/or lawn maintenance equipment, outdoor furniture, lawn ornaments, waste receptacles and other material customarily intended for outdoor use. Outdoor display of said products, new or used, is permitted but not more than 75% of the zoning lot shall be used for such purpose, ~~the front yard requirement shall be complied with,~~ and the zoning lot shall be kept free from inoperable and/or dilapidated motor vehicles and/or machinery.

F. Division 5, Section 16-5-8C: B-2 Business Recreation District; Special Uses

Add the following to the list of Special Uses:

Firearm range, indoor.

G. Division 5, Section 16-5-10C: I-1 Industrial District; Special Uses

Add the following to the list of Special Uses:

Firearm range, indoor.
Solar farm.

Amend the following existing listed Special Use:

Shooting **Firearm** range (outdoor).

H. Division 6, Section 16-6-6D1: Accessory Buildings, Structures and Uses; Accessory building size limitations.

Amend the above section as follows:

No accessory building shall have more than one story; **however, usable space under a gable, hip or gambrel roof where the interior height from the floor to the underside of the roof does not equal or exceed 7 feet for more than forty percent (40%) of the floor space shall not be considered a second story.** The total cumulative area of all accessory buildings, the maximum sidewall height, and the maximum height (see Section 16-2-2 of this Chapter for definition of "Building, Height of") of an accessory building is based on the size of the parcel as indicated in the tables below, except as provided for in paragraph D4 of this Section. When calculating the cumulative area of all accessory buildings or total building height, fractions of 0.5 or less maybe disregarded and fractions in excess of 0.5 shall be rounded to the next whole number.

I. Division 6, Section 16-6-16A: Supplementary District Regulations; Home Occupations, Permitted Home Occupations

Add the following to the list of permitted home occupations:

Home share lodging establishment subject to the following:

- 1) The lodging room shall accommodate no more than two (2) persons per night;
- 2) No meals may be provided to guests of the establishment;
- 3) Manual fire extinguishing equipment shall be provided on each floor in accordance with *NFPA 10 - Standards for the Installation of Portable Fire Extinguishers*;
- 4) All combustibles or flammable liquids shall be stored in approved containers. No combustible storage shall occur in or under stairways;
- 5) All trash containers shall be metal;
- 6) No cooking facilities shall be permitted in guest rooms;
- 7) All hallways and stairways shall be adequately lighted;
- 8) No portable heating devices shall be permitted in guest rooms;
- 9) The owner of the home share lodging establishment shall submit a complete floor plan of the establishment to the local fire department or fire protection district;
- 10) Smoke detectors and carbon monoxide (CO) detectors shall be provided pursuant to the Illinois Smoke Detector Act and Illinois Carbon Monoxide Alarm Detector Act;
- 11) The owner of the home share lodging establishment shall provide proof of adequate liability insurance.
- 12) The Zoning Administrator or his designee shall conduct an inspection of the premises prior to issuance of a Zoning Certificate authorizing the Home Occupation to determine compliance with the above requirements.
- 13) The Zoning Certificate authorizing the Home Occupation shall be valid for a period of twenty-four (24) months, after which a new Zoning Certificate shall be secured in the same manner as the initial Zoning Certificate.

J. Division 6, Section 16-6-25: Supplementary District Regulations; Regulation of Telecommunications Facilities

Amend the above as follows:

~~Regulation of Telecommunications Facilities~~ **Regulation of Telecommunications Carrier Facilities and AM Broadcast Towers and Facilities:** *(See Appendix V)*
Telecommunications facilities and AM broadcast towers and facilities shall be subject to the requirements of 55 ILCS 5/5-12001.1 *(Authority to regulate certain specified facilities of a telecommunications carrier and to regulate, pursuant to subsections (a) through (g), AM broadcast towers and facilities.)*.

K. Division 6, Section 16-6-27: Supplementary District Regulations; Open Storage of Unlicensed Motor Vehicles

Delete the above Section 16-6-27 in its entirety.

L. Division 8, Section 16-8-5: Sign Regulations; Prohibited Signs

Amend subsection J. as follows:

Signs which contain flashing lights which exceed more than ten percent (10%) of the area of the sign including electronic message centers; however, not including digital time and temperature signs involving only that information and no further or additional information of an advertising nature. Such time and temperature signs shall be constant or steady in nature, and shall not grow, melt, x-ray, up or down scroll, write-on travel, inverse, roll, twinkle, snow or present pictorials or other animation.

M. Division 8, Section 16-8-9: Sign Regulations; Commercial and Industrial Signage

Amend Subsection B.3 (Location and Height: Pole Signs) as follows:

Pole Signs: Such signs shall not exceed thirty feet (30') in height from the surrounding grade to the highest point on the sign, and shall be located no closer than two feet (2') to a street or road rights-of-way line, no closer than ten feet (10') to an interior property line. The bottom of the sign shall be at least eight feet (8') above surrounding grade.

N. Division 8, Section 16-8-10D: Other Signage; Off-Premises Directional/Informational Signs

Amend Section 16-8-10D.1 as follows:

Such signs shall not exceed 10 square feet in size per face, shall not be erected in a public right-of-way or easement, shall not be located within three hundred thirty feet (330') of any other "off-premises directional/informational" sign, and shall comply with the requirements of the site distance triangle.

O. Division 9, Section 16-9-15: Appendices; Appendix IV

Delete above Appendix IV in its entirety.



Laura J. Cook
Ogle County Clerk & Recorder

September 22, 2017

The Ogle County Board, at their regular meeting held on Tuesday, September 19, 2017, Janes presents the petition for #2-17 AMENDMENT - David C. & Amy S. Eder, 6553 N. Deer Path Rd., Oregon, IL for an Amendment to the Zoning District to rezone from AG-1 Agricultural District to R-1 Rural Residence District on property described as follows and owned by the petitioners: Part of the NW1/4 of the SE1/4 of Section 2 Pine Creek Township 23N, R9E of the 4th P.M., Ogle County, IL, 12.4 acres, more or less. P.I.N.: 15-02-400-017 Common Location: 809 S. Harmony Rd.

Janes moves to approve O-2017-0901 as presented, Smith seconds and the motion carries.
(Placed on file)



Laura J. Cook

Laura J. Cook
Ogle County Clerk

The contents of this letter are a portion of the tentative
Ogle County Board minutes pertaining to your zoning request.
These minutes are subject to approval at the next Ogle County Board meeting.

SECTION THREE: This Ordinance shall be in full force and effect upon its adoption by the County Board of Ogle County, Illinois and attestation by the Ogle County Clerk.

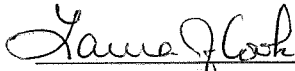
SECTION FOUR: Failure of the owners of other party in interest to comply with the terms of this Ordinance, after execution of such Ordinance, shall subject the owners or party in interest to the penalties set forth in Section 16-9-10 of the *Ogle County Amendatory Zoning Ordinance*.

PASSED BY THE COUNTY BOARD THIS 19TH DAY OF SEPTEMBER 2017 A.D.



Kim P. Gouker, Chairman of the Ogle County Board

ATTEST:



Laura J. Cook, Ogle County Clerk and
Ex Officio Clerk of the Ogle County Board



EXHIBIT "A"

LEGAL DESCRIPTION

Part of the South Half ($\frac{1}{2}$) of the Southeast Quarter ($\frac{1}{4}$) of Section 2, Township 23 North, Range 9 East of the Fourth Principal Meridian, Ogle County, Illinois, described as follows: Commencing at the Southwest corner of the Southeast Quarter ($\frac{1}{4}$) of said Section 2; thence North 01 degree 09 minutes 34 seconds East along the West line thereof, a distance of 931.27 feet to the point of beginning of the hereinafter described parcel; thence North 01 degree 09 minutes 34 seconds East along said West line, a distance of 391.15 feet to the Northwest corner of the South Half ($\frac{1}{2}$) of said Southeast Quarter ($\frac{1}{4}$); thence North 89 degrees 05 minutes 17 seconds East along said North line, a distance of 1,339.94 feet; thence South 00 degrees 58 minutes 55 seconds West, a distance of 398.53 feet; thence South 89 degrees 24 minutes 23 seconds West, a distance of 1,340.93 feet to the point of beginning; situated in the Township of Pine Creek, the County of Ogle and the State of Illinois.

Parcel Identification Number(s): 15-02-400-017

Common Location: 809 S. Harmony Road

EXHIBIT "B"
FINDINGS OF FACT AND RECOMMENDATION
OF THE ZONING BOARD OF APPEALS

Ogle County Zoning Board of Appeals

911 Pines Road
Oregon, IL 61061
815.732.1190
Fax: 815.732.3709

FINDINGS OF FACT AND RECOMMENDATION OF THE OGLE COUNTY ZONING BOARD OF APPEALS

This is the findings of fact and the recommendation of the Ogle County Zoning Board of Appeals concerning an application of David C. & Amy S. Eder, 6553 N. Deer Path Rd., Oregon, IL in case #02-17AM. The applicants are requesting a Map Amendment to change the zoning classification from AG-1 Agricultural District to R-1 Rural Residence District on Parcel Identification No. 15-02-400-017, a 12.4-acre parcel located in part of the NW 1/4 of the SE 1/4 of Section 2, Township 23 North, Range 9 East of the 4th P.M., Ogle County, Illinois, and located in Pine Creek Township at 809 S. Harmony Road.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on August 24, 2017 in the County Board Room, 3rd Floor, Ogle County Courthouse, Oregon, Illinois and hereby reports its findings of fact and recommendation(s) as follows:

SITE INFORMATION: See Staff Report (attached herewith).

ANALYSIS OF SIX STANDARDS: After considering all the evidence and testimony presented at the public hearing, this Board makes the following analysis of the six standards listed in Section 16-9-7G (Report by Zoning Board of Appeals) of the *Ogle County Amendatory Zoning Ordinance* that must all be found in the affirmative prior to recommending granting of the petition.

1. That the proposed amendment will allow development that is compatible with existing uses and zoning of nearby property. **Large-lot residential use of the site will not adversely affect surrounding agricultural operations, the site is adjacent to other existing non-farm dwellings, there are 10 non-farm dwellings within 1/4 mile of the site, and the site is approximately 1/2 mile from the nearest livestock management facility. Standard met.**
2. That the County of Ogle and other service providers will be able to provide adequate public facilities and services to the property (including, but not necessarily limited to, schools, police and fire protection, roads and highways, water supply and sewage disposal), while maintaining adequate public facilities and levels of service to existing development. **The site is located on a seal coat surface road, and will generate a low density of development that requires a relatively low level of services. Standard met.**
3. That the proposed amendment will not result in significant adverse impacts on other property in the vicinity of the subject site or on the environment, including air, noise, stormwater management, wildlife and natural resources. **Little or no adverse impacts on other property in the vicinity of the subject site or on the environment are anticipated from the development of the site for residential use. Standard met.**
4. That the subject property is suitable for the proposed zoning classification. **The site is not in agricultural production, is located within a rural residential area, is adjacent to other existing non-farm residential parcels, is located on a seal coat surfaced road, and has a low LESA score. Standard met.**

5. That the proposed zoning classification is consistent with the trend of development, if any, in the general area of the subject property including changes, if any, which have taken place since the day the property in question was placed in its present zoning classification. **There is a trend of development in the vicinity of residential uses, as there are 10 non-farm dwellings within 1/4 mile of the site. The proposed zoning classification of R-1 Rural Residence District is consistent with this trend of development. Standard met.**

6. That the proposed amendment is consistent with the public interest and not solely for the interest of the applicant, giving due consideration to the stated purpose and intent of the Amendatory Zoning Ordinance as set forth in Division 1 therein, the Land Evaluation and Site Assessment (LESA) findings (if applicable), and the recommendation(s) of the Ogle County Regional Planning Commission with respect to the *Ogle County Amendatory Comprehensive Plan*. **The LESA score indicates a low rating for protection, and the proposed amendment is consistent with the purpose and intent of the Amendatory Zoning Ordinance. The Zoning Board of Appeals has given due consideration that the Regional Planning Commission has recommended approval. Standard met.**

RECOMMENDATION: We find that the proposed map amendment requested meets all the standards for recommending granting as found in Section 16-9-7G of the *Ogle County Amendatory Zoning Ordinance* and that such request is in the public interest. Therefore, the Zoning Board of Appeals hereby recommends that the zoning district classification of the property described above be changed from AG-1 Agricultural District to R-1 Rural Residence District.

ROLL CALL VOTE: The roll call vote was 5 members for the motion to recommend granting, 0 opposed.

Respectfully submitted this 24th day of August 2017 by the Ogle County Zoning Board of Appeals.

**Randy Ocken, Chairman
Maynard Stivers
Paul Soderholm
James Reed
Mark Hayes**

Randy Ocken, Chairman

ATTEST:



Michael Reibel, Secretary

O-2017-0903

Ogle County

ORDINANCE AMENDING ORDINANCE O-2015-1201
AN ORDINANCE
AMENDING LEE OGLE ENTERPRISE ZONE BOUNDARY

WHEREAS, the Ogle County Board has previously adopted Ordinance No. O-2015-1201 with respect to the Lee Ogle Enterprise Zone and the Enterprise Zone Intergovernmental Agreement by and among the City of Dixon, Lee County, the City of Rochelle and Ogle County; and

WHEREAS, the parties have indicated their willingness and desire to expand the Enterprise Zone to include certain industrial and commercial property in the City of Amboy; and

WHEREAS, the Board of Ogle County, Illinois, hereby makes those findings set forth in said Enterprise Zone Intergovernmental Agreement, including the required statutory findings relating to contiguity, total area and satisfaction of at least three (3) of the ten criteria, the "Ten Tests".

NOW THEREFORE, BE IT ORDAINED by the Ogle County Board and Board Chairman, in Ogle County, Illinois, as follows:

SECTION 1: That an Ordinance dated December 15, 2015 regarding the Lee Ogle Enterprise Zone, is amended as follows:

SECTION 2: The City of Amboy, Illinois is hereby added as a "Designating Unit of Government" of the Lee Ogle Enterprise Zone.

SECTION 3: Section 5 of Ordinance O-2015-1201, ADMINISTRATION FEES, Lee Ogle Enterprise Zone Funding Formula for EZ Administration Operating Expense, is amended as provided here:

Lee Ogle Enterprise Zone Area and Funding Formula for EZ Administration Operating Expense
Amended Calculations incorporating new Amboy Zone Territory

O-2017-0903

Population Lee & Ogle Counties Source: 2010 US Decennial Census

Lee County: 36,031 (Dixon: 15,692, Amboy: 2,500)

Ogle County: 53,497 (Rochelle: 9,574)

Both Counties 89,528

Administration Budget of \$.75 Per Capita for Base Year \$67,146.00

Total area per EZ Statute 9600.00 acres

LEE COUNTY AREA PORTION		Percent of Zone
To Unincorporated Lee	3206.40 acres	37.05%
To Dixon	1157.32 acres	13.37%
To Amboy	73.97 acres	0.85%
50% of Connector Strips	9.10 acres	<u>0.11%</u>
Total Area to Lee County	4446.79 acres	51.39%

OGLE COUNTY AREA PORTION		Percent of Zone
To Unincorporated Ogle	1066.92 acres	12.33%
To Rochelle	3130.40 acres	36.18%
50% of Connector Strip	9.10 acres	<u>0.11%</u>
Total To Ogle County	4206.42 acres	48.61%

BOTH COUNTIES		
Zone Parcel Acreage	8635.01 acres	99.79%
Connector Strips	18.20 acres	<u>0.21%</u>
Total area allocated to Zone	8653.21 acres	100.00%

Total Area allocated to Zone	8653.21 acres	90.14%
Acres in reserve (unallocated)	946.79 acres	<u>9.86%</u>
Percent of Statutory 9600 Acres		100.00%

LEE COUNTY FINANCIAL SHARE	
Lee County Share	\$10,951
Dixon Share	\$22,885
Amboy Share	\$ 670
51.39% of \$67,146.00 Budget	\$34,506

OGLE COUNTY FINANCIAL SHARE	
Ogle County Share	\$ 8,276
Rochelle Share	\$24,364
48.61 % of \$67,146.00 Budget	\$32,640

Total Budget for Administration \$67,146

Budget shall be adjusted each year for the following year according to the 3-year rolling average of each year's annualized October CPI published by the US-BLS.

SECTION 4: In all other respects Ordinance O-2015-1201, shall remain in full force and effect.

SECTION 5: Amendment 1 to Addendum "A", "Lee Ogle Enterprise Zone Description for Recording", shall include Lee County Parcel Identification Numbers (PINs) within the city of Amboy, a copy of which is attached hereto and made a part hereof.

SECTION 6: The Ogle County Board, County Clerk and Board Chairman are authorized

to execute any and all documents necessary to implement this ordinance, including but not limited to Amendment No. 1 to Addendum "B", the original Intergovernmental Agreement Regarding Administration of an Enterprise Zone, Dated December 15, 2015, a copy of which is attached hereto and made a part hereof.

SECTION 7: The provisions and Sections of this Ordinance shall be deemed to be separable, and the validity of any portion of this Ordinance shall not affect the validity of the remainder.

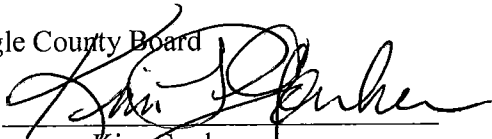
SECTION 8: All ordinances and parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 9: This Ordinance shall take effect upon its passage, approval and publication as required by law.

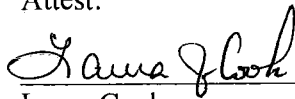
Passed by the Ogle County Board and the Ogle County Board Chairman, this 19th day of September, 2017.

The Ogle County Board

By:


Kim Gouker,
Ogle County Board Chairman

Attest:


Laura Cook,
Ogle County Clerk



AMENDMENT 1 TO ADDENDUM "A"
LEE OGLE ENTERPRISE ZONE
DESCRIPTION FOR RECORDING

The LEE OGLE ENTERPRISE ZONE being situated in the County of Lee and County of Ogle and the State of Illinois and described in Addendum A is hereby amended to include the following listed parcels described by their Permanent Parcel Numbers (PIN) assigned by the respective county in which they are located: and describing each parcel's individual amount of acreage; with total additional acreage including LEE OGLE ENTERPRISE ZONE CONNECTOR STRIPS described below, containing 75.14 acres more or less.

Amended total acreage, for LEE OGLE ENTERPRISE ZONE, with total acreage for LEE OGLE ENTERPRISE ZONE CONNECTOR STRIPS described below, 8,653.21 acres more or less.

LOCATION INDEXING LIST – REFERENCE ONLY

Zone parcels listed for Lee County are additionally referenced within the Location Indexing List by location referenced by Township, Range, Section and Quadrant pursuant to the requirement of the Lee County Recorder. The requirement enables the recording of document references in the Land Tract Book records of Lee County. This Location Indexing List is for Lee County Land Tract Book referencing purposes only and shall not signify Zone territory status for any individual parcel or parcels.

LEE OGLE ENTERPRISE ZONE CONNECTOR STRIPS INCLUDED ABOVE -

Part of Lee County, Illinois and Ogle County, Illinois composed of connector strips being three (3) feet wide and establishing geographic contiguity in accordance with the Illinois Enterprise Zone Act (20 ILCS 655/1 *et seq.*), and connecting all individual parcels listed herein and groups of contiguous parcels listed herein composing the Parcel PIN List of the Lee Ogle Enterprise Zone, containing 18.20 acres more or less.

ADDITIONAL PIN List: (follows)

Lee PIN 10-digit	Lee PIN 12-Digit	Acres Rounded
1515226010	021515226010	1.04
1515226011	021515226011	1.03
1515226012	021515226012	0.88
1515226013	021515226013	0.79
1515227001	021515227001	1.13
1515227002	021515227002	1.18

1515227003	021515227003	1.35
1515227004	021515227004	1.18
1515227005	021515227005	1.28
1515227006	021515227006	1.55
1515227007	021515227007	0.77
1515227008	021515227008	1.06
1515253025	021515253025	0.77
1515301011	021515301011	9.44
1515403007	021515403007	0.32
1515429002	021515429002	0.41
1515429018	021515429018	1.74
1515430012	021515430012	0.6
1515430016	021515430016	1.51
1515430017	021515430017	0.64
1515431001	021515431001	5.65
1515476005	021515476005	0.33
1522201012	021522201012	0.74
1522201013	021522201013	0.81
1522201017	021522201017	0.72
1522203001	021522203001	0.38
1522203004	021522203004	0.34
1522203005	021522203005	0.07
1522203006	021522203006	0.1
1522203007	021522203007	0.1
1522203008	021522203008	0.07
1522203011	021522203011	0.06
1522203012	021522203012	0.04
1522203013	021522203013	0.03
1522203014	021522203014	0.08
1522203015	021522203015	0.05
1522203016	021522203016	0.02
1522203017	021522203017	0.12
1522203026	021522203026	0.25
1522203027	021522203027	0.17
1522204009	021522204009	0.03
1522204010	021522204010	0.06
1522204013	021522204013	0.09
1522204014	021522204014	0.09
1522204015	021522204015	0.08
1522204016	021522204016	0.1
1522204017	021522204017	0.23

1522204018	021522204018	0.07
1522204019	021522204019	0.18
1522204020	021522204020	0.17
1522206005	021522206005	12.03
1522206006	021522206006	0.57
1522208005	021522208005	0.02
1522208008	021522208008	0.1
1522208012	021522208012	0.09
1522208013	021522208013	0.16
1522208014	021522208014	0.14
1522208022	021522208022	0.14
1522208023	021522208023	0.21
1522208024	021522208024	0.64
1522208025	021522208025	0.15
1522208026	021522208026	0.29
1522208027	021522208027	0.03
1522208028	021522208028	0.35
1522226001	021522226001	0.1
1522226011	021522226011	0.9
1522230008	021522230008	0.37
1522230009	021522230009	1.24
1522234001	021522234001	0.29
1522234002	021522234002	0.29
1522276007	021522276007	7.22
1522276008	021522276008	6.85
1522277004	021522277004	1.91

Location Indexing List:

TWP_RNG_SEC	Quadrant	Township	Range	Section
201010	SE	20	10	10
201014	SW	20	10	14
201015	NE	20	10	15
201015	SE	20	10	15
201015	SW	20	10	15
201022	NE	20	10	22

AMENDMENT NO. 1 TO ADDENDUM "B"

TO THE INTERGOVERNMENTAL AGREEMENT "ADDENDUM B" MADE DECEMBER 15, 2015, BY AND BETWEEN THE CITY OF DIXON, THE COUNTY OF LEE, THE CITY OF ROCHELLE AND THE COUNTY OF OGLE REGARDING THE ADMINISTRATION OF THE LEE OGLE ENTERPRISE ZONE.

WHEREAS, the Designating Units of Government adopted Ordinances and an Intergovernmental Agreement establishing an Enterprise Zone, certified by the Department of Commerce and Economic Opportunity on January 1, 2017, including incorporated portions of the City of Dixon, unincorporated portions of the County of Lee, incorporated portions of the City of Rochelle and unincorporated portions of the County of Ogle; and

WHEREAS, the parties have indicated their willingness and desire to expand the Enterprise Zone to include certain industrial and commercial property in the City of Amboy; and

WHEREAS, a public hearing was held on August 21, 2017, in the Enterprise Zone, on the question of expanding the Enterprise Zone to include industrial and commercial properties in the City of Amboy; and

WHEREAS, the said areas to be added to the Lee Ogle Enterprise Zone meet the statutory requirements of contiguity to the existing zone, not exceeding available space for the zone, and meeting at least 3 of the criteria ("the ten tests"); and

NOW, THEREFORE, in consideration of the foregoing premises, the Designating Units of Government agree that the intergovernmental agreement shall be amended in the following respects:

A. The City of Amboy, Illinois is hereby added as a "Designating Unit of Government" of the Lee Ogle Enterprise Zone.

B. CHANGE TO SECTION I OF THE INTERGOVERNMENTAL AGREEMENT- GENERAL PROVISIONS

Subsection A) is hereby amended to read as follows:

A) Legal Description. The area as described in the original Lee Ogle Enterprise Zone Addendum "A" and Amendment 1 to Addendum "A" shall be designated as the Lee Ogle Enterprise Zone.

Subsection D) is hereby amended to read as follows:

D) **Administration Fees.**

2) **Designating Units of Government** – The Designating Units of Government agree to provide financial assistance to the organization employing the Zone Administrator. Said assistance shall be calculated using a per capita rate of \$.75 cents (seventy five cents) based on the population of the respective Designating Units of Government according to the most recent decennial census as well as allocation of Enterprise Zone Acreage as described below:

Lee Ogle Enterprise Zone Area and Funding Formula for EZ Administration
Operating Expense

Population Lee & Ogle Counties Source: 2010 US Decennial Census

Lee County: 36,031 (Dixon: 15,692, Amboy: 2,500)
Ogle County: 53,497 (Rochelle: 9,574)
Both Counties 89,528
Administration Budget of \$.75 Per Capita for Base Year \$67,146.00

Total area per EZ Statute	9600.00 acres		
LEE COUNTY AREA PORTION			
			Percent of Zone
To Unincorporated Lee	3206.40	acres	37.05%
To Dixon	1157.32	acres	13.37%
To Amboy	73.97	acres	0.85%
50% of Connector Strips	9.10	acres	<u>0.11%</u>
Total Area to Lee County	4446.79	acres	51.39%
OGLE COUNTY AREA PORTION			
			Percent of Zone
To Unincorporated Ogle	1066.92	acres	12.33%
To Rochelle	3130.40	acres	36.18%
50% of Connector Strip	9.10	acres	<u>0.11%</u>
Total To Ogle County	4206.42	acres	48.61%
BOTH COUNTIES			
Zone Parcel Acreage	8635.01	acres	99.79%
Connector Strips	18.20	acres	<u>0.21%</u>
Total area allocated to Zone	8653.21	acres	100.00%
			% of Statutory 9600 Acres
Total Area allocated to Zone	8653.21	acres	90.14%
Acres in reserve (unallocated)	946.79	acres	9.86%

O-2017-0903

LEE COUNTY FINANCIAL SHARE	
Lee County Share	\$10,951
Dixon Share	\$22,885
Amboy Share	\$ 670
51.39% of \$67,146.00 Budget	\$34,506
OGLE COUNTY FINANCIAL SHARE	
Ogle County Share	\$ 8,276
Rochelle Share	\$24,364
48.61 % of \$67,146.00 Budget	\$32,640
Total Budget for Administration	\$67,146

C. CHANGE TO SECTION II OF THE INTERGOVERNMENTAL AGREEMENT– DEFINITIONS

Subsection D) is hereby amended to read as follows:

- D) “Eligible Special Uses, Variations” as defined herein are considered Eligible Project Types when the Special Use or Variation is granted pursuant to local ordinance of the applicable Designating Unit of Government where the project is located.

City of Dixon Districts for Eligible Project Types:

- B-1 Limited Neighborhood Business District
- B-2 General Business District
- CBD Central Business District
- BH-1 Interchange Planned Unit Development District
- LM Limited Manufacturing/Business Park District
- GM General Manufacturing District

City of Amboy Districts for Eligible Project Types

- C-1 Neighborhood Commercial District
- C-2 General Commercial District
- I-1 Light Industrial District
- I-2 Heavy Industrial District

Lee County Districts for Eligible Project Types:

- C-1 Neighborhood Office and Business District
- C-2 Planned Office and Business District
- C-3 General Business District
- I-1 Planned Industrial District
- I-2 General Industrial District
- PUD Planned Unit Development
- DPA Detailed Planning Area

Rochelle Districts for Eligible Project Types:

Commercial Districts

- B-1 Central Business District (CBD)
- B-2 Highway Commercial District
- B-3 Neighborhood Commercial District

Industrial Districts

- I-1 Light (limited) Industry District
- I-2 General Industrial District
- I-3 Heavy Industrial District

Overlay Districts

- TTO Transportation Overlay District
- TOD Technology Overlay District

Ogle County Districts for Eligible Project Types:

- B-1 Business District
- B-2 Business Recreational District
- B-3 Restricted Interstate Highway Area Business District
- I-1 Industrial District
- PD Planned Development District

D. CHANGE TO SECTION III OF THE INTERGOVERNMENTAL AGREEMENT– DESIGNATING UNITS OF GOVERNMENT PROPERTY TAX ABATEMENT POLICIES

Subsection B) is hereby amended to read as follows:

B) City of Dixon, City of Amboy, County of Lee, City of Rochelle and County of Ogle Property Tax Abatement - In no event shall any abatement of taxes on any property exceed the amount attributable to the construction of the improvements or the renovation or rehabilitation of existing improvements on such property.

1) Commencing on or after January 1, 2017, taxes on real property levied by the City of Dixon, City of Amboy, County of Lee, the City of Rochelle and the County of Ogle, whichever is applicable, shall be abated on approved property located within the boundary of the Enterprise Zone, as certified by the Department, and upon which new improvements have been constructed as follows:

- a) For taxes levied in the first year of abatement: 50%
- b) For taxes levied in the second year of abatement: 50%
- c) For taxes levied in the third year of abatement: 50%
- d) For taxes levied in the fourth year of abatement: 50%
- e) For taxes levied in the fifth year of abatement: 50%
- f) For taxes levied in the sixth year of abatement: 50%

O-2017-0903

Said abatements shall be for six (6) consecutive years beginning with the real estate taxes payable in the year following the first full year of a project's commercial operation after which said improvements have been made and fully assessed. Abatement for a specific project will cease after the sixth year or upon expiration, termination or decertification of the Zone, whichever is sooner.

2) The above property tax abatements shall be applicable solely for Eligible Project Types for improvements to real property upon which new construction, improvements, renovation or rehabilitation, for which a building permit is required and one has been obtained, has been completed after January 1, 2017, and before the expiration, termination or decertification of the Zone, whichever is sooner. Abatement shall only apply to the incremental increase in real estate taxes assessed as a result of the project and its related improvements.

In all other respects, the Intergovernmental Agreement dated December 15, 2015 shall remain in full force and effect.

This Amendment No. 1 may be executed in any number of counterparts and any party hereto may execute any such counterparts, each of which when executed and delivered shall be deemed to be an original and all of which counterparts taken together shall constitute one and the same instrument. This Amendment No. 1 shall become binding when one or more of the counterparts taken together shall have been executed and delivered by the parties. It shall not be necessary in making proof of this Amendment No. 1 or any counterpart hereof to produce or account for any other counterparts.

(the signature of the parties appears on the following page)

Dated this ____ day of _____, 2017

City of Dixon

City of Amboy

County of Lee

By: _____

By: _____

By: _____

Mayor

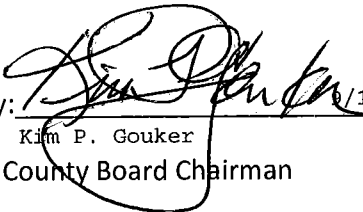
Mayor

County Board Chairman

City of Rochelle

County of Ogle

By: _____

By:  /19/2017

Mayor

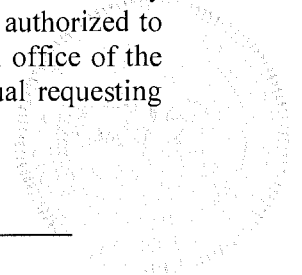
Kim P. Gouker
County Board Chairman

**NOTICE OF INTENT TO ISSUE BONDS
AND RIGHT TO FILE PETITION
AND HEARING ON PROPOSED ISSUANCE**

Notice is hereby given that pursuant to Ordinance No. 2017-0904, adopted on September 19, 2017, the County of Ogle, Illinois (the "County"), intends to issue alternate bonds, being general obligation bonds (the "Bonds") payable from the hereinafter identified revenue source, in an aggregate principal amount not to exceed \$28,000,000, and bearing interest per annum at not to exceed the maximum rate authorized by law at the time the Bonds are sold, for the purpose of (i) financing various capital improvements within the County, including, but not limited to, building and equipping a new jail facility within the County, including, in connection with said work, acquisition of all land or rights in land, mechanical, electrical, and other services necessary, useful, or advisable thereto (the "Project") and (ii) paying certain costs of issuance thereof. The Bonds shall payable from (i) collections distributed to the County from tipping fees and any other host fees received by the County from owners or operators of landfills located within the County, or substitute fees therefor as provided in the future and (ii) ad valorem taxes of the County for which its full faith and credit have been irrevocably pledged, unlimited as to rate or amount. The ordinance authorizing the issuance of the Bonds is attached hereto and appears below this notice.

Notice is hereby further given that if a petition signed by 2,227 or more of registered voters (said number being the greater of (i) seven and one-half percent (7½%) of the registered voters in the County or (ii) the lesser of 200 registered voters or 15% of registered voters), asking that the question of the issuance of the Bonds be submitted to the electors of the County, is filed with the County Clerk within forty-five (45) days after the date of the publication, asking that the question of the issuance of the Bonds (the "Proposition") be submitted to referendum, then the Proposition shall be submitted to the electors of the County at the general primary election to be held on the 20th day of March, 2018, unless there are no voters scheduled to cast votes for any candidates for nomination for, election to or retention in public office, in which case the Proposition shall be submitted to the electors of the County at the general election to be held on the 6th day of November, 2018. If no petition is filed with the County Clerk within said 45-day period, then this Ordinance shall be in full force and effect and the Bonds shall be authorized to be issued. A petition form shall be provided by the County Clerk at the principal office of the County, located at 105 South Fifth Street, #104, Oregon, Illinois, to any individual requesting one.

/s/ Laura J. Cook _____
County Clerk
County of Ogle, Illinois



Section 5. Additional Proceedings. If no petition meeting the requirement of applicable law is filed during the petition period hereinabove referred to, then the preparation and distribution of a preliminary official statement relating to the Bonds is hereby approved, and the County Board Chairman is hereby authorized to deem the preliminary official statement nearly final.

Section 6. Severability. If any section, paragraph, clause or provision of this Ordinance shall be held invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 7. Repealer. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

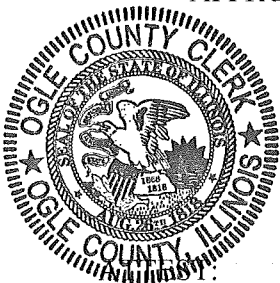
Section 8. Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

AYES: Nardman, Beising, Smith, Sparrow, Tyler, Whalen, Bowers, and Gouker
Colburn, Colson, Finguel, Fitz, Druffler, Maenwald, Heuer, Hopkins, Jones, Brandy, McKinney
NAYS: Meyer + Saunders

ABSENT: Altman, Williams + Bolin

PASSED this 19th day of September, 2017.

APPROVED by me this 19th day of September, 2017.



By: Kim P. Gouker
Its: Kim P. Gouker
Board Chairman, County of Ogle, Illinois

By: Laura J. Cook
Its: Laura J. Cook
County Clerk, County of Ogle, Illinois

amount not to exceed \$28,000,000 for the purpose of providing funds for the Project and to pay the Costs:

NOW THEREFORE, Be It Ordained by the County Board of the County of Ogle, Illinois, as follows:

Section 1. Incorporation of Preambles. The Corporate Authorities hereby find that all of the recitals contained in the preambles to this Ordinance are full, true and correct and do incorporate them into this Ordinance by this reference.

Section 2. Determination To Issue Bonds. It is necessary and in the best interests of the County that, to complete the Project and pay the Costs, alternate bonds of the County are hereby authorized to be issued, in one or more series, and sold in an aggregate principal amount not to exceed \$28,000,000, known as "General Obligation Bonds (Alternate Revenue Source)" (the "Bonds") of the County, said Bonds being payable from collections distributed to the County from tipping fees and any other host fees received by the County from owners or operators of landfills located within the County, or substitute fees therefor as provided in the future (the "Pledged Revenues") and (ii) ad valorem taxes of the County for which its full faith and credit have been irrevocably pledged, unlimited as to rate or amount (the "Pledged Taxes").

Section 3. Publication. This Ordinance, together with a notice in the statutory form, shall be published once within ten days after passage hereof by the Corporate Authorities in the *Ogle County Life* and the *Rochelle News Leader*, being newspapers of general circulation in the County, and if no petition, signed by 2,227 electors (said number being the greater of (i) seven and one-half percent (7½%) of the registered voters in the County or (ii) the lesser of 200 registered voters or 15% of registered voters), asking that the question of the issuance of the Bonds be submitted to the electors of the County, is filed with the County Clerk within forty-five (45) days after the date of the publication, asking that the question of the issuance of the Bonds (the "Proposition") be submitted to referendum, then the Proposition shall be submitted to the electors of the County at the general primary election to be held on the 20th day of March, 2018, unless there are no voters scheduled to cast votes for any candidates for nomination for, election to or retention in public office, in which case the Proposition shall be submitted to the electors of the County at the general election to be held on the 6th day of November, 2018. If no petition is filed with the County Clerk within said 45-day period, then this Ordinance shall be in full force and effect and the Bonds shall be authorized to be issued. A petition form shall be provided by the County Clerk at the principal office of the County, located at 105 South Fifth Street, #104, Oregon, Illinois, to any individual requesting one.

Section 4. Additional Ordinances. If no petition meeting the requirements of applicable law is filed during the petition period hereinabove referred to, then the Corporate Authorities may adopt additional ordinances or proceedings supplementing or amending this Ordinance providing for the issuance and sale of the Bonds and prescribing all the details of the Bonds, so long as the maximum amount of the Bonds as set forth in this Ordinance is not exceeded and there is no material change in the purposes described herein. Such additional ordinances or proceedings shall in all instances become effective in accordance with applicable law. This Ordinance, together with such additional ordinances or proceedings, shall constitute complete authority for the issuance of the Bonds under applicable law.

ORDINANCE NO. 2017-0904

AN ORDINANCE authorizing the issuance of General Obligation Bonds (Alternate Revenue Source), in one or more series, of the County of Ogle, Illinois, in an aggregate principal amount not to exceed \$28,000,000 for the purpose of financing the costs of certain capital projects within the County and paying for costs related thereto.

WHEREAS, the County of Ogle, Illinois (the "County"), is a non-home rule county and body politic and corporate of the State of Illinois, duly created under the laws of the State of Illinois and organized and existing under the Counties Code of the State of Illinois, as amended from time to time (the "Counties Code"), and having the powers, objects and purposes provided by said Counties Code; and

WHEREAS, the County Board of the County (the "Corporate Authorities") has determined that it is necessary to (i) finance various capital improvements within the County, including, but not limited to, building and equipping a new jail facility within the County, including, in connection with said work, acquisition of all land or rights in land, mechanical, electrical, and other services necessary, useful, or advisable thereto (the "Project") and (ii) pay certain costs of issuance of the Bonds (as such term is hereinafter defined), all for the benefit of the inhabitants of the County; and

WHEREAS, the estimated cost of the Project, including legal, financial, bond discount, if any, printing and publication costs, capitalized interest, if any, and other expenses (collectively, the "Costs"), will not exceed \$28,000,000, and there are insufficient funds on hand and lawfully available to pay such costs; and

WHEREAS, up to \$28,000,000 of alternate bonds need to be issued at this time pursuant to the Local Government Debt Reform Act of the State of Illinois, 30 ILCS 350/1 to 350/18, as amended (the "Act"); and

WHEREAS, it is necessary for the best interests of the County that the Project be completed, and in order to raise funds required for such purpose it will be necessary for the County to borrow an aggregate principal amount of not to exceed \$28,000,000 and in evidence thereof to issue alternate bonds, being general obligation bonds payable from collections distributed to the County from tipping fees and any other host fees received by the County from owners or operators of landfills located within the County, or substitute fees therefor as provided in the future (the "Pledged Revenues"), all in accordance with the Act; and

WHEREAS, if the above-mentioned revenue source is insufficient to pay the alternate bonds, ad valorem property taxes upon all taxable property in the County, without limitation as to rate or amount (the "Pledged Taxes"), are authorized to be extended to pay the principal of and interest on the alternate bonds; and

WHEREAS, pursuant to and in accordance with the provisions of Section 15 of the Act, the County is authorized to issue alternate bonds, in one or more series, in an aggregate principal

PETITION

To the County Clerk of the County of Ogle, Illinois:

We, the undersigned, being registered voters of the County of Ogle, Illinois (the "County"), do hereby petition you to cause the question of issuing General Obligation Bonds (Alternate Revenue Source) (the "Bonds") of said County for the purpose of (i) financing various capital improvements within the County, including, but not limited to, building and equipping a new jail facility within the County, including, in connection with said work, acquisition of all land or rights in land, mechanical, electrical, and other services necessary, useful, or advisable thereto and (ii) paying certain costs of issuance thereof, with said Bonds being payable from (i) collections distributed to the County from tipping fees and any other host fees received by the County from owners or operators of landfills located within the County, or substitute fees therefor as provided in the future and (ii) ad valorem taxes of the County for which its full faith and credit have been irrevocably pledged, unlimited as to rate or amount to be certified to the County Clerk of Ogle County, Illinois, and submitted to the electors of said County at the next election to be held at which said question may be voted upon.

<u>Name</u>	<u>Address</u>	<u>City/Village</u>
_____	_____	_____, Ogle County, Illinois
_____	_____	_____, Ogle County, Illinois
_____	_____	_____, Ogle County, Illinois
_____	_____	_____, Ogle County, Illinois
_____	_____	_____, Ogle County, Illinois
_____	_____	_____, Ogle County, Illinois
_____	_____	_____, Ogle County, Illinois
_____	_____	_____, Ogle County, Illinois
_____	_____	_____, Ogle County, Illinois
_____	_____	_____, Ogle County, Illinois
_____	_____	_____, Ogle County, Illinois
_____	_____	_____, Ogle County, Illinois

I, _____ of _____ (insert residence address), _____, Illinois, do hereby certify that I am a citizen of the United States and at least 18 years of age or older, and in the County of Ogle, Illinois, and that the signatures on this petition were signed in my presence, and are genuine, and, to the best of my knowledge and belief, the persons so signing were at the time of signing this petition registered voters of said County and that their respective addresses are correctly stated herein.

/s/ _____

Subscribed and sworn to before me this _____ day of _____, 2017.

Illinois Notary Public

My Commission Expires: _____

BINA Notice Form

The County Board Chairman and the County Board of the County of Ogle, Illinois will hold a public hearing on October 17, 2017 at 5:30 p.m. The hearing will be held in the County Board Room at the Ogle County Courthouse located at 105 South Fifth Street, #317, in Oregon, Illinois. The purpose of the hearing will be to receive public comments on the proposal to sell bonds in the amount of up to \$28,000,000 for the purpose of (i) financing various capital improvements within the County, including, but not limited to, building and equipping a new jail facility within the County, including, in connection with said work, acquisition of all land or rights in land, mechanical, electrical, and other services necessary, useful, or advisable thereto and (ii) paying certain costs of issuance thereof.

By: /s/ Laura J. Cook

Title: County Clerk

Note to Publisher: The above notice is to be published one time on or before 7 days before the hearing, but not prior to 30 days before the hearing. Suggest sometime in the week of _____, 2017. **The publication may be in the "legals" or "classified" section of the paper. NO SPECIAL BORDER IS REQUIRED FOR THIS PUBLICATION. DO NOT USE ANY SPECIAL BORDER.** Please send your statement to:

County Clerk
The County of Ogle
105 South Fifth Street
Oregon, Illinois 61061


and send two publication certificates (and text) to Ice Miller LLP, 200 West Madison Street, Suite 3500, Chicago, Illinois 60606-3417, Attention Jenine Phillips.

PUBLISHER: DO NOT PRINT THE FOLLOWING:

County Board Chairman's Approval and Order Setting Public Hearing:

The undersigned, County Board Chairman of the above Municipality hereby approves and orders the setting of the above Bond Issue Notification Act hearing.

Date: 9-19, 2017



County Board Chairman

When signed by the County Board Chairman, please date and fax back to Ice Miller LLP, Attention: Jenine Phillips at 312/726-2694.