

148-O-18

AN ORDINANCE

**Amending City Code Section 3-25-2, "Imposition of Tax,"
To Increase the Real Estate Transfer Tax for Sales with a Price over
\$1,500,000.01**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
EVANSTON, COOK COUNTY, ILLINOIS:**

SECTION 1: Section 3-25-2 "Imposition of Tax" within Chapter 25 "Real Estate Transfer Tax" of the Evanston City Code of 2012, as amended, is hereby further amended to read as follows:

3-25-2. - IMPOSITION OF TAX.

A tax is imposed on the transfer of Title to real property located in the City as evidenced by the recordation of a deed by any person or by the delivery of any deed or assignment of interest of said real property whether investing the owner with the beneficial interest in or legal Title to said property or merely the possession or use thereof for any purpose or to secure future payment of money or the future transfer of any such real property.

The tax imposed shall be determined on the sale price as follows:

- (A) For sale prices up to one million five hundred thousand dollars (\$1,500,00.00), the tax imposed is five dollars (\$5.00) for every one thousand dollar (\$1,000.00) value or fraction thereof as stated in the declaration, per transaction.
- (B) For sales prices from one million five hundred thousand dollars and one cent (\$1,500,000.01) to five million dollars (\$5,000,000), the tax imposed is seven dollars (\$7.00) for every one thousand dollars (\$1,000.00) of value, or fraction thereof as stated in the declaration, per transaction,
- (C) For sales prices from five million dollars and one cent (\$5,000,000.01) or more, the tax imposed is nine dollars (\$9.00) for every one thousand dollars (\$1,000.00) of value, or fraction thereof, per transaction.
- (D) The term "deed" as used in this Section shall mean all documents transferring or reflecting the transfer of legal Title, equitable Title, or both legal and equitable Title to real property, or the beneficial interest in a land trust. Delivery of any deed shall be deemed to have occurred when the transferee or purchaser, or his/her representative or agent, receives possession of the deed or in the case of a land trust when the

trustee receives possession of a valid assignment of a beneficial interest.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: If any provision of this ordinance or application thereof to any person or circumstance is held 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 4: This Ordinance 148-O-18 shall be in full force and effect on January 1, 2019, after its passage, approval, and publication in the manner provided by law.

SECTION 5: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: November 12, 2018

Adopted: November 19, 2018

Approved:

December 7, 2018

Stephen H. Hagerty
Stephen H. Hagerty, Mayor

Attest:

Devon Reid
Devon Reid, City Clerk

Approved as to form:

Michelle L. Masoncup
Michelle L. Masoncup, Corporation Counsel