

**161-O-19**

**AN ORDINANCE**

**Authorizing the Termination of Special Service Area Number 4 and the Reestablishment of the Special Service Area as Special Service Area Number 9 in the City of Evanston**

**WHEREAS**, the City of Evanston, Illinois is a Home Rule unit of local government pursuant to the terms and provisions of Article VII of the 1970 Constitution of the State of Illinois which said Constitution in Section 6(a) thereof grants unto the City of Evanston as Home Rule unit of government the power to tax; and

**WHEREAS**, special service areas may be established pursuant to Article VII, Sections 6(l) and 7(6) of the Constitution of the State of Illinois, and pursuant to the provisions of the Special Service Area Tax Law, 35 ILCS 200/27-5 et seq., as amended from time to time (the "Act") and pursuant to the Property Tax Code, 35 ILCS 200/1-1 et seq., as amended from time to time; and

**WHEREAS**, special service areas are established pursuant to the Act and pursuant to the Property Tax Code (35 ILCS 200/1-1 et seq.); and

**WHEREAS**, on August 10, 1987, pursuant to Ordinance 46-O-87, the City Council of the City of Evanston ("City") enacted an ordinance (the "Establishment Ordinance") which established an area known and designated as Special Service Area Number 4 (the "SSA Area") and authorized the levy of an annual tax, for the period beginning in tax year 1988 (the "Original Levy Period"), not to exceed the lesser of annual rate of 0.28% of the equalized assessed value of the taxable property therein (the "Original Services Tax") or \$250,000 to provide certain services in and for the SSA

Area in addition to the services provided by the City of Evanston generally (the “SSA No. 4”). By terms of the ordinance, Special Service Area No. 4 was terminate in 1987; and

**WHEREAS**, on June 22, 1992, pursuant to Ordinance 47-O-92, did extend SSA No. 4 in the SSA Area described in Exhibit 1 for an additional 5 years to terminate in 1997; and

**WHEREAS**, on January 13, 1997, pursuant to Ordinance 116-O-96, SSA No. 4 was to terminate in 1997 and was extended another 10 years to terminate in 2007; and

**WHEREAS**, on July 9, 2007, pursuant to Ordinance 67-O-07, SSA No. 4 was to terminate in 2007 and was extended another 12 years, months and will terminate on December 31, 2019, if the SSA No. 4 is not extended once more; and

**WHEREAS**, on September 23, 2019, the City Council of the City of Evanston adopted Ordinance 109-O-19 proposing the extension of SSA No. 4 in the City of Evanston, Illinois and providing for a public hearing and other related procedures on November 25, 2019,

**WHEREAS**, THE City Council determines (a) that it is in the best interests of the City of Evanston to (i) terminate the authorization of the levy of the SSA No. 4, (ii) reestablish an area to be known and designated as SSA No. 9 with reconstituted boundaries (the “Area”) and the extension of the special services provided by SSA No. 4, and (iii) authorize a special annual services tax (the “Services Tax”) for a period of ten (10) years within the Area for the provision of special services as set forth herein; (b)

that the Area is contiguous; and (c) that the proposed Special Services are in addition to municipal services provided by the City of Evanston generally; and

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

**SECTION 1:** Incorporation of recitals. The recitals of this ordinance are hereby incorporated into this text as if set out herein in full.

**SECTION 2:** The notices of public hearing were published in the Evanston Review and mailed in conformity with the Special Service Area Tax Law and all interested persons were given the opportunity to be heard at the public hearing on November 25, 2019 at 7:15 p.m. in the City Council Chambers of the City of Evanston.

**SECTION 3:** Services to be provided by the SSA include marketing as well as aesthetic and streetscape improvements including signage, lighting, landscaping, and holiday decorations. The Area was determined by the need to create a contiguous district, taking care to exclude residential property PINs where possible.

**SECTION 4:** The permanent tax index numbers of all parcels located within the area of the proposed SSA No. 9 and legal descriptions are attached as Exhibit 1. An accurate map depicting the location of the reestablished SSA No. 9 is attached to and incorporated herein by reference as Exhibit 2.

**SECTION 5:** The annual tax levy shall not exceed 0.2460% for the duration of the ten (10) year SSA period.

**SECTION 6:** 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.

**SECTION 7:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

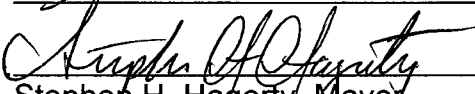
**SECTION 8:** This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

**SECTION 9:** If any provision of this ordinance or application thereof to any person or circumstance is ruled 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.

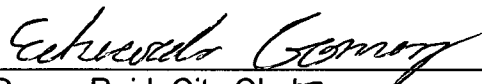
Introduced: November 25, 2019

Adopted: December 9, 2019

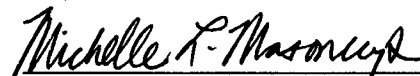
Approved:

December 17, 2019  
  
Stephen H. Hagerty, Mayor

Attest:

  
Devon Reid, City Clerk  
Eduardo Gomez, Deputy City Clerk

Approved as to form:

  
Michelle L. Masoncup, Corporation Counsel

**EXHIBIT 1****LEGAL DESCRIPTION OF PROPOSED SPECIAL SERVICE AREA & LIST OF PINS**

Legal Description of Special Service Area #9  
Downtown Evanston, Evanston, Illinois

That part of Section 18, Township 41 North, Range 14, East of the Third Principal Meridian bounded and described as follows:

Beginning at the intersection of the South line of Emerson Street and the East line of Ridge Avenue; thence East along the South line of Emerson Street to the west line of Maple Avenue; thence South along the West line of Maple Avenue to the South line of University Place extended; thence East along the South line of University Place and its extension to the East line of Lot 1 in Ivy Court Subdivision recorded as document number 98373123 extended; thence North along said East line and its extension to the Southeast line of Elgin Road; thence Southeast, along said Southeast line of Elgin Road to the West line of Benson Avenue; thence North along the West line of Benson Avenue to the South line of Emerson Street; thence East, along the South line of Emerson Street to the West line of Lot 4 in Block 6 in the Village of Evanston; thence South along the West line of said Lot 4 to the North line of the South Half of said Lot 4; thence East along the North line of the South Half of said Lot 4 to the East line of Lot 4; thence South along the East line of said Lot 4 to the North line of University Place; thence West along the North line of University Place to the Northeast line of Elgin Road; thence Southwesterly to the intersection of the South line of University Place and the Southwesterly line of Elgin Road; thence Southeasterly along the Southwesterly line of Elgin Road to the West line of Sherman Avenue; thence Southeasterly to the intersection of the East line of Sherman Avenue and the Southwest line of Elgin Road; thence Southeasterly along the Southeasterly line of Elgin Road to the intersection of the South line of Clark Street and the Northwesterly line of Orrington Avenue; thence Southwesterly along the Northwesterly line of Orrington Avenue to the extension of the North line of Lot 8 in Block 15 in said Village of Evanston; thence Southeasterly along said North line of Lot 8 to the Southeast line of the Northerly-Southerly alley in said Block 15; thence Northeasterly along said Southeast line of said alley to a line 11 feet Northeasterly of and parallel with the Northeast line of Lot 14 of said Block 15; thence Southeasterly along said parallel line to the Southeasterly line of Chicago Avenue; thence Northeasterly along the Southeasterly line of Chicago Avenue to the Southerly line of Clark Street; thence Southeasterly along the Southerly line of Clark Street to the Westerly line of the Northerly-Southerly alley; thence Southwesterly along said Westerly line of said alley to the North line of Church Street; thence Southwesterly to the intersection of the South line of Church Street and the Westerly line of the Northerly-Southerly alley in Block 20 in said Village of Evanston; thence Southwesterly along said Westerly line of said alley to an intersecting point with the extended South line of lot 11 in aforesaid Block 20; thence Southeasterly along said South line of Lot 11 to the Westerly line of Hinman Avenue; thence Southwesterly along said Westerly line of Hinman Avenue to the South line of Lot 2 in Block 26 of said Village of Evanston;

thence Northwesterly along the South line of said Lot 2 to a point on the West line of the Northerly-Southerly alley in said Block 26; thence Southwesterly along said West line to a line 18 feet Southwest of and parallel with the North line of Lot A of the Plat of Consolidation of lots 7 and 8 in said Block 26; thence Northwesterly along said parallel line to a line 100 feet Northwest of and parallel with said west line of alley; thence Southwesterly, along a line 100 feet Northwesterly and parallel with the West line of said alley to the North line of Grove Street; thence Northwesterly along said North line of Grove Street to its intersection with the west line and its extension of the North-South alley in Block 29 in said Village of Evanston; thence South along said West line and its extension to the North line of Lake Street; thence West along the North line of Lake Street to the East line of Elmwood Avenue; thence North along the East line of Elmwood Avenue to its intersection with the extension of the North line of the East-West alley in Block 53 in said Village of Evanston; thence West along said North line and its extension to the East line of Maple Avenue; thence North along the East line of Maple Avenue to the South line of Grove Street; thence Northwesterly to the intersection of the East line of Maple Avenue and the North line of Grove Street; thence West along the North line of Grove Street to the East line of Oak Avenue; thence North along the East line of Oak Avenue to its intersection with the South line and its extension of Lot 6 in Block 61 in said Village of Evanston; thence West along said South line and its extension to the East line of the North-South alley in said Block 61; thence North along said East line to the South line of Davis Street; thence North to the intersection of the North line of Davis Street and the East line of the North-South alley in Block 68 in Village of Evanston; thence North along the East line of said alley to the South line of the East-West alley in said Block 68; thence East along said South line and its extension to the East line of Oak Avenue; thence North along the East line of Oak Avenue to the South line of Church Street; thence North to the intersection of the North line of Church Street and the East line of Oak Avenue; thence North along the East line of Oak Avenue to the Southwesterly right of way of the Chicago and Northwestern Railway; thence Northwesterly along said right of way to the Easterly line of Ridge Avenue; thence Northeasterly to the point of beginning all in Cook County, Illinois.

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EXHIBIT 2

SPECIAL SERVICE AREA NO. 9 PROPOSED MAP

