

Meridian CUSD #223
OGLE COUNTY DEVELOPER DONATION ORDINANCE

Whereas, many Ogle County communities are undergoing rapid population growth resulting in increasing demands on public schools throughout the County; and

Whereas, new student populations make immediate demands on district programs, facilities and services, but new residential development does not provide property tax revenue until the year after the students arrive in the District; and

Whereas, it is manifestly unfair to require existing taxpayers to pay the entire costs of new student enrollment resulting from recent residential development;

Whereas, in response to this need, the County of Ogle has adopted a developer contribution ordinance requiring the donation of property or cash in lieu of property or a combination of both for residential developers building within Ogle County outside municipalities which have adopted developer donation ordinances; and

Whereas, the City of Rochelle has adopted a developer donation ordinance which reflects more closely the actual current value of residential development property than the current Ogle County Ordinance 6.0 *et seq.*; and

Whereas, it is the sense of the Board of Education of Meridian Community Unit School District # 223 that the developer donation ordinances in Ogle County should be brought into agreement as to valuation issues; and

Whereas, Illinois law permits school districts in counties having less than 3,000,000 population, including Ogle County, to submit to the County Board a written request that a meeting be held to discuss school land donations from a developer of a subdivision or resubdivision of land included within the area served by the school district; and

Whereas, it is the sense of the Board that such meeting should be requested with the County Board to harmonize the County's various developer donation ordinances; and

Whereas, the Superintendent is authorized to act on behalf of the Board, and may designate a representative or representatives to act on behalf of the Board;

NOW WHEREFORE BE IT RESOLVED:

1. That the Board hereby authorizes and directs the Superintendent to request a meeting with the County Board, acting in concert with other Ogle County School Districts with a like purpose, to discuss school land donations as provided in 55 ILCS 5/5-1041.1;
2. That the Board hereby authorizes the Superintendent to name a representative or representatives to address the District's interests, in his discretion;
3. That the Board wishes to propose an amendment to the County Developer Donation Ordinance in substantial conformity with the attached proposal;
4. That the Board adopts the recitals contained in the preamble to this resolution as if they were fully set forth in the body of this resolution.

ADOPTED BY THE FOLLOWING VOTE:

AYES: _____

NAYES: _____

ABSTAIN: _____

SIGNED: _____
President

ATTESTED: _____
Secretary

Exhibit A

The County Department of Planning and Zoning is directed to prepare a recalculated table of Per-Lot Contribution Amounts in accordance with this amendment which shall be presented for comment to the School Districts affected and submitted for approval to the County Board.

C. Time of Payment/Binding on Successors/ Notice to School District

The obligation to make the cash contributions shall be binding on the sub-divider or developer, any successors and assigns, and shall run with the land. Prior to approval of the final plat, the sub-divider or developer shall, in a form approved by the County; execute and acknowledge the obligation to make the cash contribution; file said acknowledgment with the County; deliver a copy thereof to each affected School District; and file a receipt of delivery, issued by each affected School District *and the Regional Office of Education for Ogle County, with the County Planning and Zoning Department.* The cash contribution required herein shall be paid for each unit prior to the issuance of a zoning certificate. Proof of payment, issued by the ~~School District~~ *Regional Office of Education and approved by the affected School District,* must be submitted to the Planning and Zoning Department prior to the issuance of a zoning certificate. No zoning certificate shall be issued until said payment has been made *to the Regional Office of Education which shall hold the funds in trust for the affected school district and transfer said funds for the purposes set forth in this Ordinance as soon as practicable.*