ORDINANCE NO. _____
_____ COUNTY

This Document Prepared By:

Phillip B. Lenzini
HEYL, ROYSTER, VOELKER & ALLEN, P.C.
300 Hamilton Blvd
Suite 200
Peoria, IL 61602
(309) 676-0400

Mail to:

_____
_____
_____

Street or Highway
Parcel
75 ILCS 16/15-25
Non-Referendum

ORDINANCE NO. _____

AN ORDINANCE ANNEXING TERRITORY TO THE
_____ PUBLIC LIBRARY DISTRICT
_____, ILLINOIS

WHEREAS, 75 ILCS 16/15-25 provides that any public library district may by ordinance annex contiguous territory dedicated for use as a street or highway under the jurisdiction of the Department of Transportation of the State of Illinois or a county or township highway department if no part of the annexed territory is within any other library district; and

WHEREAS, the Trustees of the _____ Public Library District, _____, Illinois, have reviewed and considered the status of the following described territory and property:

[here list property parcel]

and have determined that said territory or properties are contiguous to the present boundaries of the _____ Public Library District and presently are dedicated for use as a street or highway under the jurisdiction of the Department of Transportation of the State of Illinois or a county or township highway department and that no part of the territory is within any other library district; and

WHEREAS, it is in the best interests of the residents, taxpayers and users of the _____ Public Library for the territory to become a part of the _____ Public Library District.

NOW THEREFORE, be it ordained by the Board of Trustees of the _____ Public Library District, in the County of _____ and State of Illinois, as follows:

Section 1: That the property described as:

[here list property]

as shown in the attached plat, which is by reference made a part of this Ordinance is individually or collectively contiguous to the present boundaries of the _____ Public Library District, and suitable for annexation by ordinance under the Public Library District Act.

Section 2: This ordinance shall take effect and be in full

force and effect from and after its passage and approval according to the law, and a certified copy of this Ordinance together with a map depicting the territory described herein shall be filed in the office of the Recorder of Deeds and the County Clerk of _____ County, Illinois, and that shall constitute the exercise of the District's annexation of the territory described.

Passed by the Board of Trustees of the _____ Public Library District and approved by the President thereof this ____ day of _____, 20___.

APPROVED:

_____
President

ATTEST:

_____
Secretary

ANNEXATION STEPS (UNDER 75 ILCS 16/15-15)

1. Send Notice of Proposed annexation ordinance to Presidents of Library Boards within 1 mile of the territory to be annexed (i.e. _____ Public Library District; _____ Public Library District; _____ Public Library, _____ Public Library District) and post the notice on the Library's website;

2. Provide an opportunity for public comment on the proposed annexation referendum at the next Library Board meeting;

3. Agendize and adopt the Annexation Ordinance for referendum under 16/15-15;

4. Within 15 days of adoption, publish one time in the newspaper the Ordinance, map, and Notice of adoption which must include the ballot question and date of proposed referendum (i.e. _____, 20__);

5. Within 15 days of adoption, send notice with map, copy of ordinance and text of the notice of proposed annexation with ballot question and date of referendum to the Presidents of Library Boards within 1 mile of the territory to be annexed;

6. File certified copy of adopted Annexation Ordinance for referendum with map with the _____ County Clerk and get a receipt from clerk of filing;

7. File a G1-B, Certification of Ballot for public policy referendum with _____ County Clerk.

ORDINANCE NO. __-__

AN ORDINANCE FOR THE SUBMISSION OF THE PROPOSITION OF A PUBLIC LIBRARY ANNEXATION REFERENDUM, PURSUANT TO 75 ILCS 16/15-15, TO THE VOTERS OF _____ COMMUNITY UNIT SCHOOL DISTRICT ___ IN _____ COUNTY, ILLINOIS, AT THE ELECTION TO BE HELD ON _____, 20__

WHEREAS, 75 ILCS 16/15-15 provides that whenever a municipality or school district included partially within a public library district includes within its boundaries, territory contiguous to the public library district and without local tax supported public library service, the district may annex such territory by the passage of an ordinance calling for an election to that effect; and

WHEREAS, the Board of Trustees of the _____ Public Library, _____ County, Illinois, have considered the question of annexation of territory described as:

> "All of the unserved territory in _____ County within the present boundaries of the _____ Community Unit School District No. ____, in _____ County, Illinois."

and have determined that said territory is within the boundaries of the _____ Community Unit School District No. ___, a school district in _____ County, contiguous to, and within the territory of the _____ Public Library, without local tax supported public library service; and

WHEREAS, it is in the best interests of the owners of the territory described as the:

> "All of the unserved territory in _____ County within the present boundaries of the _____ Community Unit School District No. ___, in _____ County, Illinois."

and the residents, taxpayers and users of the _____ Public Library for the territory to become a part of the _____ Public Library.

NOW THEREFORE, be it ordained by the Board of Trustees of the _____ Public Library, presently in the County of _____ and State of Illinois, as follows:

Section 1: That the territory described as:

> "All of the unserved territory in _____ County within the present boundaries of the _____ Community Unit School District No. ___, in _____ County, Illinois."

is contiguous to the _____ Public Library and is presently without local tax supported library service. That the territory to be annexed is shown outlined on the map attached, which is made a part of this Ordinance, and is known and described as the territory in _____ County within the present boundaries of the _____ Community Unit School District No. ___.

Although the parcel shown on the map does not all presently lie within the _____ Public Library, it does lie within the boundaries of the _____ Community Unit School District No. ___ and School District No. ___ is included partially within the _____ Public Library.

Section 2: That pursuant to 75 ILCS 16/15-15, the _____ Public Library has the power to annex by referendum unto it such territory as is included in a municipality or school district which itself is included partially within a public library district and which is without local tax supported public library service, and therefore, the territory described above is

to be the referendum question at the _____ election of _____, 20__, in order upon a majority vote to be annexed and incorporated into the _____ Public Library currently in the County of _____, State of Illinois.

Section 3: This ordinance shall take effect and be in full force and effect from and after its passage and approval according to the law, and after filing a certified copy of this Ordinance and the map attached hereto in the offices of the Local Election Officials being the County Clerk of _____ County, Illinois, as provided by law. The Secretary, within 15 days of the passage and adoption of this Ordinance, shall cause to be published at least once in one or more newspapers published in the District and the territory to be annexed, or if no newspaper is published therein, then in one or more newspapers with a general circulation within the District and the territory to be annexed, of the notice required by 75 ILCS 16/15-15 and within the same 15 days shall cause a notice of the adoption of the Ordinance together with a map showing the boundaries of the territory to be annexed and a copy of the text of the publication notice to the President of the Board of Trustees of each public library with territory within one mile of the territory to be annexed.

Passed by the Board of Trustees of the _____ Public Library and approved by the President thereof and to be effective

immediately this ____ day of _____, 20__.

APPROVED:

POSTED: _____

_____
President

ATTEST:

_____
Secretary

STATE OF ILLINOIS)
) SS.
COUNTY OF _____)

CERTIFICATE

I, _____, do hereby certify that I am the duly appointed, qualified and now acting Secretary of the _____ Public Library in the County of _____ and State of Illinois; that attached hereto is a true and correct copy of the Library District's Ordinance No. __-__.

I further certify that this Ordinance was duly passed by the Board of Trustees of said Library District at a meeting held on the ____ day of _____, 20__; that said Ordinance was duly passed by yea and nay vote thereon with at least a majority of all the Board of Trustees having voted yea on the adoption and passage thereof and approved in accordance with the laws of the State of Illinois.

IN WITNESS WHEREOF, I signed my name in my official capacity as the Secretary of the Board of Trustees of the _____ Public Library, at _____, Illinois, this ____ day of _____, 20__.

_____
Secretary, _____
Public Library

NOTICE OF ORDINANCE NO. __-__

NOTICE OF AN ORDINANCE FOR THE SUBMISSION OF THE PROPOSITION OF A PUBLIC LIBRARY ANNEXATION REFERENDUM, PURSUANT TO 75 ILCS 16/15-15, TO THE VOTERS OF _____ COMMUNITY UNIT SCHOOL DISTRICT No. ___ IN _____ COUNTY, ILLINOIS, AT THE _____ ELECTION TO BE HELD ON _____, 20__

WHEREAS, 75 ILCS 16/15-15 provides that whenever a municipality or school district included partially within a public library district includes within its boundaries, territory contiguous to the public library district and without local tax supported public library service, the district may annex such territory by the passage of an ordinance calling for an election to that effect; and

WHEREAS, the Board of Trustees of the _____ Public Library, _____ County, Illinois, have considered the question of annexation of territory described as:

> "All of the unserved territory in _____ County within the present boundaries of the _____ Community Unit School District No. ___, in _____ County, Illinois."

and have determined that said territory is within the boundaries of the _____ Community Unit School District No. ___, a school district in _____ County, contiguous to, and within the territory of the _____ Public Library and without local tax supported public library service; and

WHEREAS, it is in the best interests of the owners of the territory to be annexed and the residents, taxpayers and users of the _____ Public Library for the territory to become a part of the _____ Public Library.

THEREFORE, the Board of Trustees of the _____ Public

Library, presently in the County of _____ and State of Illinois, adopted its Ordinance No. __-__ calling for the submission to the voters at the _____ election of _____, 20__ the following referendum proposition:

> "Shall the unserved territory in _____ County within the present boundaries of the _____ Community Unit School District No. ___, in _____ County be annexed to the _____ Public Library, _____ County, Illinois."

And pursuant to 75 ILCS 16/15-15, the Library District has the power to annex unto it such territory as is included in a school district which itself is included partially within a public library district and which is without local tax supported public library service.

This ordinance takes effect and is in full force and effect from and after its passage and approval according to the law, and after the required filings in the office of the County Clerk of _____ County, Illinois, as provided by law and the required notice publication in a newspaper published in the District and the territory being annexed and sending of notice to the President of the Board of Trustees of each public library with territory within one mile of the territory to be annexed.

Ordinance passed by the Board of Trustees of the _____ Public Library and approved by the President thereof and to be effective on the ____ day of _____, 20__.

Sent to: _____ PLD, and _____ PLD

TO BE PLACED ON LIBRARY LETTERHEAD

_____ __, 20__

President Board of Library Trustees
_____ Public Library District
_____
_____, Illinois 62___

RE: Notice of Annexation

Dear President:

PLEASE TAKE NOTICE that the Board of Library Trustees of the _____ Public Library proposes to adopt at its next meeting, _____, 20__, the attached annexation ordinance under the Public Library District Act, and specifically 75 ILCS 16/15-15. This annexation ordinance concerns the unserved area within the present boundaries of the _____ Community Unit School District No. ___ within _____ County, given that the rest of CUSD ___ in _____ County is already in the public library service area of our Library District.

If you have any questions regarding this annexation or ordinance please do not hesitate to contact us as soon as possible.

Very truly yours,

_____ Public Library District
_____ Street
P.O. Box ___
_____, IL 6____

_____ Public Library District
_____ Street
_____, IL 6____

10 ILCS 5/28-5

Revised August, 2011
SBE No. G-1B

CERTIFICATION OF BALLOT

(Public Questions)

Local election official must certify to each election authority (county clerk or board of election commissioners) who prepares ballots for the political subdivision.

TO: _____County Clerk - Elections_____, Election Authority

FROM: ____Secretary to the Board of Library Trustees_____ Local Election Official in and for

_____PUBLIC LIBRARY_____(Political Division)

in the County of _____ and State of Illinois.

I, the undersigned Local Election Official in and for the political division aforesaid, do hereby state that this certification of ballot, consisting of __1____ page(s) is a true and correct listing of the public questions in the order that they are to appear on the ballot to be voted on at the _____ Election to be held on _____, and the dates upon which they were initiated.
(insert month, day, year)

Dated: _____ (SEAL) _____
(insert month, day, year) (Local Election Official)

_____
address to which election authority shall send election results for canvass.

SPACE FOR PUBLIC QUESTION

This public question was initiated by (check one and fill in the appropriate date):
_X_ petition filed on _____, 20 ___ or
___ resolution/ordinance/court order adopted/entered on _____, 20 ___ (a certified copy is attached hereto)

Shall the unserved territory in _____ County within the present boundaries of the _____ Community Unit School District No. ___ in _____ County be annexed to the _____ Public Library, _____ County, Illinois?"	YES NO

USE ADDITIONAL SHEETS AS NECESSARY AND ATTACH TO THIS SHEET

STATE OF ILLINOIS)
) SS
COUNTY OF _____)

FILING CERTIFICATE

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of _____ County, Illinois (the *"County"*), and as such official I do further certify that on the ____ day of _____ 20__, there was filed in my office a duly certified copy of an Ordinance entitled:

AN ORDINANCE FOR THE SUBMISSION OF THE PROPOSITION OF A PUBLIC LIBRARY ANNEXATION REFERENDUM, PURSUANT TO 75 ILCS 16/15-15, TO THE VOTERS OF _____ COMMUNITY UNIT SCHOOL DISTRICT __ IN _____ COUNTY, AND THE VOTERS IN THE LIBRARY DISTRICT IN _____ COUNTY, ILLINOIS, AT THE _____ ELECTION TO BE HELD ON _____, 20__

duly certified by the Secretary of the Board of Library Trustees, on behalf of the _____District Public Library, _____ County, Illinois (the *"Library"*), on the ____ day of _____, 20__, pursuant to section 16/15-15 of the Public Library District Act [75 ILCS 16/15-15] and that the same has been deposited in the official files and records of my office.

I do further certify that included in such certification were the form of public question (the *"Question"*) to be placed on the ballot at the _____ election to be held on the ____ day of _____, 20__ (the *"Election"*), and the date the Question was initiated by the adoption of the Ordinance under such statutes.

I do further certify that notice that the Question will be submitted to the voters of the Library at the Election (the *"Notice"*) will be given as required by Section 12-5 of The Election Code of the State of Illinois, as amended, by (a) publishing the Notice once not more than 30 nor less than 10 days prior to the date of the Election in the local, community newspaper and having general circulation in the School District and Library District, and (b) posting a copy of the Notice at my principal office at least 10 days before the date of the Election,.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of the County, this _____ day of _____, 20__.

_____
County Clerk, _____ County, Illinois

(SEAL)

ORDINANCE NO. _____
_____ COUNTY

This Document Prepared By:
Phillip B. Lenzini
HEYL, ROYSTER, VOELKER & ALLEN PC
300 Hamilton Blvd.
P.O. Box 6199
Peoria, IL 61601-6199
(309) 676-0400

Mail to: _____
_____
_____

ORDINANCE NO. __-___

AN ORDINANCE ANNEXING TO THE _____ PUBLIC LIBRARY DISTRICT, _____ COUNTY, ILLINOIS, PROPERTY IN _____ COUNTY, ILLINOIS, NOT PREVIOUSLY IN SAID LIBRARY DISTRICT OR WITH TAX SUPPORTED LIBRARY SERVICE

WHEREAS, 75 ILCS 16/15-15 provides that whenever a municipality or school district included partially within a public library district includes within its boundaries, territory contiguous to the public library district and without local tax supported public library service, the district may annex such territory by the passage of an ordinance calling for an election to that effect; and

WHEREAS, the Trustees of the _____ Public Library District, ____ County, Illinois, have considered the question of the annexation of the territory described as:

> "in ____ County, excepting that part within _____ District Library, within the boundaries of the _____ Community Unit School District No. _____ in ____ County, Illinois"

and have determined that said territory is within the boundaries of the _____ Community Unit School District No. __, a school district in ____ County, and is contiguous to, and within the territory of the _____ Public Library District and without local tax supported public library service; and

WHEREAS, it is in the best interests of the owners of the territory to be annexed described as the:

> "Unserved territory in ____ County, excepting that part within _____ District Library, within the boundaries of the _____ Community Unit School District No. __ in ____ County, Illinois"

and the residents, taxpayers and users of the _____ Public Library District for the territory to become a part of the _____ Public Library District.

WHEREAS, the Board of Library Trustees of the _____ Public Library District adopted its Ordinance No. __-__ regarding annexation of said territory pursuant to 75 ILCS 16/15-15 and placed the question before the electorate of the Library District and the territory to be annexed pursuant to applicable statutes; and

WHEREAS, at the consolidated election held on the ___ of _____, 20__, the electorate approved said annexation, being all of the territory within the described area, with the official tally in the Library District of ___ "yes" votes and __ "no" votes and in the territory to be annexed of ___ "yes" votes and __ "no" votes.

NOW THEREFORE, be it ordained by the Board of Trustees of the _____ Public Library District, in the County of ____, State

of Illinois, as follows:

Section 1: That the territory described as:

"All of the unserved territory in ____ County, excepting that part within _____ District Library, within the boundaries of the _____ Community Unit School District No. __ in ____ County, Illinois."

is contiguous to the _____ Public Library District and is presently without local tax supported library service. That the territory to be annexed is shown outlined on the map attached, which is made a part of this Ordinance, and is known and described as the territory in ____ County within the present boundaries of the _____ Community Unit School District No. __ in ____ County, not previously within another public library.

Although the parcels shown on the map do not presently lie within the _____ Public Library District, they do lie within the boundaries of the _____ Community Unit School District No. __ in ____ County and School District No. __ is included partially within the _____ Public Library District.

Section 2: That pursuant to 75 ILCS 16/15-15, the _____ Public Library District has the power to annex unto it such territory as is included in a municipality or school district which itself is included partially within a public library district and which is without local tax supported public library service, upon successful referendum results, and therefore, the territory described above is hereby annexed and incorporated into the _____ Public Library District now in the County of ____ in the State of Illinois.

Section 3: This ordinance shall take effect and be in full force and effect from and after its passage and approval according to the law, and after filing a certified copy of this Ordinance and the map attached hereto in the offices of the Recorder of Deeds and the County Clerk of ____ County, Illinois, as provided by law.

Passed by the Board of Library Trustees of the _____ Public Library District and approved by the President thereof and to be effective immediately this ___ day of _____, 20__.

APPROVED:

POSTED:_____

_____
President

ATTEST:

_____
Secretary

STATE OF ILLINOIS)
) SS.
COUNTY OF _____)

CERTIFICATE

I, _____, do hereby certify that I am the duly appointed, qualified and now acting Secretary of the _____ Public Library District in the County of ____ and State of Illinois; that attached hereto is a true and correct copy of the Library District's Ordinance No. __-__.

I further certify that this Ordinance was duly passed by the Board of Trustees of said Library District at a meeting held on the ____ day of _____, 20__; that said Ordinance was duly passed by yea and nay vote thereon with at least a majority of all the Board of Trustees having voted yea on the adoption and passage thereof and approved in accordance with the laws of the State of Illinois.

IN WITNESS WHEREOF, I signed my name in my official capacity as the Secretary of the Board of Trustees of the _____ Public Library District, at _____, Illinois, this ____ day of _____ _____, 20__.

_____
Secretary, _____ Public Library District