

ORDINANCE NO. 2016-08

AN ORDINANCE providing for and requiring the submission of the proposition of increasing the limiting rate for the Fox River Valley Public Library District, Kane County, Illinois, to the voters of said Library District at the general election to be held on the 8th day of November, 2016.

* * *

WHEREAS, the Fox River Valley Public Library District, Kane County, Illinois (the "*District*"), is subject to the Property Tax Extension Limitation Law of the State of Illinois, as amended ("*PTELL*"); and

WHEREAS, The Board of Library Trustees of the District (the "*Library Board*") does hereby find and determine that the limiting rate for the District under PTELL is not sufficient to provide funds to pay the cost of providing an efficient and adequate program to meet the library needs of the District; and

WHEREAS, the most recent levy year for which the limiting rate of the District is known is 2015; and

WHEREAS, the limiting rate for the District for levy year 2015 was 0.20949% of the equalized assessed value of the taxable property therein; and

WHEREAS, it is hereby found and determined by the Library Board that the need exists for increasing the limiting rate for the District by an additional amount equal to 0.21000% above the limiting rate for levy year 2015 for any purpose of the District and establishing the same at 0.41949% of the equalized assessed value of the taxable property therein for levy year 2016; and

WHEREAS, before the District is authorized to increase its limiting rate to 0.41949%, a proposition therefor (the "*Proposition*") must be submitted to the voters of the District as provided by PTELL, and be approved by a majority of the voters of the District voting on the Proposition at an election to be held in and for the District; and

WHEREAS, it is deemed advisable, necessary and in the best interests of the District that the Proposition be submitted to the voters of the District at an election to be held and conducted in accordance with the general election law; and

WHEREAS, PTELL requires that the ballot for the Proposition shall have printed thereon, but not as a part of the Proposition, certain supplemental information as set forth and described in PTELL; and

WHEREAS, such supplemental information shall be supplied by the District to the election authority; and

WHEREAS, the Library Board has reviewed and approved the supplemental information appearing on the form of ballot for the Proposition hereinafter set forth in this Ordinance:

NOW, THEREFORE, Be It Ordained by The Board of Library Trustees of the Fox River Valley Public Library District, Kane County, Illinois, as follows:

Section 1. Incorporation of Preambles. The Library Board hereby finds that all of the recitals contained in the preambles to this Ordinance are full, true and correct and does incorporate them into this Ordinance by this reference.

Section 2. Need to Submit to Voters. It is necessary and in the best interests of the District that the limiting rate for the District be increased by an additional amount equal to 0.21000% above the limiting rate for levy year 2015 for any purpose of the District and establishing the same at 0.41949% of the equalized assessed valuation of the taxable property therein for levy year 2016.

Section 3. Submission to Voters. The Proposition shall be submitted to the voters of the District in accordance with the general election law at the general election to be held on Tuesday, the 8th day of November, 2016, between the hours of 6:00 o'clock A.M. and 7:00 o'clock P.M. on said day (the "Election").

Section 4. Voting Precincts and Polling Places. The Election shall be held in the voting precincts and at the polling places established by the County Board (the “*County Board*”) of The County of Kane, Illinois (the “*County*”), for voters of the District at the Election.

Section 5. Election Notice. The County Clerk of the County (the “*County Clerk*”) shall give notice of the Election, including the Spanish translation thereof (the “*Notice*”), in accordance with the general election law by (i) publishing the Notice once not more than 30 nor less than 10 days prior to the date of the Election in a local, community newspaper having general circulation in the District, and (ii) posting a copy of the Notice at least 10 days before the date of the Election at the principal office of the County Clerk.

Section 6. Local Notice. The Secretary of the Library Board shall post a copy of the Notice at the principal office of the District.

Section 7. Newspaper of General Circulation. It is hereby found and determined that the *Daily Herald* is a local, community newspaper having general circulation in the District as required by Section 12-5 of the Election Code of the State of Illinois, as amended (the “*Election Code*”).

Section 8. Form of Notice. The Notice shall appear over the name or title of the County Clerk and shall be substantially in the following form:

NOTICE IS HEREBY GIVEN that at the general election to be held on Tuesday, the 8th day of November, 2016, the following proposition will be submitted to the voters of the Fox River Valley Public Library District, Kane County, Illinois:

Shall the limiting rate under the Property Tax Extension Limitation Law for the Fox River Valley Public Library District, Kane County, Illinois, be increased by an additional amount equal to 0.21000% above the limiting rate for any purpose of said Library District for levy year 2015 and be equal to 0.41949% of the equalized assessed value of the taxable property therein for levy year 2016?

- (1) The approximate amount of taxes extendable at the most recently extended limiting rate is \$3,219,526, and the approximate amount of taxes extendable if the proposition is approved is \$6,466,889.
- (2) For the 2016 levy year the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value at the time of the referendum of \$100,000 is estimated to be \$70.
- (3) If the proposition is approved, the aggregate extension for 2016 will be determined by the limiting rate set forth in the proposition, rather than the otherwise applicable limiting rate calculated under the provisions of the Property Tax Extension Limitation Law (commonly known as the Property Tax Cap Law).

The polls at the election will be open at 6:00 o'clock A.M. and will continue to be open until 7:00 o'clock P.M. of that day.

Dated this ____ day of October, 2016.

(Facsimile Signature)

County Clerk, The County of Kane, Illinois

Section 9. Form of Ballot. The ballot to be used at the Election, including the Spanish translation thereof, shall be in substantially the following form, with such necessary alterations, changes, deletions and insertions as may be required by Articles 24A, 24B or 24C of the Election Code if an electronic, mechanical or electric voting system is used at the Election:

(Face of Ballot)

OFFICIAL BALLOT

PROPOSITION TO INCREASE THE LIMITING RATE

(INSTRUCTIONS TO VOTERS: Mark a cross (X) in the space opposite the word indicating the way you desire to vote.)

Shall the limiting rate under the Property Tax Extension Limitation Law for the Fox River Valley Public Library District, Kane County, Illinois, be increased by an additional amount equal to 0.21000% above the limiting rate for any purpose of said Library District for levy year 2015 and be equal to 0.41949% of the equalized assessed value of the taxable property therein for levy year 2016?	YES	
	NO	

- (1) The approximate amount of taxes extendable at the most recently extended limiting rate is \$3,219,526, and the approximate amount of taxes extendable if the proposition is approved is \$6,466,889.
- (2) For the 2016 levy year the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value at the time of the referendum of \$100,000 is estimated to be \$70.
- (3) If the proposition is approved, the aggregate extension for 2016 will be determined by the limiting rate set forth in the proposition, rather than the otherwise applicable limiting rate calculated under the provisions of the Property Tax Extension Limitation Law (commonly known as the Property Tax Cap Law).

(Back of Paper Ballot)

OFFICIAL BALLOT

Official ballot for voting on the proposition to increase the limiting rate for the Fox River Valley Public Library District, Kane County, Illinois, at the general election held on November 8, 2016.

Precinct Number: _____

Polling Place: _____

(Facsimile Signature)
County Clerk, The County of Kane, Illinois

Section 10. Election Judges. The Election shall be conducted by the election judges appointed by the County Board to act in the precincts at which the Proposition will be submitted to the voters of the District.

Section 11. Filing of Ordinance. After the adoption hereof and not less than 68 days prior to the date of the Election, the Secretary of the Library Board shall certify a copy hereof to the County Clerk in order that the Proposition may be submitted to the voters of the District at the Election.

Section 12. Canvass of Election. The Election shall be held and conducted and the returns thereof duly canvassed, all in the manner and time as provided by the general election law.

Section 13. Severability. If any section, paragraph, clause or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section 14. Repealer. All ordinances, resolutions and orders or parts thereof in conflict herewith be and the same are hereby repealed.

Section 15. Posting. This Ordinance shall be posted in a public area of the library building of the District within 3 days after the date of enactment and shall remain posted for 14 days.

Section 16. Effective Date. This Ordinance be in full force and effect forthwith upon its adoption.

Adopted the 16th day of August, 2016.

AYE: _____

NAY: _____

ABSENT: _____

Approved the 16th day of August, 2016.

Margaret M. Skold, Ph.D., President
The Board of Library Trustees

Recorded in the District records on the 16th day of August, 2016.

Posted in a public area of the Dundee Library Building on the 16th day of August, 2016.

Attest:

Richard V. Corbett, Secretary
The Board of Library Trustees