



# COUNTY BOARD ADDENDUM

County of Champaign, Urbana, Illinois

Thursday, March 27, 2008 – 7:00 p.m.

Lyle Shields Meeting Room, Brookens Administrative Center  
1776 East Washington Street, Urbana

Page Number

## XI COMMITTEE REPORTS:

### C. POLICY, PERSONNEL & APPOINTMENTS COMMITTEE:

1. Authorize County Board Chair to Agree to an Amendment of House Bill 2518, Formerly Captioned as House Bill 3597 Concerning the Geographical Limitations of Annexations Agreements as More Specially Outlined in County Board Resolution No. 6373 (as attached)

\*1-3

\*Roll Call

\*\*Roll call and 18 votes

\*\*\*Roll call and 21 votes

\*\*\*\*Roll call and 14 votes

Except as otherwise stated, approval requires the vote of a majority of those County Board members present.

*County Board members and guests are encouraged to park in the north parking lot, off Lierman Avenue, and enter the Brookens facility through the north door. The Brookens Administrative Center is an accessible facility. For additional*

*information, contact Kay Rhodes in the County Administrator's Office at (217) 384-3776.*

Telephone: (217) 384-3776 FAX: (217) 384-3896 Champaign County TDD: (217) 384-3864  
County Home Page: [www.co.champaign.il.us](http://www.co.champaign.il.us) County E-Mail Address: [CountyBoard@co.champaign.il.us](mailto:CountyBoard@co.champaign.il.us)

RESOLUTION NO. 6373

RESOLUTION CALLING FOR A CHANGE IN LAW CONCERNING THE  
GEOGRAPHICAL LIMITATIONS OF ANNEXATION AGREEMENTS

WHEREAS, the Illinois Supreme Court has determined in *Village of Chatham v. Sangamon County* that the Illinois Municipal Code does provide that property subject to an annexation agreement with a municipality is thereafter subject to the ordinances, control, and jurisdiction of the municipality and not those of the county even though the property is not actually annexed; and

WHEREAS, the Illinois House of Representatives by resolution established a Legislative Commission to deal with statewide concerns arising from the *Chatham* decision but that Legislative Commission has never met and has not proposed a comprehensive amendment to this part of the Illinois Municipal Code; and

WHEREAS, HB3597 as amended restricted that provision of the Illinois Municipal Code in certain listed counties in which the county board will have the option to retain jurisdiction over properties located more than one-and-one-half miles from municipalities but Champaign County was not included in the list of specific counties; and

WHEREAS, the Champaign County Board has requested in Resolution No. 5942 on April 19, 2007, that Champaign County be included in the list of specific counties that may be exempted from the relevant provision of the Illinois Municipal Code and still hopes to achieve such designation;

WHEREAS, the Champaign County Board believes it is for the best interests of the County and for the public good and welfare that Champaign County should have the right to decide whether or not property that is not contiguous to a municipality and subject to an annexation agreement should also be subject to municipal zoning, building codes, and subdivision jurisdiction or be subject to those of the County; and

WHEREAS, certain Champaign County municipalities have expressed a willingness to pursue legislative change that would give Champaign County the right to decide whether or not property that is more than one-and-one-half miles from a municipality and subject to an annexation agreement should be subject to municipal zoning, building codes, and subdivision jurisdiction or be subject to those of the County; and

NOW, THEREFORE, BE IT RESOLVED, by the Champaign County Board, Champaign County, Illinois, as follows:

1. Champaign County supports legislation limiting the geographic jurisdiction of annexation agreements in the form attached hereto as Attachment 1 and shall make all reasonable efforts towards the passage of such legislation by the Illinois Legislature and shall cooperate with Champaign County municipalities to that effect.
2. The County Administrator is hereby directed to provide copies of this Resolution to all Champaign County municipalities and to all of the legislators that represent any part of Champaign County in either house of the State Legislature.

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PRESENTED, PASSED, APPROVED, AND RECORDED this 21st day of February, A.D.  
2008.

\_\_\_\_\_  
C. Pius Weibel, Chair  
Champaign County Board

ATTEST: \_\_\_\_\_  
Mark Shelden, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

## ATTACHMENT 1

Proposed 65 ILCS 5/11-15.1-2.1. Additions in bold and underlined.

§ 11-15.1-2.1. Annexation agreement; municipal jurisdiction.

(a) Except as provided in subsections (b) and (c), property that is the subject of an annexation agreement adopted under this Division is subject to the ordinances, control, and jurisdiction of the annexing municipality in all respects the same as property that lies within the annexing municipality's corporate limits.

(b) This Section shall not apply in (i) a county with a population of more than 3,000,000, (ii) a county that borders a county with a population of more than 3,000,000 or (iii) a county with a population of more than 246,000 according to the 1990 federal census and bordered by the Mississippi River, unless the parties to the annexation agreement have, at the time the agreement is signed, ownership or control of all property that would make the property that is the subject of the agreement contiguous to the annexing municipality, in which case the property that is the subject of the annexation agreement is subject to the ordinances, control, and jurisdiction of the municipality in all respects the same as property owned by the municipality that lies within its corporate limits.

(c) In the case of property that is located in Boone, **Champaign**, DeKalb, Grundy, Kankakee, Kendall, LaSalle, Ogle, or Winnebago County, if the property that is the subject of an annexation agreement is located within 1.5 miles of the corporate boundaries of the municipality, that property is subject to the ordinances, control, and jurisdiction of the annexing municipality . If the property is located more than 1.5 miles from the corporate boundaries of the annexing municipality, that property is subject to the ordinances, control, and jurisdiction of the annexing municipality unless the county board retains jurisdiction by the affirmative vote of two-thirds of its members. **Provided, however, application of this Section may be modified by intergovernmental agreement between the County and municipality**

(d) If the county board retains jurisdiction under subsection (c) of this Section, the annexing municipality may file a request for jurisdiction with the county board on a case by case basis. If the county board agrees by the affirmative vote of a majority of its members, then the property covered by the annexation agreement shall be subject to the ordinances, control, and jurisdiction of the annexing municipality.