



VILLAGE OF MIDLOTHIAN

ORDINANCE NO. 2167

AN ORDINANCE AMENDING TITLE 1, CHAPTER 12 OF THE VILLAGE OF MIDLOTHIAN MUNICIPAL CODE TO ADD SECTION 1-12-13, PROVIDING FOR THE CREATION OF A STREET ENHANCEMENT FUND

**GARY L'HEUREUX, Village President
ALLEN MOSKAL, Village Clerk**

**ANTHONY BURBATT, Village Trustee
KATHY CAVENEY, Village Trustee
SANDRA CROWLEY, Village Trustee
JACK HILLE, Village Trustee
KATHLEEN JOHNSON, Village Trustee
DONALD KILLELEA, Village Trustee**

**ADOPTED BY THE VILLAGE BOARD OF THE
VILLAGE OF MIDLOTHIAN
THIS 9TH DAY OF APRIL 2025**

**Published in pamphlet form by authority of the Village Board of the
Village of Midlothian, Cook County, Illinois, this 9th day of April 2025**

ORDINANCE NO. 2167

AN ORDINANCE AMENDING TITLE 1, CHAPTER 12 OF THE VILLAGE OF MIDLOTHIAN MUNICIPAL CODE TO ADD SECTION 1-12-13, PROVIDING FOR THE CREATION OF A STREET ENHANCEMENT FUND

WHEREAS, the Village of Midlothian is a home rule unit pursuant to subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, pursuant to Section 6 of Article VII of the Illinois Constitution of 1970, the Village of Midlothian may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals and welfare; and

WHEREAS, the cost of paving, repairing, rebuilding and maintaining streets within the Village has and will require an increasing amount of funding out of the Village general fund; and

WHEREAS, federal and state grant funding in the near future is uncertain and unlikely to cover the costs necessary to maintain safe and quality streets/roadways within the Village; and

WHEREAS, the corporate authorities of the Village of Midlothian seek to enact a more equitable and financially efficient means to fund improvements of Village streets; and

WHEREAS, it has become apparent that the cost of implementing and enforcing the local Village vehicle license fee under 10-11-1 of the Village Code is not a cost-effective means to fund improvements of Village streets and should be repealed and replaced with a means less cumbersome that reduces the overall costs and time of Village residents.

NOW, THEREFORE BE IT ORDAINED, by the President and Board of Trustees of the Village of Midlothian, Illinois as follows:

SECTION 1: That Title 1, Chapter 12 (Finance) of the Village Code is hereby amended to add Section 1-12-13 to the table of contents for Title 1, Chapter 12 and to add a new section 1-12-13 after the provisions of Section 1-12-12 as follows:

CHAPTER 12 FINANCE

SECTION:

1-12-1: Fiscal Year

1-12-2: Finance Director Office Created

1-12-3: Retirement Fund Participation

1-12-4: Maximum Tax Rates

1-12-5: Municipal Retailers' Occupation Tax

1-12-6: Municipal Service Occupation Tax

1-12-7: Municipal Use Tax

1-12-8: Fraudulent Payment, Personal Check

1-12-9: Delinquent Special Assessments

1-12-10: Municipal Automobile Renting Use Tax

1-12-11: Municipal Automobile Renting Occupation Tax

1-12-12: Transaction Fees On Payments

1-12-13: Street Enhancement Fund

...

1-12-13: STREET ENHANCEMENT FUND:

(A). A fund is hereby created to prioritize and provide for the paving, repairing, rebuilding and maintaining of streets within the Village.

(B). The fund established in this section shall be monetized by a fee applied to all real property within the Village that has a structure upon it as defined by the International Building Code and the International Residential Code as adopted herein.

(C). The fee shall be billed per property at a rate of eight dollars and twenty-five cents (\$8.25) quarterly except that water and garbage account holders billed monthly may be billed monthly at a rate of two dollars and seventy-five cents (\$2.75) and except as provided for in paragraphs (D), (E), and (F) of this section. All revenue generated by the fee shall be deposited into the Village general fund.

(D). For Apartment Buildings of four (4) or more units the fee shall apply to each occupied unit and may be billed separately to each lessee. Only one (1) fee shall be charged per unit regardless of the number of lessees or occupants residing in the unit and the fee shall be jointly and severally collectable against lessors and lessees of the subject property.

(E). For condominiums and townhomes, the fee shall apply to each unit and may be billed separately to each unit owner. Only one (1) fee shall be charged per unit regardless of the number of owners, lessees or occupants residing in the unit. Vacant Home Owner Association (HOA) owned units shall be exempt from the fee requirement in this section.

(F). Senior Citizens' rate: Any person subject to paying the fee in this section who has reached the age of sixty-five (65) years by July 1 of the year, shall therein after pay a reduced fee of one dollar and twenty-five cents (\$1.25) per quarter, provided he or she supplies proof of age and proof of ownership of the property and/or a valid lease if the lessee is obligated to pay the fee, to the Village Clerk.

(G). Failure to pay or default in the full payment of the fee required under this section shall be a debt due and owing the municipality and, as such, may be collected in accordance with the applicable law.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: The invalidity of any provision of this ordinance shall not render invalid any other provision herein. If for any reason, any provision of this ordinance is determined by a court of competent jurisdiction to be invalid or unenforceable, that provision shall be deemed severed and this ordinance shall remain in full force and effect.

SECTION 4: This ordinance shall be in full force and effect on July 1, 2025 after its passage and publication in pamphlet form as provided by law.

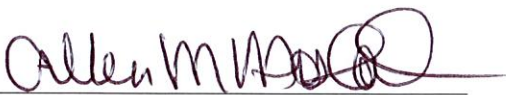
	Aye	Nay	Abstain	Absent
Anthony Burbatt Trustee	✓			
Kathleen Caveney Trustee	✓			
Sandra Crowley Trustee	✓			
Jack Hille Trustee	✓			
Kathleen Johnson Trustee	✓			
Donald Killelea Trustee	✓			
Gary L'Heureux Mayor				

PRESENTED AND PASSED on a roll call vote this 9th day of April 2025.

APPROVED this 9th day of April 2025.


GARY L'HEUREUX, VILLAGE PRESIDENT

ATTEST:


ALLEN MOSKAL, VILLAGE CLERK
RECORDED this 9th day of April 2025..