



**BOARD OF COMMISSIONERS OF COOK COUNTY
BOARD OF COMMISSIONERS**

Cook County Building, Board Room, 118 North Clark Street, Chicago, Illinois

New Items Agenda

Wednesday, June 6, 2018, 11:00 AM

Fourth Set

[18-4201](#)

Sponsored by: SEAN M. MORRISON, Cook County Board of Commissioners

PROPOSED ORDINANCE AMENDMENT

AMENDMENT TO SECTION 74-63 ASSESSMENT CLASSES

BE IT ORDAINED, by the Cook County Board of Commissioners, that CHAPTER 74 TAXATION, ARTICLE II REAL PROPERTY TAXATION, DIVISION 2 CLASSIFICATION SYSTEM FOR ASSESSMENT, SECTION 74-63 ASSESSMENT CLASSES of the Cook County Code is hereby amended as Follows:

Sec. 74-63. - Assessment classes.

Real estate is divided into the following assessment classes:

- (7) *Class 6b.* Real estate used primarily for industrial purposes, consisting of all newly constructed buildings or other structures, including the land upon which they are situated; or abandoned property, including the land upon which such property is situated; or all buildings and other structures which are substantially rehabilitated to the extent such rehabilitation has added to their value, including qualified land related to the rehabilitation. Land qualifies when the rehabilitation adds vertical or horizontal square footage to the improvements. The amount of land eligible for the incentive shall be in such proportion as the square footage added by the rehabilitation bears to the total square footage of the improvements on the parcel.

- d. In the instance where real estate does not meet the definition of abandoned property as defined herein, the municipality or the County Board, as the case may be, may still determine that special circumstances justify finding that the property is deemed "abandoned" for purpose of Class 6b, unless:
1. There has been a purchase for value and the buildings and other structures have not been vacant and unused prior to such purchase; or
 2. There has been no purchase for value and the buildings and other structures have been vacant and unused for less than 24 continuous months.

The finding of abandonment, along with the specification of the special circumstances, shall be included in the Resolution or Ordinance supporting and consenting to the Class 6b application. If the Ordinance or Resolution is that of a municipality, the approval of the

County Board is required to validate such a finding that the property is deemed "abandoned" for purposes of Class 6b, and a County Resolution to that effect shall be obtained. The applicant must obtain the municipal enabling Ordinance with the required finding of special circumstances and present such municipal Ordinance to the Board of Commissioners of Cook County prior to its determination as to whether it will validate such a finding that the property is deemed "abandoned" for purposes of Class 6b and provide a County Resolution to that effect. A certified copy of an Ordinance or Resolution finding that special circumstances exist, as well as a certified copy of a County Ordinance or Resolution validating such a finding that the property is deemed "abandoned" for purposes of Class 6b need not be filed at the time of filing the Class 6b eligibility application with the Assessor, but must be filed with the Assessor no later than the date an assessment appeal is filed to request the class change to Class 6b. If the Resolution is not filed at the time of the Class 6b eligibility application, the applicant shall instead file, at that time, a letter from the municipality or the County as the case may be, confirming that a Resolution or Ordinance regarding special circumstances has been requested.

If the real estate is located within an Industrial Growth Zone, prior to filing a Class 6b eligibility application with the Assessor and in lieu of an Ordinance or Resolution, an applicant may obtain from an authorized officer of the municipality or an authorized officer of the Cook County Bureau of Economic Development if the real estate is located in an unincorporated area, a letter stating that the municipality or the County Board, as the case may be, supports and consents to the filing of the Class 6b application with the Assessor. Such authorized officer shall have been designated by the legislative body of the municipality or, in the case of an unincorporated area, by the Cook County Board.

A copy of the authorized officer letter and a certified copy of the legislative action designating the authorized officer shall be included with the Class 6b application and submitted to the Cook County Bureau of Economic Development for verification prior to filing of the application with the Assessor.

In addition, the letter from the authorized officer shall:

1. Describe the redevelopment objective of the municipality;
2. State the applicant's intended use of the property; and
3. State that an Economic Disclosure Statement, as defined in this Division, was received and filed by the municipality or County Board, as the case may be.

Following verification that the Class 6b application is in an Industrial Growth Zone and has been properly submitted with a letter from an authorized officer and a certified copy of the legislative action designating the authorized officer, the Bureau of Economic Development will forward the application to the Assessor's Office for filing. A certified copy of the legislative action designating the authorized officer and the authorized officer letter shall be

included with the Class 6b application at the time of filing the application with the Assessor. The applicant must demonstrate that the industrial development project qualifies for the Class 6b classification.

Temporary Emergency Economic Recovery Modification (TEERM) Program: In the instance where real estate does not meet the definition of abandoned property as defined herein, the municipality or the County Board, as the case may be, may still determine that special circumstances justify finding that the property is deemed "abandoned" for purpose of a Class 6b under the TEERM Program if:

1. There has been no purchase for value; and
2. The buildings and other structures have been vacant and unused for at least 12 continuous months.

The finding of abandonment, along with the specification of the special circumstances, and a determination that the applicant's participation in the TEERM Program is necessary for the development to occur, and that without such designation the industrial enterprise would not be economically viable causing the property to be in imminent risk of remaining vacant and unused, shall be included in the Resolution or Ordinance supporting and consenting to the Class 6b application under the TEERM Program.

In addition, the Ordinance or Resolution where applicable shall:

1. Describe the redevelopment objective of the municipality;
2. State the applicant's intended use of the property; and
3. State that an Economic Disclosure Statement, as defined in this Division, was received and filed by the municipality or County Board, as the case may be.

If the Ordinance or Resolution is that of a municipality, the approval of the County Board is required to validate such a finding that the property is deemed "abandoned" for purposes of Class 6b, and a County Resolution to that effect shall be obtained. The applicant must obtain the municipal enabling Ordinance with the required finding of special circumstances and present such municipal Ordinance to the Board of Commissioners of Cook County prior to its determination as to whether it will validate such a finding that the property is deemed "abandoned" for purposes of Class 6b and provide a County Resolution to that effect. A certified copy of an Ordinance or Resolution finding that special circumstances exist, as well as a certified copy of a County Ordinance or Resolution validating such a finding that the property is deemed "abandoned" for purposes of Class 6b need not be filed at the time of filing the Class 6b application with the Assessor, but must be filed with the Assessor no later than the date an assessment appeal is filed to request the class change to Class 6b. If the Resolution is not filed at the time of the Class 6b application, the applicant shall instead

file, at that time, a letter from the municipality or the County as the case may be, confirming that a Resolution or Ordinance regarding special circumstances has been requested.

Critical Emergency Employee Retention Modification (CEERM) Program: In the instance where real estate does not meet the definition of abandoned property as defined herein, the municipality or the County Board, as the case may be, may still determine that special circumstances justify finding that the property is deemed "abandoned" for purpose of a Class 6b under the TEERM Program if:

1. There has been no purchase for value; and
2. The buildings and other structures have been vacant and unused for at least 3 continuous months.

At least 250 positions would be retained at the subject location and the applicant's participation in the CEERM Program is necessary for the development to occur, and that without such designation the industrial enterprise would not be economically viable causing the property to be in imminent risk of remaining vacant and unused, shall be included in the Resolution or Ordinance supporting and consenting to the Class 6b application under the CEERM Program.

In addition, the Ordinance or Resolution where applicable shall:

1. Describe the redevelopment objective of the municipality;
2. State the applicant's intended use of the property; and
3. State that an Economic Disclosure Statement, as defined in this Division, was received and filed by the municipality or County Board, as the case may be.

If the Ordinance or Resolution is that of a municipality, the approval of the County Board is required to validate such a finding that the property is deemed "abandoned" for purposes of Class 6b, and a County Resolution to that effect shall be obtained. The applicant must obtain the municipal enabling Ordinance with the required finding of special circumstances and present such municipal Ordinance to the Board of Commissioners of Cook County prior to its determination as to whether it will validate such a finding that the property is deemed "abandoned" for purposes of Class 6b and provide a County Resolution to that effect. A certified copy of an Ordinance or Resolution finding that special circumstances exist, as well as a certified copy of a County Ordinance or Resolution validating such a finding that the property is deemed "abandoned" for purposes of Class 6b need not be filed at the time of filing the Class 6b application with the Assessor, but must be filed with the Assessor no later than the date an assessment appeal is filed to request the class change to Class 6b. If the Resolution is not filed at the time of the Class 6b application, the applicant shall instead file, at that time, a letter from the municipality or the County as the case may be, confirming

that a Resolution or Ordinance regarding special circumstances has been requested.

Sustainable Emergency Relief (SER) Program: In the instance where real estate does not meet the definition of abandoned property as defined herein, the municipality or the County Board, as the case may be, may still determine that special circumstances justify finding that the property is deemed "qualified" for purpose of Class 6b under the SER Program if:

1. The industrial enterprise that occupies the premises has been at the same location for a minimum of ten years prior to the date of application for the SER Program; and
2. The industrial enterprise that occupies the premises submits evidence of hardship supporting a determination that participation in the SER Program is necessary for the industrial enterprise to continue operations at its current location and maintain its staff, and that without such designation the industrial enterprise would not be economically viable causing the property to be in imminent risk of becoming vacant and unused.

The finding that a property is qualified, along with the specification of the special circumstances, and a determination that the applicant's participation in the SER Program is necessary for the industrial enterprise to continue operations at its current location and maintain its staff, and that without such designation the industrial enterprise would not be economically viable causing the property to be in imminent risk of becoming vacant and unused, shall be included in the Resolution or Ordinance supporting and consenting to the Class 6b application under the SER Program.

In addition, the Ordinance or Resolution where applicable shall:

1. Describe the redevelopment objective of the municipality;
2. State the applicant's intended use of the property; and
3. State that an Economic Disclosure Statement, as defined in this Division, was received and filed by the municipality or County Board, as the case may be.

If the Ordinance or Resolution is that of a municipality, the approval of the County Board is required to validate such a finding that the property is deemed "qualified" for purposes of Class 6b, and a County Resolution to that effect shall be obtained. The applicant must obtain the municipal enabling Ordinance with the required finding of special circumstances and present such municipal Ordinance to the Board of Commissioners of Cook County prior to its determination as to whether it will validate such a finding that the property is deemed "qualified" for purposes of Class 6b and provide a County Resolution to that effect. A certified copy of an Ordinance or Resolution finding that special circumstances exist, as well as a certified copy of a County Ordinance or Resolution validating such a finding that the property is deemed "qualified" for purposes of Class 6b need not be filed at the time of filing the Class 6b application with the Assessor, but must be filed with the Assessor no

later than the date an assessment appeal is filed to request the class change to Class 6b. If the Resolution is not filed at the time of the Class 6b application, the applicant shall instead file, at that time, a letter from the municipality or the County as the case may be, confirming that a Resolution or Ordinance regarding special circumstances has been requested.

Applications for Class 6b incentives pursuant to the TEERM Program or SER Program or CEERM Program must be received by the Assessor's Office on or before November 30, 2018 to receive consideration.

The Assessor shall provide by rule for the filing of annual reports by recipients of Class 6b incentives granted pursuant to the SER Program as to the use of the property and the number of persons employed at the Class 6b site. In such reports, recipients shall be required to certify whether the industrial enterprise that occupied the premises at the time of the SER application continues its operations at that location. In addition, recipients of Class 6b incentives granted pursuant to the SER Program shall be required to report to the Assessor within 30 days if the industrial enterprise that occupied the premises at the time of the SER application ceases operations at that location. A copy of such reports will be forwarded by the Assessor's Office to the Secretary of the County Board for distribution to members of the County Board from the affected districts. Failure to file such reports within the time established by the Assessor's rules shall result in loss of the incentive for the period relating to the non-filing. Additionally, if the industrial enterprise that occupied the premises at the time of the SER application ceases operations at that location, then the Class 6b incentive granted pursuant to the SER program shall terminate.

- e. This classification shall continue for a period of 12 years from the date such new construction (excluding demolition, if any) or such substantial rehabilitation was completed and initially assessed, or in the case of abandoned property, from the date of substantial re-occupancy, or in the case of incentives granted pursuant to the TEERM Program, from the date of the notice of approval. In the case of incentives granted pursuant to the SER Program, this classification shall continue for a period of 12 years from the date of the notice of approval, or until the industrial enterprise that occupied the premises at the time of the SER application ceases operations at that location if that occurs sooner.
- f. Unless a Class 6b granted pursuant to the TEERM Program or the SER Program or the CEERM Program, this incentive may be renewed during the last year a property is entitled to a ten percent assessment level pursuant to Section 74-64(7), if the following requirements are met:
 1. The taxpayer notifies the Assessor's Office of intent to request renewal of the incentive from the municipality or the County Board if the real estate is located in an unincorporated area;
 2. The municipality in which the real estate is located or the County Board, if the real estate is located in an unincorporated area, adopts a Resolution expressly stating that

the municipality or the County Board, as the case may be, has determined that the industrial use of the property is necessary and beneficial to the local economy, and supports and consents to renewal of the Class 6b; and

3. A copy of the Resolution and a completed renewal application are filed with the Assessor's Office before the expiration of the ten percent assessment level period.

Effective date: This ordinance shall be in effect immediately upon adoption.