

CITY OF CARBONDALE, ILLINOIS
ORDINANCE NO. 2016-30

AN ORDINANCE ESTABLISHING A DOWNTOWN UPPER-STORY
CONVERSION PROGRAM IN THE CITY OF CARBONDALE,
ILLINOIS

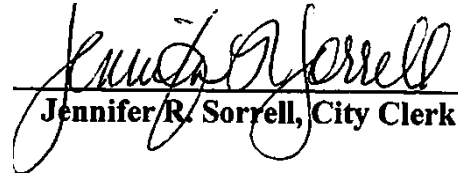
ADOPTED BY THE CITY COUNCIL
OF THE CITY OF CARBONDALE,
ILLINOIS THIS 24TH DAY OF MAY, 2016

Published in pamphlet form by authority of the City of Council of the City of Carbondale,
Jackson County, Illinois, this 25th day of May, 2016.

CERTIFICATE OF PUBLICATION

I, Jennifer R. Sorrell, the duly qualified City Clerk of the City of Carbondale,
Illinois, and the official custodian of the records of said City, do hereby certify that this
Ordinance was published in pamphlet form by authority of the City Council on the 25th day
of May, 2016.




Jennifer R. Sorrell, City Clerk

ORDINANCE 2016-30

**AN ORDINANCE ESTABLISHING A DOWNTOWN UPPER-STORY
CONVERSION PROGRAM IN THE CITY OF CARBONDALE,
ILLINOIS**

WHEREAS, the City of Carbondale, Illinois, is a home rule unit of local government under the Illinois Constitution, 1970, Article VII, Section 6; and

WHEREAS, pursuant to Article VII, Section 6(a), of the Illinois Constitution, 1970, the City of Carbondale may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare; and

WHEREAS, the City of Carbondale has undergone a process to increase the presence of people within the downtown area of the City of Carbondale with the Downtown Master Plan; and

WHEREAS, several properties in the downtown area of the City of Carbondale have upper-story areas that being underutilized; and

WHEREAS, it is desirable to have residential properties within the downtown area; and

WHEREAS, the City Council of the City of Carbondale, Illinois finds it in the best interest of the City of Carbondale to establish a Downtown Upper-Story Conversion Program to assist property owners within the BPR, Primary Business, district to convert the upper stories of existing commercial buildings into habitable dwelling units by offering a \$2,500 incentive for each new dwelling unit up to \$5,000 upon the successful conversion of an upper story into habitable living space, the owner will be required to enter into a TIF Redevelopment Agreement with the City; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF CARBONDALE, ILLINOIS, AS FOLLOWS:**

SECTION 1. The City of Carbondale, Illinois hereby establishes a Downtown Upper-Story Conversion Program to assist property owners within the BPR, Primary Business, district to convert the upper stories of existing commercial buildings into habitable dwelling units by offering a \$2,500 incentive for each new dwelling unit up to \$5,000 upon the successful conversion of an upper story into habitable living space, the owner will be required to enter into a TIF Redevelopment Agreement with the City.

SECTION 2. That the City Manager of the City of Carbondale is hereby authorized to and shall take any and all reasonable, necessary and proper actions to carry out the intent and purposes of this Ordinance, including but not limited to, establishing terms and conditions for eligibility under the Downtown Upper-Story Conversion Program and entering into agreements with eligible recipients for funding.

SECTION 3. That the Finance Director is hereby authorized to disperse the funds necessary to accomplish the intent of this Ordinance.

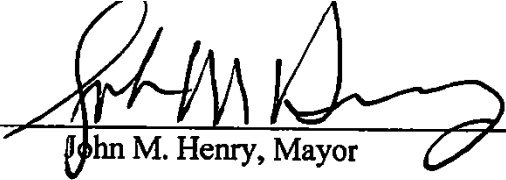
SECTION 4. That all ordinances and parts thereof in conflict herewith are expressly repealed and are of no other force and effect.

SECTION 5. That it is the intention of the City Council of the City of Carbondale that this Ordinance and every provision thereof shall be considered separable and the invalidity of any section, clause, or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

SECTION 6. That the City Council of the City of Carbondale finds that the subject matter of this Ordinance pertains to the government and affairs of the City of Carbondale and is

passed pursuant to authorities granted it by State statutes and the Home Rule powers of the City of Carbondale pursuant to the provisions of Article VII, Section 6(a) of the Illinois Constitution.


SECTION 7. That this Ordinance shall take effect upon its passage, approval, recording, and publication in pamphlet form in accordance with law.

APPROVED: 
John M. Henry, Mayor

ATTEST: 
Jennifer R. Sorrell, City Clerk

APPROVED AS TO LEGALITY AND FORM:




Leonard "Jamie" Snyder, Assistant City Attorney

FOR:	Kang, Bradshaw, Harvey, Fronabarger, Grant, Loos, Henry
AGAINST:	None
PASSED:	May 24, 2016
APPROVED:	May 24, 2016
RECORDED:	May 25, 2016
PUBLISHED:	May 25, 2016