

RESOLUTION NO. 09-08-1800

**RESOLUTION AUTHORIZING REBATES TO “FIRST PURCHASERS”  
OF THE BUILDING PERMIT FEES FOR SINGLE-FAMILY RESIDENCES NEWLY  
CONSTRUCTED WITHIN THE CORPORATE LIMITS OF THE CITY OF HIGHLAND  
PURSUANT TO BUILDING PERMITS ISSUED AFTER JUNE 1, 2009**

WHEREAS, the term “Qualified Residence,” as used herein, means a detached single-family residence newly constructed within the corporate limits of the City of Highland pursuant to a building permit issued after June 1, 2009;

WHEREAS, the term “First Purchaser,” as used herein, means the first person (or persons, if more than one person is involved) who purchases a detached single-family residence after a permanent certificate of occupancy for that detached single-family residence is issued by the City of Highland;

WHEREAS, the person or entity who builds a Qualified Residence shall *not* be deemed to be a First Purchaser;

WHEREAS, a person shall *not* be deemed to be a First Purchaser if either (a) the utility services to the Qualified Residence have ever been in any person’s name other than the First Purchaser, the builder, or the financial institution that funded the construction, or (b) any person other than the First Purchaser has resided in the Qualified Residence;

WHEREAS, the purchase of a Qualified Residence shall be deemed to have occurred after a permanent certificate of occupancy for that single-family residence is issued by the City of Highland if the closing of the purchase occurs after the issuance of the permanent certificate of occupancy;

WHEREAS, the City of Highland desires – for a limited time – to encourage the sales of Qualified Residences within the City of Highland by rebating to the First Purchaser thereof the

entire building permit fee paid, but only up to a maximum amount of Two Thousand Dollars (\$2,000), at the closing of the purchase of the Qualified Residence;

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF HIGHLAND:

*Section 1.* The foregoing recitals are incorporated herein as findings of the City Council of the City of Highland, Illinois.

*Section 2.* A First Purchaser who closes on the purchase of a Qualified Residence before May 31, 2010, shall be entitled – upon timely application to the Building and Zoning Division – to receive as a rebate from the City of Highland, at the closing, the entire building permit fee, but only up to a maximum amount of Two Thousand Dollars (\$2,000), paid to the City of Highland for the building permit pursuant to which the Qualified Residence was built.

*Section 3.* The Chief Building & Zoning Official shall develop an application form which shall state (a) the legal description and permanent parcel number of the land on which the Qualified Residence is located; (b) the address of the Qualified Residence; (c) the name of the person or entity who applied for and obtained the building permit; (d) the amount of the building permit fee paid by that entity or person for the building permit; (e) the date on which that person or entity paid that amount; (f) the date on which the building permit was issued; (g) the applicant's name (or names), street address, email address (if any), and telephone number; (h) the date on which the City of Highland issued, or the approximate date on which the City of Highland will issue, the permanent certificate of occupancy for the Qualified Residence; (i) facts sufficient to demonstrate that the applicant is a First Purchaser of the Qualified Residence; (j) the name (or names) and address of the seller of the Qualified Residence to the applicant; (k) the date of the contract under which the applicant is purchasing the Qualified Residence; (l) the date,

time, place, and, if applicable, the name of the title insurance company or other company at which the closing will occur; and (m) whether the closing will be an escrow closing with the title insurance company, or other company, acting as an escrow closing agent that will hold and disburse funds. The application form shall contain a place for the applicant's signature before a notary public, and a jurat for the notary public's notarizing the signature.

*Section 4.* An application to the Building and Zoning Division, for a rebate of a building permit fee, shall be deemed timely if it is received by the Building and Zoning Division at least one week before the closing of the purchase.

*Section 5.* If the Building and Zoning Division timely receives an application from a First Purchaser for a rebate of a building permit fee paid with respect to a Qualified Residence, the City of Highland shall deliver to the closing a check for the amount of the building permit fee, but not more than Two Thousand Dollars (\$2,000). If the closing is being handled as an escrow closing by a title insurance company, or other company, acting as an escrow closing agent, the City of Highland shall make the check payable to the escrow closing agent, rather than directly to the First Purchaser, so that the escrow closing agent may disburse – or otherwise credit – the proceeds of the check to the First Purchaser as part of the closing. If the closing is not completed, and the funds not disbursed – or otherwise credited – to the First Purchaser by the escrow closing agent, the escrow closing agent shall promptly refund the amount of the check to the City of Highland.

*Section 6.* The City of Highland shall use only its Economic Development funds for the payment of rebates of building permit fees to First Purchasers of Qualified Residences.

*Section 7.* This Resolution shall be known as Resolution No. 09-08-1800 and shall be effective upon its passage and approval in accordance with law.

Passed by the City Council of the City of Highland, Illinois, approved by the Mayor, and deposited and filed in the Office of the City Clerk, on the 3<sup>rd</sup> day of August, 2009, the vote being taken by ayes and noes, and entered upon the legislative records, as follows:

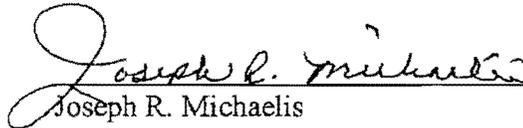
AYES: Bardill, Bellm, Rickher

NOES: None

ABSENT: Zobrist



APPROVED:



Joseph R. Michaelis  
Mayor  
City of Highland  
Madison County, Illinois

ATTEST:



Barbara Bellm  
City Clerk  
City of Highland  
Madison County, Illinois

**City of Highland** 2610 Plaza Dr, PO Box 218, Highland, IL 62249 (618)654-7115

**Refund Request Form Fax to:**

**618-654-5570**

<b>Building Information</b>	
Building Permit Issued To	
Total Cost of Building Permit	
Date Building Permit Paid	
Date Building Permit Issued	
Address	
Legal Description	
Parcel ID	
<b>Applicant Information</b>	
Name(s)	
Street Address	
Email Address	
Telephone Number	
Date of permanent Certificate of Occupancy	
First Purchaser/ Qualified Residence Proof	
Date of Contract Purchase	
Date/time/place of Closing	
Title Insurance Company or other Company	
Is the closing an escrow closing	
Will the company be acting as an escrow closing agent that will hold and disburse funds	
<b>Seller Information</b>	
Name of Seller	
Address	

\_\_\_\_\_  
Signature and Date of Notary Public

\_\_\_\_\_  
Signature and Date of Applicant



Notary Public Seal