

ORDINANCE NO. 2026-____-O____

AN ORDINANCE OF THE CITY OF ROCKFORD, WINNEBAGO AND OGLE COUNTIES, ILLINOIS, DESIGNATING THE SOUTH ROCKFORD INDUSTRIAL REDEVELOPMENT PROJECT AREA PURSUANT TO THE TAX INCREMENT ALLOCATION REDEVELOPMENT ACT

WHEREAS, the City of Rockford, Winnebago and Ogle Counties, Illinois (the "*City*"), is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, it is desirable and in the best interest of the citizens of the City of Rockford, Winnebago and Ogle Counties, Illinois, for the City to implement tax increment allocation financing pursuant to the Tax Increment Allocation Redevelopment Act, Division 74.4 of Article 11 of the Illinois Municipal Code, as amended (the "*Act*"), for proposed South Rockford Industrial redevelopment plan and redevelopment project (the "*Plan and Project*") within the municipal boundaries of the City within a proposed redevelopment project area (the "*Area*") described in Section 2 of this Ordinance; and

WHEREAS, pursuant to the Act, it is the intent of the City to encourage only projects that meet the economic development goals and objectives of the City, and that also show a demonstrated need for economic development incentives to proceed in a manner required to fulfill such economic development goals and objectives of the City; and

WHEREAS, the City Council has determined that "Data Centers" (as defined herein) place a significant, disproportionate demand on local energy grids, water resources, and sewer

infrastructure while generating comparatively minimal long-term employment relative to the public investment and infrastructure costs justified and required; and

WHEREAS, based upon comments received during said public hearings, the City Council desires to explicitly state that the South Rockford Industrial TIF Redevelopment Plan is not intended to deploy the use of TIF funds, public subsidies, and tax increment revenues to support, subsidize, or incentivize the development of Data Centers, and therefore the use of TIF funds for such purpose is hereby prohibited; and

WHEREAS, the Corporate Authorities have heretofore by ordinance approved the Plan and Project, which Plan and Project were identified in such ordinance and were the subject, along with the Area designation hereinafter made, of a public hearing held on May 11, 2026, and on May 21, 2026, and it is now necessary and desirable to designate the Area as a redevelopment project area pursuant to the Act.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Rockford, Winnebago and Ogle Counties, Illinois, as follows:

SECTION 1. *Recitals* That the above recitals and findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

SECTION 2. *Definitions.* For the purposes of this Ordinance, a "Data Center" shall mean any facility, campus, or portion thereof used primarily for housing, managing, and operating centralized computer servers, data storage devices, network switching equipment, and associated cooling and power infrastructure, including but not limited to server farms, cloud computing facilities, and artificial intelligence (AI) training centers. This definition shall not include traditional telecommunications switching facilities or local corporate/institutional network rooms.

SECTION 3. *Ineligible Uses and Projects.* No TIF increment revenues, TIF notes, property tax rebates, sales tax exemptions, or any other financial assistance or public subsidies authorized

under the Illinois Tax Increment Allocation Redevelopment Act (65 ILCS 5/11-74.4-1 *et seq.*) shall be approved, granted, or allocated to any developer, property owner, or operator of a Data Center within the South Rockford Industrial TIF District.

SECTION 4. *Area Designated.* That the Area, as legally described in EXHIBIT A, a copy of which is attached hereto and made a part hereof, as if fully set forth in its entirety, is hereby designated as a redevelopment project area pursuant to Section 11-74.4-4 of the Act. The general street location for the Area is described in EXHIBIT B, a copy of which is attached hereto and made a part hereof, as if fully set forth in its entirety. The map of the Area is depicted on EXHIBIT C, a copy of which is attached hereto and made a part hereof, as if fully set forth in its entirety.

SECTION 5. *Severability.* This Ordinance, and its parts, is declared to be severable and if any section, clause, provision, or portion thereof of this Ordinance is declared invalid, the invalidity thereof shall not affect the validity of any other provisions of this Ordinance which shall remain in full force and effect.

SECTION 6. *Superseder.* All ordinances, resolutions, motions, or orders in conflict with any provision of this Ordinance are, to the extent of such conflict, hereby repealed.

SECTION 7. *Effective Date.* This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

PASSED BY THE MAYOR AND THE CITY COUNCIL of the City of Rockford, Illinois, at a regular meeting thereof on the _____ day of _____, 2026, and approved by me as Mayor on the same day.

VOTING AYE: _____

VOTING NAY: _____

ABSENT: _____

ABSTAIN: _____

APPROVED: _____, 2026

MAYOR

ATTESTED:

LEGAL DIRECTOR

PASSED:

APPROVED:

PUBLISHED:

ATTESTED and **FILED** in my office this _____ day of _____, 2026, and published in pamphlet form this _____ day of _____, 2026 by order of the City Council of the City of Rockford, Illinois.

Legal Director and ex officio
Keeper of the Records and Seal

**APPROVED AND
RECOMMENDED BY:**

Angela L. Hammer, Legal Director

EXHIBIT A

LEGAL DESCRIPTION

DRAFT

EXHIBIT B

GENERAL STREET LOCATION

DRAFT

EXHIBIT C

MAP OF REDEVELOPMENT PROJECT AREA

DRAFT

STATE OF ILLINOIS)
) SS
COUNTIES OF WINNEBAGO AND OGLE)

I, **ANGELA L. HAMMER**, Legal Director and ex officio Keeper of the Records and Seal of the City of Rockford, County of Winnebago, State of Illinois, do hereby certify that the foregoing is a true and correct copy of the ***City of Rockford Ordinance Designating the South Rockford Industrial Redevelopment Project Area Pursuant to the Tax Increment Allocation Redevelopment Act, Ordinance No: 2026-__-O*** approved by the City Council of the City of Rockford at its meeting held on _____, _____, 2026.

IN WITNESS WHEREOF, I hereunto set my hand and affixed the Corporate Seal of the City of Rockford, Illinois this ____ day of _____, 2026.

ANGELA L. HAMMER, Interim Legal Director and ex officio Keeper of the Records and Seal

(SEAL)