

**CHAPTER 4**

**BOARDS AND COMMISSIONS**

**ARTICLE I – PLAN COMMISSION**

**4-1-1**            **ESTABLISHED.** A Plan Commission is hereby created under authority of the Illinois Compiled Statutes, Chapter 65, Sections 5/11-12-4 through 5/11-12-12.

**4-1-2**            **MEMBERSHIP.** The Plan Commission shall consist of **seven (7) members**, appointed by the Mayor on the basis of their particular fitness for their duty on the Plan Commission and subject to the approval of the City Council. At least **five (5)** of said members shall be residents of the City. No more than **two (2)** of said members may reside within **one and one-half (1 ½) miles** beyond the corporate limits and not included within any other municipality. (**Ord. No. 2105; 06-12-23**)

**4-1-3**            **TERM OF OFFICE.** The members shall serve for a period of **three (3) years**. Vacancies shall be filled by appointment for the unexpired term only. All members of the Commission shall serve without compensation, except that if the City Council deems it advisable, they may receive such compensation as provided by the City Council by appropriation.

**4-1-4**            **PROCEDURE.** The Plan Commission shall elect such officers as it may deem necessary and adopt rules and regulations of organization and procedures consistent with the City Code and State Law. The Commission shall keep written records of its proceedings. It shall be open at all times for and to the inspection of the public, and the Commission shall file an annual report with the Mayor and City Council, setting forth its transactions and recommendations.

**4-1-5**            **POWERS AND DUTIES.** The Plan Commission shall have the following powers and duties:

(A)                To prepare and recommend to the City Council a comprehensive plan for the present and future development or redevelopment of the City and contiguous unincorporated territory not more than **one and one-half (1 ½) miles** beyond the corporate limits of the City and not included in any other municipality. Such plan may be adopted in whole or in separate geographical or functional parts, each of which, when adopted, shall be the official comprehensive plan or part thereof of the City. Such plan shall be advisory except as to such part thereof as has been implemented by ordinances duly enacted by the City Council.

All requirements for public hearing, filing of notice of adoption with the County Recorder of Deeds, and filing of the plan and ordinances with the City Clerk shall be complied with as provided for by law. To provide for the health, safety, comfort and convenience of the inhabitants of the City and contiguous territory, such plan or plans shall establish reasonable standards of design for subdivisions and for resubdivisions of unimproved land and of areas subject to redevelopment in respect to public improvements as herein defined and shall establish reasonable requirements governing the location, width, course, and surfacing of public streets and highways, alleys, ways for public service facilities, curbs, gutters, sidewalks, street lights, parks, playgrounds, school grounds, size of lots to be used for residential purposes, storm water drainage, water supply and distribution, sanitary sewers, and sewage collection and treatment. The requirements specified herein shall become regulatory only when adopted by law.

(B)                To designate land suitable for annexation to the City and the recommended zoning classification for such land upon annexation.

(C)                To recommend to the City Council, from time to time, such changes in the comprehensive plan or any part thereof, as may be deemed necessary.

(D) To prepare and recommend to the City Council, from time to time, plans and/or recommendations for specific improvements in pursuance to the official comprehensive plan.

(E) To give aid to the officials of the City charged with the direction of projects for improvements embraced within the official plan or parts thereof, to further the making of such improvements and generally, to promote the realization of the official comprehensive plan.

(F) To arrange and conduct any form of publicity relative to its activities for the general purpose of public understanding.

(G) To cooperate with municipal or regional plan commissions and other agencies or groups to further the local plan program and to assure harmonious and integrated planning for the area, subject to approval of the City Council.

(H) To exercise such other powers germane to the powers granted under authority of an act of the General Assembly of the State of Illinois, as may be conferred by the City Council.

**4-1-6 LAND SUBDIVISION OR RE-SUBDIVISION AND THE OFFICIAL MAP.** At any time or times before or after the formal adoption of the official comprehensive plan by the corporate authorities, an official map may be designated by ordinance, which may consist of the whole area included within the official comprehensive plan or one or more geographical or functional parts and may include all or any part of the contiguous unincorporated area within **one and one-half (1 ½) miles** from the corporate limits of the City. All requirements for public hearing, filing notice of adoption with the County Recorder of Deeds and filing of the plan and ordinances, including the official map with the Clerk shall be complied with as provided for by law. No map or plat of any subdivision or re-subdivision presented for record affecting land within the corporate limits of the City or within contiguous territory which is not more than **one and one-half (1 ½) miles** beyond the corporate limits shall be entitled to record or shall be valid unless the subdivision shown thereon provides for standards of design and standards governing streets, alleys, public ways, ways for public service facilities, street lights, public grounds, size of lots to be used for residential purposes, and distribution, sanitary sewers, and sewage collection and treatment in conformity with the applicable requirements of the Code, including the official map. **(65 ILCS 5/11-12-12)**

**4-1-7 IMPROVEMENTS.** The City Clerk shall furnish the Plan Commission for its consideration, a copy of all ordinances, plans and data relative to public improvements of any nature. The Plan Commission may report in relation thereto, if it deems a report necessary or advisable, for the consideration of the City Council.

**4-1-8 FURTHER PURPOSES.** The Commission shall recommend the boundaries of districts for land use and shall recommend regulations to the corporate authorities for the following:

(A) To regulate and limit the height and bulk of buildings hereafter to be erected.

(B) To establish, regulate and limit the building or setback lines on or along the street, traffic way, drive, parkway, or storm or flood water runoff channel or basin.

(C) To regulate and limit the intensity of the use of lot areas and to regulate and determine the area of open spaces, within and surrounding such buildings.

(D) To classify, regulate and restrict the location of trades and industries and the location of buildings designed for specified industrial, business, residential, and other uses.

(E) To divide the entire municipality into districts of such number, shape, area, and of such different classes (according to use of land and buildings, height, and bulk of buildings, intensity of the use of lot area, area of open spaces, or other classification), as may be deemed best suited to carry out the purpose of this Section.

(F) To fix standards to which buildings or structures therein shall conform.

(G) To prohibit uses, buildings, or structures incompatible with the character of such districts.

(H) To prevent additions to and alteration or remodeling of existing buildings or structures in such a way as to avoid the restrictions and limitations lawfully imposed under this Section.

**4-1-9 EXPENDITURES.** Expenditures of the Commission shall be at the discretion of the City Council and if the Commission shall deem it advisable to secure technical advice or services, it shall be done upon authority of the City Council and appropriations by the City Council therefor. **(65 ILCS 5/11-12)**

**ARTICLE II - HUMAN RELATIONS COMMISSION**

**4-2-1 CREATION AND MEMBERSHIP OF COMMISSION.** This is hereby created a Commission on Human Relations, which Commission shall be composed of **five (5) members**. Each member of the Human Relations Commission shall be appointed by the Mayor, with the consent of the City Council members. Each member of the Human Relations Commission shall be a qualified elector of the City and shall have resided therein at least **one (1) year** preceding his appointment. The **five (5) members** first appointed after the passage of this Code shall serve for the following terms:

**Three (3) Commissioners**, one of whom shall be designated by the Mayor as Chairman, shall serve for **two (2) years**; and

**Two (2) Commissioners** shall serve for **one (1) year**.

The successors of all such individual **five (5) members** of the Commission shall serve for terms of **two (2) years**; all such appointments to fill vacancies shall be made in like manner as in the case of the initial Commissioners.

A Commissioner having been duly appointed shall continue to serve after the expiration of his term until his successor has been appointed. All terms shall expire on **June 30<sup>th</sup>** in their final year.

**4-2-2 MEETINGS; VICE-CHAIRMAN AND SECRETARY.** The Human Relations Commission shall, at the annual meeting in May, elect a Vice-Chairman and a Secretary. Such Commission shall hold regular annual meetings and such other meetings as may be necessary. The meetings shall be held in the City Hall or some other suitable place.

**4-2-3 DUTIES.**

(A) The Commission shall advise and consult with the Mayor and members of the City Council on matters involving racial, religious, ethnic prejudices or discrimination and recommend such action as it may deem appropriate to effectuate this policy.

(B) The Commission shall have and exercise the power to:

(1) Act to eliminate unlawful practices relating to the Affirmative Action Plan, the Fair Housing Code, the Equal Employment and Business Opportunity Code, or any other ordinance or resolution assigned to the Commission by the City Council.

(2) Receive, initiate and investigate complaints alleging discrimination as outlined in the Codes of the Commission's jurisdiction. Any complaint initiated by the Commission shall be in writing, shall be signed by the Chairman or Vice-Chairman of the Commission and shall fully set forth the circumstances of the alleged violation and the source of all information upon which the complaint is based, including the names and addresses of all complainants. Such written complaint shall be served

upon the party alleged to be in violation of the Code under the Commission's jurisdiction.

- (3) Seek conciliation of, hold hearings on and make findings of fact with respect to any such complaint.
- (4) Recommend the issuance of orders subject to approval by the City Council and to publish its findings of fact and recommend orders in accordance with the provisions of the Code under the Commission's jurisdiction after submission to the City Council.
- (5) Render from time to time, but not less than every **one (1) year**, a written report to the City Council of its activities and recommendations with respect to the Code under the Commission's jurisdiction, which written reports shall be made public after submission to the City Council.
- (6) Adopt, after approval of the City Council, such rules and regulations as may be necessary or desirable to carry out the purposes of the Code under the jurisdiction of the Commission.

**4-2-4 COMPLAINT; CONCILIATION.**

(A) Any person aggrieved in any manner by a violation of any provision of any ordinance under the jurisdiction of the Commission may file with the Commission a written verified complaint setting forth his grievance. The complaint shall state:

- (1) the name and address of the complainant;
- (2) the name and address of the person against whom the complaint is sought, if known to the complainant; and
- (3) the alleged facts surrounding the alleged violation of this Code; and such complaint shall state the name and address of all persons believed to have knowledge concerning the alleged facts.

The Commission shall provide a printed form of complaint for the use of aggrieved persons.

(B) After the filing of any complaint, the Commission shall serve a copy of the complaint on the party or parties charged with the Chairman or Vice-Chairman of the Commission shall designate a panel, comprised of **three (3)** or more Commission members, to make a prompt investigation in connection therewith.

(C) If such panel shall determine after such investigations that probable cause exists for the allegations of the complaint, 1) the panel shall set a date for a meeting, and 2) at said meeting, the panel or any member thereof shall interview the complainant and the person or persons against whom the complaint has been directed and shall attempt to resolve the complaint by all proper methods of conciliation and persuasion.

(D) Meetings or efforts by the Commission to conciliate a complaint of discrimination filed under any of the Codes of the Commission's jurisdiction shall not be subject to the provision of "An Act in relation to meetings," as amended, appearing at **Illinois Compiled Statutes, Chapter 5, Section 120/1 et seq.**, provided, however, that no final action for the recommendation of a penalty by the Commission shall be taken except at a meeting open to the public.

(E) If at any time within **sixty (60) days** after the date of filing of the complaint, such panel shall determine that such attempts at conciliation would not be in furtherance of the objectives of any Code under the jurisdiction of the Commission, the Commission shall thereupon proceed promptly to a full hearing of the complaint, in accordance with **Section 4-2-5** below.

**4-2-5 HEARING BY COMMISSION.**

(A) Such hearing shall be conducted by the Commission, or a panel thereof, upon due and reasonable notice to all parties. The Commission shall have power to administer oaths and to take sworn testimony. Any party alleged to have violated any Code under the jurisdiction of this Commission shall be entitled to be represented by counsel and shall have the right to call witnesses in his own behalf and to cross-examine witnesses.

(B) At the conclusion of said hearing, the Commission shall render to the City Council a written report and recommendations, which shall also be served by mail upon the complainant and the party or parties charged. No report shall be delayed more than **sixty (60) days** after the date of the first issuance of notice for commencement of a hearing.

**4-2-6 ENFORCEMENT.**

(A) The Commission shall be empowered, at the conclusion of proceedings held under **Section 4-2-5**, to recommend to the City Council that the Council order any person found to be in violation of any Code under the jurisdiction of the Commission to cease and desist from any practice of violation, upon such terms as shall be necessary and proper for the enforcement of any Code under the jurisdiction of the Commission.

(B) At the conclusion of the hearing proceedings held under **Section 4-2-5**, the Commission shall be empowered, as a part of its report to recommend to the City Council that it direct the City Attorney to:

- (1) Apply to any court of competent jurisdiction for such relief as may seem to the Court appropriate for the enforcement of any Code under the jurisdiction of the Commission and the elimination of any violation thereof.
- (2) In the case of any unlawful practice or violation of any Code under the jurisdiction of the Commission by any person in the course of performing under a contract or sub-contract with the State or any political subdivision or agency thereof, or with the United States of America or any agency or instrumentality thereof, to petition or institute proceedings with such contracting agency for the purpose of causing it to terminate such contract or any portion thereof, either absolutely or on condition of compliance with the provisions of any Code under the jurisdiction of the Commission.

(C) After receipt of the recommendation of the Commission, the City Council may issue such cease and desist orders and may direct such action by the City Attorney, including the procedures as in subsection (B) hereinabove set forth, as shall be necessary for the enforcement of any Code under the jurisdiction of the Commission.

**4-2-7 LIMITATION OF TIME TO FILE COMPLAINTS.** Any complaint filed hereunder with the Commission must be filed within **thirty (30) days** after the alleged discriminatory violation occurred, or it shall be barred.

**4-2-8 PROCEDURES FOR COMPLAINTS AGAINST THE CITY.** Any person aggrieved in any manner by a violation by the City, its officers or employees, of any Code under the jurisdiction of the Commission shall follow the complaint, conciliation and hearing procedures established in this Code, and shall comply with the limitation requirement established in **Section 4-2-7** of this Code. **Sections 4-2-5(B) and 4-2-6**, concerning recommendations and enforcement, however, shall be inapplicable. Instead, at the conclusion of the hearing, the Commission may render a written report and recommendations to such State or Federal agencies as the Commission deems necessary and appropriate, and in such event shall serve copies by mail upon the complainant, party or parties charged, and the City Council. No report shall be delayed more than **sixty (60) days** after the date of the first issuance of notice for commencement of a hearing.

**[This Article Ord. No. 734; 02-13-84]**