

TITLE 2 BOARDS AND COMMISSIONS

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CHAPTER 1 PLANNING DEPARTMENT AND PLAN COMMISSION

SECTION:

- 2-1-1: Planning Department Created; Composition**
- 2-1-2: Powers of Planning Department**
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- 2-1-4: Appointment; Terms of Office**
- 2-1-5: Vacancies in Office**
- 2-1-6: Organization**
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2-1-1: PLANNING DEPARTMENT CREATED; COMPOSITION:

As authorized by State statute, there is hereby created a Planning Department, consisting of the City Administrator, Director of Public Works and the other City staff as the City Administrator deems necessary. The City Administrator shall act as head of the Planning Department. (Ord. 857, 5-10-1994)

2-1-2: POWERS OF PLANNING DEPARTMENT:

The Planning Department shall have the following powers and the same powers as are provided by law to plan commissions, and whenever the term Plan Commission is used in this Code, such term shall be deemed to include the term Planning Department:

- A. To prepare and recommend to the corporate authorities, from time to time, plans for specific improvements in pursuance of the Official Comprehensive Plan.
- B. To recommend reasonable requirements in reference to streets, alleys, public grounds and other improvements within the corporate limits and contiguous territory not more than one and one-half (1 1/2) miles beyond the corporate limits and not included in any municipality.
- C. To recommend ordinances establishing reasonable standards of design for subdivisions and resubdivisions of unimproved land and of areas subject to redevelopment in respect to public improvements as provided by statute or ordinance.
- D. To schedule and hold public hearings in regard to proposed ordinances or resolutions to:
 - 1. Receive a donation of land and/or cash contribution for a school or other public purpose.
 - 2. Approve a subdivision or resubdivision of land.
 - 3. Permit a special use. (Ord. 857, 5-10-1994)
 - 4. Variation, amendment or other change or modification in any zoning ordinance of the City, only upon written approval of the Hearing Officer. (Ord. 1995-11, 4-25-1995)
- E. To exercise such other powers as may be provided by statute (65 ILCS 5/11-12-5) or ordinance. (Ord. 857, 5-10-1994)

2-1-3: PLAN COMMISSION CREATED; COMPOSITION:

As authorized by State statute, there is hereby created a Plan Commission for the City, which Commission shall consist of seven (7) members. (Ord. 857, 5-10-1994)

2-1-4: APPOINTMENT; TERMS OF OFFICE:

The membership of the Plan Commission shall be appointed by the Mayor by and with the consent of the City Council. The terms of office of the members of the Plan Commission shall be for five (5) years; provided, that the term of members thereof first appointed shall be as follows: one member to serve for one year, two (2) members to serve for two (2) years, one member to serve for three (3) years, two (2) members to

serve for four (4) years and one member to serve for five (5) years. Current members of the Plan Commission may continue to serve the unexpired portions of their respective terms. The terms of all members expire on the second Tuesday in May in the last year of their respective terms regardless of the actual date of appointment, but the member whose term is expiring shall continue to hold his office until his successor is appointed as provided hereunder. (Ord. 857, 5-10-1994)

2-1-5: VACANCIES IN OFFICE:

In the event a vacancy shall occur in the membership of the Plan Commission, the vacancy so existing shall be filled by appointment as provided herein for the membership of the Plan Commission, and a person so appointed shall complete the term of the member replaced or until his successor is duly appointed. (Ord. 857, 5-10-94)

2-1-6: ORGANIZATION:

- A. Officers: The Plan Commission shall elect from its membership a chairman, vice chairman and a secretary and any such other officers as the Commission may deem, from time to time, necessary.
- B. Meetings: The Plan Commission shall meet not less than once monthly and may provide for regular or special meetings as it shall deem required. Special meetings may be held on call of the chairman or some member of the Plan Commission acting in his stead.
- C. Rules of Procedure: The Plan Commission shall adopt rules regulating the procedure of all meetings of the Plan Commission. Such rules shall be filed in the office of the City Clerk and may be amended at any meeting; such rules to be effective upon filing in the office of the City Clerk. (Ord. 857, 5-10-94)

2-1-7: POWERS OF PLAN COMMISSION:

The Plan Commission shall have the following powers:

- A. To prepare and recommend to the corporate authorities a Comprehensive Plan for the present and future development or redevelopment of the City.
- B. To recommend changes, from time to time, in the Official Comprehensive Plan.
- C. To schedule and hold public hearings in regard to ordinances or resolutions to adopt a Comprehensive Plan or amendment thereto.
- D. To give aid to officials of the City, including the Planning Department, charged with the inspection of improvements embraced within the Official Comprehensive Plan.

E. To exercise authority in the conduct of matters of planning as may be referred to the Plan Commission, from time to time, by the Planning Department or the corporate authorities.

F. To exercise such other powers as may be provided by ordinance. (Ord. 857, 5-10-94)

CHAPTER 2 HEARING OFFICER

SECTION:

- 2-2-1: Hearing Officer Established**
- 2-2-2: Qualification and Appointment**
- 2-2-3: Compensation and Hearing Fees**
- 2-2-4: Duties and Powers**

2-2-1: HEARING OFFICER ESTABLISHED:

As authorized by State statute, there is hereby created the position of Hearing Officer for the City of Genoa. (Ord. 858, 4-26-94)

2-2-2: QUALIFICATION AND APPOINTMENT:

The Hearing Officer shall be the City Attorney or his designate should the City Attorney be unable to attend to the duties of Hearing Officer. (Ord. 858, 4-26-94)

2-2-3: COMPENSATION AND HEARING FEES:

The Hearing Officer shall receive such compensation as the corporate authorities may from time to time provide. A schedule of fees shall be established to defray the costs of a Hearing Officer. (Ord. 858, 4-26-94)

2-2-4: DUTIES AND POWERS:

The Hearing Officer is hereby authorized to:

- A. Conduct public hearings in connection with applications for any special use, variation, amendment or other change or modification in any zoning ordinance of the City.
- B. Hear and decide appeals from and review any order, requirement, decision or determination made by an administrative official charged with the enforcement of any ordinance adopted pursuant to zoning.

- C. Whenever the term "Board of Appeals" or "Zoning Board of Appeals" is used anywhere in this City Code, such term shall be deemed to include the term "Hearing Officer". When the Hearing Officer is to conduct a public hearing in a matter otherwise required to be heard by a board of appeals, notice of hearing shall be given in the same time and manner as is provided by law for a board of appeals.
- D. The Hearing Officer shall exercise and perform all of the powers and duties of the board of appeals in the same manner and to the same effect as is provided by statute for the board of appeals.
- E. The power to determine and approve variation and special use is reserved to the corporate authorities. After public hearing and upon report of the Hearing Officer, the corporate authorities may by ordinance without further public hearing adopt any proposed variation or special use or may refer it back to the Hearing Officer for further consideration, and any proposed variation or special use which fails to receive the approval of the Hearing Officer shall not be passed except by the favorable vote of two thirds (2/3) of all Aldermen of the City.
- F. When the Hearing Officer is hearing and deciding appeals from or reviewing any order, requirement, decision or determination made by an administrative official charged with the enforcement of any zoning ordinance, the determination made by the Hearing Officer with respect to any such matter shall constitute a final administrative decision which is subject to judicial review pursuant to relevant statute. (Ord. 858, 4-26-94)

CHAPTER 3 BOARD OF FIRE AND POLICE COMMISSIONERS

SECTION:

- 2-3-1: Board Established**
- 2-3-2: Composition; Appointments and Terms**
- 2-3-3: Powers and Duties**

2-3-1: BOARD ESTABLISHED:

There is established a Board of Fire and Police Commissioners as provided by law ¹² . (1978 Code §3.10)

2-3-2: COMPOSITION; APPOINTMENTS AND TERMS:

- A. The Board of Fire and Police Commissioners shall consist of three (3) members whose terms of office shall be three (3) years and until their respective successors are appointed and have qualified, except as provided in this Section. No such appointment, however, shall be made by the Mayor within thirty (30) days before the expiration of his term of office.
- B. The Mayor shall appoint the first members of the Board. One of the members shall be appointed to serve until the end of the then current Municipal year, another to serve until the end of the Municipal year next ensuing and the third to serve until the end of the Municipal year second next ensuing, but every member shall serve until his successor is appointed and has qualified. (1978 Code §3.10)

2-3-3: POWERS AND DUTIES:

- A. Appoint Police Officers: The Board of Fire and Police Commissioners shall appoint all officers and members of the Police Department of the Municipality, except the Chief of Police. All appointments within the Department, other than those of the lowest rank, however, shall be from the rank next below that to which the appointment is made, except the Chief of Police. The Chief of Police shall be appointed by the Mayor with the advice and consent of the City Council.
- B. Other Powers and Duties: The Board of Fire and Police Commissioners shall perform and carry out all the terms and provisions contained in the Board of Fire and Police Commissioners Act , which shall be incorporated by reference the same as if set forth at length and in detail and as from time to time amended. (1978 §3.10; 1993 Code)

CHAPTER 4 ECONOMIC DEVELOPMENT COMMISSION

SECTION:

- 2-4-1: Creation**
- 2-4-2: Jurisdiction**
- 2-4-3: Meetings and Rules**
- 2-4-4: Quorum**

2-4-1: CREATION:

An Economic Development Commission is hereby authorized and established.

- A. Appointment And Terms: The Commission shall consist of five (5) members appointed by the Mayor with the consent of the City Council. The initial appointments shall be one member for a three (3) year term, two (2) members for a two (2) year term, and two (2) members for a one year term. The terms for subsequent Economic Development Commission appointed members shall be three (3) years.
- B. Officers: The Mayor shall designate with confirmation by the City Council, one of the members of the Economic Development Commission as chairman for a period of one year. The Economic Development Commission shall elect a vice chairman and such other officers as deemed necessary. These officers shall be elected at the first meeting after the second Tuesday of May. Committees, as deemed necessary to carry out the activities of the Commission, shall be appointed by the chairman.
- C. Vacancies: Vacancies shall be filled for the unexpired term of any member by appointment by the Mayor with the consent of the City Council. If a vacancy in the chairmanship is created, the vice chairman shall serve as chairman until the Mayor designates a chairman to serve the unexpired term.
- D. Ex Officio Members: The Mayor, the members of the Plan Commission, and the president of the Genoa Chamber of Commerce shall serve as ex officio members of the Commission. (Ord. 99-25-5r, 8-3-1999)

2-4-2: JURISDICTION:

The Economic Development Commission of the City shall have the following duties:

- A. To review applications for grants, loans, and other financial incentives or inducements related to economic development prospects, and recommend with respect thereto, to the City Council.
- B. To initiate, direct and review, from time to time, studies of the economic development characteristics of the City.
- C. To promote the attraction and retention of employment and shopping opportunities in Genoa which will contribute to Genoa's quality of life and provide long-term benefits to the City and its residents.
- D. To review, and analyze various statistics, trends and reports to keep abreast on issues that may affect economic development policy in Genoa.
- E. To work with the DeKalb County Economic Development Commission (DCEDC), State and other local agencies to achieve desired goals.
- F. To organize and maintain economic development facts and profile information about the City and make it available to prospective investors, developers and entrepreneurs.

- G. To develop programs for economic development with recommendations for implementation and present these programs to the City Council.
- H. To review all amendments to the City of Genoa Comprehensive Plan and recommend with respect thereto to the Plan Commission.
- I. To report to the City Council not less frequently than once each year giving a summary of its activities and proposed initiatives for future consideration, and a status of the Genoa economy. (Ord. 99-25-5r, 8-3-1999)

2-4-3: MEETINGS AND RULES:

All meetings of the Economic Development Commission shall be held at the call of the chairman, and at such time as the Economic Development Commission may determine. All hearings conducted by said Economic Development Commission under this Chapter shall be in accordance with the Illinois statutes. The Economic Development Commission shall keep minutes of its proceedings, and shall also keep records of its proceedings, and shall also keep records of its official actions. A copy of every rule or regulation, and every recommendation, decision or determination of the Economic Development Commission under this Chapter shall be filed in the office of the City Clerk and shall be a public record. The Economic Development Commission shall adopt its own rules and procedures, not in conflict with this Chapter with applicable Illinois statutes. (Ord. 99-25-5r, 8-3-1999)

2-4-4: QUORUM:

Three (3) members of the Commission shall constitute a quorum. No meeting shall be conducted by the Commission without a quorum being present. (Ord. 99-25-5r, 8-3-1999)

**CHAPTER 5
ELECTRICAL COMMISSION**

SECTION:

2-5-1: Commission Created; Duties

2-5-1: COMMISSION CREATED; DUTIES:

There is hereby created an Electrical Commission which shall be constituted and perform such duties as are set forth in the Illinois Municipal Code, chapter 65, article 11, division 37. (1978 Code §25.01)

CHAPTER 6 BOARD OF LOCAL IMPROVEMENTS

SECTION:

2-6-1: Board Created; Composition

2-6-1: BOARD CREATED; COMPOSITION:

- A. There is established a Board of Local Improvements as provided by law. The Board of Local Improvements shall consist of the Mayor, the City Engineer and three (3) Aldermen. Aldermen shall be appointed by the Mayor. The Mayor shall be president of the Board.
- B. The Board of Local Improvements shall perform all duties and carry out all provisions of said Board as provided by law. (Ord. 827, 6-8-93)

CHAPTER 7 CITY TREE BOARD

SECTION:

2-7-1: Creation and Establishment
2-7-2: Terms of Office
2-7-3: Operation
2-7-4: Compensation
2-7-5: Tree Board/Director of Public Works; Duties
2-7-6: Review by City Council

2-7-1: CREATION AND ESTABLISHMENT:

There is hereby created and established a City Tree Board for the City of Genoa which shall consist of five (5) members, chosen from citizens who are residents of the City or who have a demonstrated interest in the City. Members shall be appointed by the Mayor with the advice and consent of the City Council. (Ord. 868, 7-12-94)

2-7-2: TERMS OF OFFICE:

The term of the five (5) persons to be appointed by the Mayor shall be three (3) years except that the term of two (2) of the members appointed to the first Board shall be for only one year and the term of two (2) members of the first Board shall be for two (2) years. In the event that a vacancy shall occur during the term of any member, his successor shall be appointed for the unexpired portion of the term. (Ord. 868, 7-12-94)

2-7-3: OPERATION:

The Board shall choose its own officers, make its own rules and regulations, and keep a journal of its proceedings. A majority of the members shall be a quorum for the transaction of business. (Ord. 868, 7-12-94)

2-7-4: COMPENSATION:

Members of the Board shall serve without compensation. (Ord. 868, 7-12-94)

2-7-5: TREE BOARD/DIRECTOR OF PUBLIC WORKS; DUTIES:

A. Urban Forestry Plan Update: The Tree Board shall develop, and each subsequent year, update the Urban Forestry Plan. The plan shall outline urban forestry program activities for a minimum of the next five (5) years.

This plan shall 1) describe the urban forestry activities to be undertaken by the City, 2) the reasons for those activities, 3) the possible funding source(s), 4) the means of accomplishing the activities, 5) the alternatives available to the City to fund or accomplish the activity, 6) the projected date of completion, and 7) the consequences if the activity is not completed. Activities may include but are not limited to: street tree inventory, planting, tree removal, beautification projects, and educational projects. Such plan will be presented annually to the City Planning Department and City Council and upon their acceptance and approval shall constitute the Official Urban Forestry Plan of the City of Genoa.

B. Review and Revise Manual: The Tree Board shall develop and periodically review and revise, as necessary, the "Arboricultural Specifications Manual". This manual shall contain regulations and standards for the preservation, planting, maintenance, and removal of trees, shrubs, and other plants within the City limits. This manual shall have the same force of law as this Chapter.

C. Available to Public: The Tree Board shall cause the Urban Forestry Plan and the "Arboricultural Specifications Manual", and all revisions and amendments thereto, to be published and promulgated and shall cause three (3) copies of the manual, and all revisions and amendments thereto, to be available for public inspection at the office of the City Clerk and the public library.

D. Information and Education Program: The Tree Board shall establish a program of public information and education that will encourage the planting, maintenance, or removal of trees, shrubs, and other plants on private property in furtherance of the goals of the Urban Forestry Plan.

E. Administration: The Director of Public Works shall administer the Urban Forestry Plan, tree ordinances, and the provisions of the "Arboricultural Specifications Manual".

F. Enforcement: The Director of Public Works shall cause to happen whatever acts are necessary, including the planting and maintenance of trees and the removal of undesirable trees, shrubs, and other plants located on City-owned property, to ensure that all trees, shrubs, and other plants located on City-owned property conform with the Urban Forestry Plan, the "Arboricultural Specifications Manual", and related ordinances. Pursuant to this duty, the Director of Public Works, in accordance with normal City procedures regarding contracts, may arrange contractual agreements.

G. Permits:

1. Compliance Agreement: The City Clerk shall issue permits as are required by ordinance and shall obtain as a condition precedent to the issuance of such permits the written agreement of each person who applies for such permits that he or she will comply with the requirements of said ordinances, the Urban Forestry Plan, and with the regulations and standards of the "Arboricultural Specifications Manual".

2. Inspection: The Director of Public Works shall have the right to inspect all work performed pursuant to such permits.

3. Notice of Noncompliance: If the Director of Public Works finds that the work performed is not in compliance with the requirements of said ordinances, the Urban Forestry Plan, or with the regulations or standards of the "Arboricultural Specifications Manual", the Director of Public Works shall provide written notice of his/her findings to the permit applicant. The notice shall cite appropriate sections of ordinance in violation thereof; and

a. The permit shall be nullified and shall be void, and

b. The Director of Public Works may issue a written order that the permit applicant cease and desist all work for which the permit was required, and

c. The permit applicant shall be subject to penalty as prescribed by ordinance, and

d. The Director of Public Works may take steps to correct the results of the noncomplying work, and the reasonable costs of such steps shall be charged to the permit applicant. (Ord. 868, 7-12-94)

2-7-6: REVIEW BY CITY COUNCIL:

The City Council shall have the right to review the conduct, acts, and decisions, of the City Tree Board. Any person may appeal from any ruling or order of the City Tree Board to the City Council who may hear the matter and make final decisions. (Ord. 868, 7-12-94)

CHAPTER 8 INDUSTRIAL DEVELOPMENT COMMISSION

SECTION:

- 2-8-1: Commission Created; Purpose**
- 2-8-2: Composition; Appointment and Terms; Vacancies**
- 2-8-3: Organization**
- 2-8-4: Duties**

2-8-1: COMMISSION CREATED; PURPOSE:

There shall be established an Industrial Development Commission whose purpose shall be assisting and advising the City Council on structuring a sound industrial development program for the City. (Ord. 879, 11-8-94)

2-8-2: COMPOSITION; APPOINTMENT AND TERMS; VACANCIES:

- A. Appointed Members: The Commission shall consist of four (4) appointed nonaldermanic members. Members serving on the Commission by appointment shall be appointed by the Mayor with the advice and consent of the City Council.
- B. Aldermanic Members: The Commission shall consist of three (3) aldermanic members. Aldermanic members serving on the Commission shall be appointed by the Mayor with the advice and consent of the City Council.
- C. Ex Officio Members: The Mayor and the City Administrator shall serve as ex officio members of the Commission.
- D. Terms of Office: The term of office for appointed members of the Commission shall be for a period of four (4) years. One-quarter (1/4) of the appointed offices shall expire each fiscal year. Aldermanic members serve at the pleasure of the Mayor.
- E. Vacancies: In the event a vacancy shall occur in the membership of the Commission, a replacement shall be appointed by the Mayor with the advice and consent of the

City Council. A person so appointed shall complete the term of the member replaced. (Ord. 879, 11-8-94)

2-8-3: ORGANIZATION:

- A. Officers: The Industrial Development Commission shall elect from its membership a chairman, vice chairman, and secretary who shall perform such duties as outlined, from time to time, by the Commission members.
- B. Meetings: The Commission shall hold regular meetings at least quarterly and as many other meetings as are deemed necessary to conduct the business of the Commission. (Ord. 879, 11-8-94)

2-8-4: DUTIES:

The duties of the Industrial Development Commission shall be to promote industrial development within the City that will be beneficial to the City and its residents. The Commission shall develop programs for industrial development and present these programs to the City Council with recommendations for implementation. The Commission shall also work with the DeKalb Economic Development Corporation, State, and other local agencies to achieve desired goals. (Ord. 879, 11-8-94)

CHAPTER 9 RULES FOR MEETING ATTENDANCE

SECTION:

2-9-1: Video or Audio Attendance at Meetings

2-9-1: VIDEO OR AUDIO ATTENDANCE AT MEETINGS:

In addition to holding meetings pursuant to the Open Meetings Act, 5 ILCS 120/1, meeting held by any board or commission of the City shall be subject to the following rules:

1. A quorum of the board/commission shall be physically present at the location of an open or closed meeting.
2. Provided a quorum is physically present, a member may be allowed to attend the meeting by audio or video conferencing.
3. Any member who wishes to be considered present at a meeting via audio or video conference may make such a request to the board/commission by notifying the

Administrator prior to the meeting, unless advance notice is impractical, that the member cannot physically attend the meeting for one of the following reasons:

- a. Personal illness or disability;
- b. Employment purposes or City business; or
- c. A family or other emergency.

4. An affirmative vote by a majority of the board/commission may allow the member to attend a meeting as provided in paragraph 2 above.

5. The secretary shall record in the minutes of every meeting the members physically present, absent and present by audio or video conference.