

TITLE 2

BOARDS AND COMMISSIONS

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CHAPTER 1

PLANNING DEPARTMENT AND PLAN COMMISSION

SECTION:

2-1-1: Planning Department Created; Composition

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2-1-3: Plan Commission Created; Composition

2-1-4: Appointment; Terms of Office

2-1-5: Vacancies in Office

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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 or appeal regarding any zoning ordinance of the City, only by written approval of the hearing officer. (Ord. 2017-8, 03-07-2017)

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, 5-1094)

2-1-6: ORGANIZATION:

- A. Officers: The Mayor shall designate with confirmation by the City Council, one of the members of the Plan Commission as chairman for a period of (1) year. The Plan Commission shall elect a Vice Chairman and such other officers as deemed necessary.
- B. Meetings: All meetings of the Plan Commission shall be held at the call of the Chairman, and at such time as the Plan Commission may determine.
- C. Rules and Procedures: Refer to Title 11, the Unified Development Ordinance. (Ord. 2017-8, 03-07-2017)

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 appointed by the Mayor with the advice and consent of the majority members of the City Council present and voting thereon. (Ord. 2017-8, 03-07-2017)

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 shall have the following responsibilities with regard to this Title:

- A. To hear and decide appeals in which it is alleged there is an error in any order, requirement, decision, interpretation or determination (hereinafter referred to collectively as "decision") made by the Development Administrator.
- B. To hear and review all applicants for variations from the regulations and restrictions imposed by this Title and recommend with respect there to the City.
- C. To hear and report to the Mayor and the City Council on such other matters as may be referred to it by the Mayor and City Council subject to the provisions of this Title.

D. Perform such other duties as may be assigned from time to time by the City Council. (Ord. 2017-8, 03-07-2017)

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 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; Ord. 2017-8, 03-07-2017)

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 records of its official actions. 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; Ord 2015-19, 10-06-2015)

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, 8-31999)

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. The Urban Forestry Plan provides information that is essential to sustaining the City's urban forest and is used in the planning process that identifies the current conditions of the trees to determine the future needs of the City's forestry program. Like most management plans, the plan needs to be updated from time to time to reflect current trends, new information, and to assess past practices.
- B. Urban Forestry Plan Update: The Tree Board shall make every effort on a yearly basis to review and provide the Planning Department with their recommendation to make certain changes to the Urban Forestry Plan. The Planning Department shall review the Tree Boards' recommended changes and upon acceptance submit a report to the City Council. Any updates or changes to the Urban Forestry Plan is a matter of policy and no official action is necessary, unless otherwise determined by the Planning Department, and at which time, the matter would be placed on a regular scheduled City Council meeting agenda to be considered.
- C. Available to the Public: The Urban Forestry Plan and the "Arboricultural Specifications Manual" and all revisions and amendments thereto, to be available for public inspection at the Finance Office.
- D. Information and Education Program: The Tree Board shall provide 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 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: Permits shall be issued at the Municipal Building, 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 and with the regulations and standards of the "Arboricultural Specifications Manual". (Ord 2015-19, 10-6-2015)

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 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) (Ord 2011-31, 10-18-2011)

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, 7-1294)

CHAPTER 8

POLICE PENSION BOARD OF TRUSTEES

SECTION:

2-8-1: Board Created; Purpose

2-8-2: Operation

2-8-3: Duties

2-8-1: BOARD CREATED; PURPOSE:

The Police Pension Board of Trustees was created for the purpose of participating in the benefits of the Police Pension Fund. The Police Pension Board of Trustees are defined, respectively, as full time police officers or full-time police officers entitled to participate in the benefits of said Pension Fund as provided by Article 3 in said Illinois Compiled Statutes Pension Code Board of Trustees of said Pension Fund.

2-8-2: Operation:

Such board shall be appointed and elected as therein provided; shall exercise such powers and perform such duties that shall be required of them by law. All monies and securities belonging to said fund shall be held by the Municipal Treasurer subject to the order of the Board of Trustees of the Pension Fund. An annual list of beneficiaries and report of funds shall be made as required by law. Members of said Board of Trustees of the Pension Fund shall serve without compensation.

2-8-3: Duties

The rights, powers, duties and functions of said Board and the members thereof, as such, and the rights and benefits of the various beneficiaries of the Pension Fund shall be and are hereby declared to be in accordance with the law and particularly of Article 3 of the Illinois Compiled Statutes Pension Code and all amendments thereof. (Ord. 2017-8, 03-07-2017)

**CHAPTER 9
RESERVED**

(REPEALED by Ord. 2017- , 03-07-2017)