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## CHAPTER 3: BOARDS AND COMMISSIONS

### Article 1 – Zoning Board of Appeals

**Sec. 3.101 Organization:** A board of appeals is hereby established. Said board shall consist of seven (7) members to be appointed by the Village Council to serve respectively for the following terms: One for one year, one for two years, one for three years, one for four years, one for five years, one for six years and one for seven years, the successor of each member so appointed to serve for a term of five years. Regular meetings of the board shall be held at such time and place within the Village as the board may determine. Special meetings may be held at the call of the chairman, or as determined by the board. Such chairman, or in his absence, the acting chairman, may administer oaths and compel attendance of witnesses. All meetings of the Zoning Board of Appeals shall be open to the public. Such board shall keep minutes of its proceedings showing the vote of each member on every question. If any member is absent or fails to vote, the minutes shall indicate such a fact. The board shall adopt its own rules of procedure not in conflict with the Statute or this Article.

**Sec. 3.102 Appeals:** Appeals to the Board of Appeals may be taken by any person aggrieved or by an officer, department, board or bureau of the Village. Such appeal shall be taken within twenty (20) days from the date of action appealed from by filing with the enforcing officer and the Board of Appeals a notice of the appeal, specifying the grounds thereof. The enforcing officer shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken. An appeal stays all proceedings in furtherance of the action appealed from unless the enforcing officer certifies to the board, after the notice of appeal has been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. The Board of Appeals shall fix a reasonable time for hearing of the appeal and give due notice thereof to the parties and decide the same within a reasonable time. The Board may reverse or affirm, wholly or partly, or may modify the use, requirement, decision or determination as, in its opinion, ought to be made in the premises.

**Sec. 3.103 Jurisdiction:** The Zoning Board of Appeals shall hear appeals from any order, requirements, decision or determination made by the enforcing officer. It shall also hear all matters referred to it or upon which it is required to hear under the Village Code. The Zoning Board will make its recommendation to the Village Council.

**Sec. 3.104 Appeals to Court:** All final administrative decisions of the Board of Appeals rendered under the terms of this Code may be appealed to the Village Council. Any final administrative decisions of the Village Council rendered pursuant to this Section shall be subject to judicial review pursuant to the provisions of the 735 ILCS 5/3-101 et.al.

### Article 2 - Civil Defense Organization

**Sec. 3.201 Establishment:** In accordance with “The Illinois Emergency Management Agency Act” as amended in 20 ILCS 3305/1 et.seq., there is hereby created the Deer Creek Civil Defense Organization as a part of this Village, to prevent, minimize, repair and alleviate injury, loss, or damage resulting from disaster, whether caused by enemy action, sabotage or other hostile action, or natural causes.

**Sec. 3.202 Director:** The Civil Defense Director shall be appointed by the President by and with the consent of the Village Council and shall serve until removed by the same. The Director shall have direct responsibility for the organization, administration, training and operation of the Civil Defense

Organization, subject to the direction and control of the President as provided by Statute. In the event of the absence, resignation, death or inability to serve of the Director, the President or any person designated by him, shall be and act as Director until a new appointment is made as provided in this Article.

**Sec. 3.203 Functions:** The Village Civil Defense Organization shall perform such civil defense functions within the Village as shall be prescribed in and by the State Civil Defense Plan, and program prepared by the governor, and such orders, rules, regulations as may be promulgated by the governor, and in addition shall perform such duties outside the corporate limits as may be required pursuant to any mutual aid agreement with any other municipality or quasi-municipality entered into as provided by the “Civil Defense Act”.

**Sec. 3.204 Agreements with Other Municipalities:** The Director of the Village Civil Defense Organization may negotiate mutual aid agreements with other municipal corporations or political subdivisions of the State, but no such agreement shall be effective until it has been approved by the Village Council, and by the State director of Civil Defense.

**Sec. 3.205 Services as Mobile Support Team:** All or any members of the Village Civil Defense Organization may be designated as members of a mobile support team created by the State director of Civil Defense as provided by law. The “leader” of such mobile support team shall be designated by the Director of the Civil Defense Organization. Any member of a mobile support team who is a municipal employee or officer while serving on call to duty by the governor, shall receive the compensation and have the powers, duties, rights, and immunities incident to such employment or office. Any such member who is not a paid officer of employee of the municipality, while so serving, shall receive from the State reasonable compensation as provided by law.

**Sec. 3.206 Emergency Action:** If the governor declares a civil defense emergency exists in the event of actual enemy attack upon the United States or the occurrence within the State of a major disaster resulting from enemy sabotage or other hostile action, or natural causes, it shall be the duty of the Village Civil Defense Organization to cooperate fully with the State Civil Defense agency and with the governor in the exercise of emergency powers as provided by law.

**Sec. 3.207 Compensation:** Members of the Village Civil Defense Organization who are paid employees or officers of the Village, if called for training by the State director of civil defense, shall receive for the time spent in such training, the same rate of pay as is attached to the position held; members who are not such municipal employees or officers shall receive for such training time such compensation as may be established by the Village Council.

**Sec. 3.208 Purchases:** The Village Council shall cooperate in the procurement of necessary supplies or equipment as may be necessary to effectively carry out the purposes of Civil Defense. On recommendation of the Director, the Village Council may authorize any purchases or contracts necessary or advisable to place the Village in a position to effectively carry out its duty to combat any disaster resulting from enemy attack, sabotage or other hostile action or natural causes.

**Sec. 3.209 Oath:** Every person appointed to serve in any capacity in the Village Civil Defense Organization shall, before entering upon his duties, subscribe to the following oath, to be filed with the Village Clerk:

“I, (state your name) do solemnly swear that I will support the constitution of the United States, and the constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of (state the office) according to the best of my ability.”

**Sec. 3.210 Office Space:** The President is authorized to designate suitable space as may be provided by the Village for the Civil Defense Organization, as its office and for storage of supplies and equipment.

**Sec. 3.211 Appropriation - Levy of Taxes:** The Village Council may make an appropriation for civil defense purposes, and may levy therefor a tax not to exceed five cents per one hundred dollars of the assessed value of all taxable property in the Village; provided, however, that the amount collectable under such a levy shall in no event exceed twenty-five cents per capita. Said annual tax shall be in addition to the amount authorized to be levied for general corporate purposes.

### **Article 3 - Planning Commission**

**Sec. 3.301 Appointment - Membership:** There is hereby established a Planning Commission for the Village which shall consist of seven (7) members. The chair person of the Zoning Board of Appeals shall be the chair person of the Planning Commission. The members of the Zoning Board of Appeals shall serve as members of and shall constitute the Planning Commission. These members of the Planning Commission shall be citizens of the Village and shall serve without pay.

**Sec. 3.302 Term of Office:** Each of the appointed members shall serve for a five (5) year term. Said five (5) year term shall run concurrently with and parallel to each members term on the Zoning Board of Appeals. Vacancies shall be filled by appointments for unexpired terms only in the same manner as the vacancy is filled for the Zoning Board of Appeals. If a member of the Planning Commission is removed as a member of the Zoning Board of Appeals that member's term as a Planning Commission member shall also cease.

**Sec. 3.303 Procedure:** Immediately following their appointment, the members of the Planning Commission shall meet, organize, elect such officers as it may deem necessary, and adopt and later change or alter, rules and regulations of organization and procedure consistent with the Village Ordinances and State Laws. The Commission shall keep written records of its proceedings, which shall be open at all times to public inspection. The Commission shall also file an annual report with the President, the Village Council, setting forth its transactions and recommendations.

**Sec. 3.304 Powers and Duties:** The Planning Commission shall have the following powers and duties: (a) To prepare and recommend to the Village Council, a plan for public improvements, looking to the present and future development and growth of the Village. Such a plan, after the adoption by the Village Council, will be known as the official plan. Such plan shall include reasonable requirements in reference to streets, alleys, and public grounds within the corporate limits. (b) To prepare and recommend to the Village Council from time to time, such changes in the plan or any part thereof as may be deemed necessary by the Village Council or by the Planning Commission. (c) To prepare and recommend to the Village Council from time to time plans and/or recommendations for specific improvements, in pursuance of such official plan. (d) To give aid to the Village officials charged with

the direction of projects for improvements, embraced within the official plan, to further the making of such improvements, and generally to promote the realization of the official plan. (e) To arrange and conduct any form of publicity relative to its activities for the general purpose of public understanding. (f) To cooperate with municipal or regional planning commissions and other agencies or groups to further the local planning program and to assure harmonious and integrated planning for the area. (g) To exercise such other powers germane to the powers granted by Statute.

**Sec. 3.305 Land Subdivision or Re-subdivision:** Following the adoption of an official plan in the manner prescribed in this Article, no map or plat of any subdivision presented for record, affecting land within the corporate limits of the Village, shall be entitled to record or shall be valid unless the subdivision thereon shall provide for streets, alleys, and public grounds in conformity with any requirements applicable thereto of such official plan.

**Sec. 3.306 Improvements:** The Village Clerk shall furnish the Planning Commission for its consideration a copy of all ordinances, plans and data relative to public improvements of any nature. The Planning Commission may report in relation thereto if it deems a report necessary or advisable, for the consideration of the Village Council.

**Sec. 3.307 Expenditures:** The Commission may, at the direction of the Village Council, employ necessary help whose salaries, wages, and other necessary expenses shall be provided for by adequate appropriations made by the Village Council from public funds. If Planning Commission shall deem it advisable to secure technical advice or services, it may be done upon authorization from the Village Council and appropriations by the Village Council therefor.

*Revised: May 1993 Ord. #371, February 1996 Ord. #398, November 2009 Ord. #552*