

## **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; five (5)** of said members must be residents of the City; **two (2)** of said members may reside within a **one and one-half (1 ½) mile** radius of the City limits. The members shall be appointed by the Mayor on the basis of their particular fitness for their duty on the Plan Commission and their appointment shall be subject to the approval of the City Council. (**Ord. No. 1259; 08-21-12**)

**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 procedure 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 1/2) 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.

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 1/2) 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 1/2) 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. (See 65 ILCS Sec. 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. (See 65 ILCS Sec. 5/11-12)

ARTICLE II

ECONOMIC DEVELOPMENT COMMISSION

4-2-1 **ESTABLISHED.** There is hereby established the Breese Economic Development Commission, hereinafter referred to as the Commission.

4-2-2 **RESERVED.** (Ord. No. 870)

4-2-3 **DUTIES OF DIRECTOR.** The Director of the Economic Development Commission shall:

- (A) Attend all the regular meetings of the City Council;
- (B) Attend all meetings of the Breese Economic Development Commission;
- (C) Execute the orders and/or directives from the Council and the Commission;
- (D) Carry out the purposes of the Economic Development Commission.

4-2-4 **RESERVED.** (Ord. No. 870)

4-2-5 **PURPOSE.** The purpose of the Commission shall be to assist the City in providing an appropriate enhancement and distribution of residential, commercial, service and industrial development of the City and of areas near the City.

4-2-6 **APPOINTMENT AND MEMBERSHIP.** The Commission shall be composed of seven (7) members, appointed by the Mayor, with the advice and consent of the City Council. The members of the Commission shall be residents of the City or shall reside within an area reasonably close to the City so as to have a direct interest in enhancing Breese's development, or have business interests in the City or in an area reasonably close thereto, provided that no member of the Commission may be an employee or elected official of the City, except that the Mayor, and Economic Development Director, and one (1) member of the Breese Chamber of Commerce shall be non-voting, ex-officio members of the Commission.

**4-2-7**            **TERM OF MEMBERS.** Each voting member of the Commission shall serve a **two (2) year term**, provided that members initially appointed shall be for the following terms: **Four (4) members** shall be appointed for a **two (2) year term**, and **three (3) members** appointed for a **one (1) year term**. Each successor to such initial appointee shall be appointed for a **two (2) year term** as above provided. Any voting member of the Commission shall be automatically removed from such office upon missing **four (4) consecutive regular meetings** of the Commission except for cause approved by the Chairman of the Commission. The vacancy thereby created shall be filled for the unexpired term by appointment of the Mayor with the advice and consent of the City Council.

**4-2-8**            **ELECTION OF CHAIRMAN.** The Commissioners shall elect one of their voting members as Chairman to preside at meetings of the Commission, and the Commission shall meet at least once each month on a day fixed annually for regular meetings. Such other meetings as may be desired or required by the Commission may be called by the Chairman or by any **two (2)** other Commission members by serving written notice by mail or personal service upon all other Commission members including ex-officio members, such notice to be received by the recipient no less than **twenty-four (24) hours** prior to the date and hour of the special meeting.

**4-2-9**            **QUORUM.** A majority of the members of the Commission shall constitute a quorum and no matter coming before the Commission shall be approved unless it receives a majority of affirmative votes of the Commission members present.

**4-2-10**          **FISCAL YEAR.** The fiscal year of the Commission shall coincide with the fiscal year of the City.

**4-2-11**          **OTHER OFFICERS.** The Commission may elect such other voting members as officers as they desire and as will serve their needs, and all such officers including the Chairman shall be entitled to vote upon all matters coming before the Commission.

**4-2-12**          **TERM OF OFFICERS.** The terms of office of the officers of the Commission shall be for **one (1) year**, and they shall be elected to serve at the first regular meeting in May of each year.

**4-2-13**          **POWERS OF OFFICERS.** The Commission shall determine the various powers and duties of its officers.

**4-2-14**        **COMPENSATION.** No member of the Commission shall receive any compensation for services on or to the Commission, and all public funds allocated or given to the Commission by the City shall be accounted for and expended only upon prior approval of the City Council to so do.

**4-2-15**        **FUNDS; ACCOUNTING OF SAME.** The Commission is authorized to receive funds from other sources and to expend them in accord with the rules and regulations of the authority supplying such funds. The Commission shall account to the City for all funds received at least annually at the close of the fiscal year, in accord with standard accounting principles.

**4-2-16**        **BY-LAWS.** The Commission is authorized to adopt By-Laws and Regulations for the conduct of its business not in conflict with this Article.

**4-2-17**        **REPORTS TO CITY COUNCIL.** The Commission shall provide to the City Council reports of the status of their finances, and of actions taken and results achieved.