

ARTICLE XIII

ADMINISTRATIVE OFFICIALS AND BODIES

13-101 VILLAGE MANAGER

- A. General Powers. The Village Manager shall be charged with the administration and enforcement of this Code. In addition to the jurisdiction, authority, and duties conferred on the Village Manager by other provisions of State statutes and Village codes and ordinances, the Village Manager shall have all powers necessary to such administration and enforcement and shall, in particular, have the jurisdiction, authority, and duties hereinafter set forth.

- B. Rules; Regulations; Application Forms. The Village Manager, consistent with the express standards, purposes, and intent of this Code, shall promulgate, adopt, and issue such procedural rules, regulations, and forms as are in the Village Manager's opinion necessary to the effective administration and enforcement of the provisions of this Code.

- C. Staff Assistance to the Zoning Board of Appeals and Plan Commission. The Village Manager, within budgets available for that purpose, shall make staff and consulting assistance available to the Zoning Board of Appeals, the Plan Commission, and the Design Review Commission, and the Village Manager or his delegate shall in that capacity:
 - 1. Attend the meetings of each such body; and
 - 2. Inform each such body of all facts and information at the Village Manager's disposal with respect to any matter brought before each such body; and
 - 3. Assist each such body by performing research and making recommendations on matters brought before each such body; and

4. Perform such other duties as may be assigned to the Village Manager by this Code and by the rules of such bodies.

D. Records. The Village Manager shall maintain:

1. Permanent and current records of this Code, including all maps, amendments, special permits, planned development and site plan approvals and denials, interpretations, and decisions rendered by the Zoning Board of Appeals, the Plan Commission, the Design Review Commission, the Village Attorney, and the Village Manager, together with relevant background files and materials;
2. A current file of all Certificates of Zoning Compliance, and all notices of violations, discontinuances, terminations, or removals, issued by or entrusted to the Village Manager's office for such time as necessary to ensure continuous compliance with the provisions of this Code; and
3. A current file of all nonconforming uses and signs in the Village, by location and type of use.

E. Zoning Text; Zoning Map. The Village Manager shall prepare and have available for public sale on or before March 31 of each year:

1. The compiled text of this Code in book or pamphlet form, including all amendments thereto through the preceding December 31; and
2. The official Zoning Map, showing the zoning districts, divisions, and classifications in effect on the preceding December 31.

The Village Manager, at all other times, shall maintain and have available for reproduction at least one up-to-date copy of both the Zoning Code text and the Zoning Map, showing all amendments through the

most recent meeting of the Board of Trustees for which official minutes have been approved.

- F. Applications: Receipt, Processing, Referral to Interested Parties and Agencies. The Village Manager shall receive all applications required to be filed pursuant to this Code. Upon receipt of any such application, the Village Manager shall see to its expeditious processing, including its prompt referral to and retrieval from each official, department, board, or commission of the Village, or other government, with any interest or duty with respect to such application.
- G. Investigation of Applications. Whenever the Zoning Board of Appeals, the Plan Commission, the Design Review Commission, or the Board of Trustees shall so request, by general rule or specific direction, the Village Manager shall conduct or cause to be conducted such surveys, investigations, and field studies and shall prepare or cause to be prepared such reports, maps, photographs, charts and exhibits as shall be necessary and appropriate to the processing of any application filed pursuant to this Code.
- H. Zoning Certificates. Pursuant to the provisions of Section 14-201 of this Code, the Village Manager shall review all applications for Certificates of Zoning Compliance and shall approve or disapprove such applications and issue or refuse to issue such certificates based on compliance or non-compliance with the provisions of this Code.
- I. Interpretations. Pursuant to the provisions of Section 14-301 of this Code, the Village Manager shall issue a written interpretation of the meaning and applicability of specific provisions of this Code. Any interpretation of this Code that may be rendered by the Zoning Board of Appeals or the Village Manager shall be kept on file with the Village Manager and shall be a public record of the Village open to inspection by interested parties at reasonable times and upon reasonable notice.

- J. Approval of Site Plans. Pursuant to the provisions of Section 14-402 of this Code, the Village Manager shall have authority to review and approve or deny applications for Site Plan approval in those cases specified in Paragraph 14-402C(1) of this Code.
- K. Planned Development and Site Plan Modifications. Pursuant to the provisions of Section 14-511 and Subsection 14-402I of this Code, the Village Manager shall have authority to permit adjustments to final plans for planned developments and to site plans.
- L. Extensions of Time. The Village Manager, on written request filed with the Director of Community Development, may grant extensions of any time limit imposed on an applicant (1) by this Code or (2) by any ordinance or resolution of the Board of Trustees unless the ordinance or resolution expressly provides otherwise. Extensions may be granted without any notice or hearing. The basis for a grant of an extension must be as follows:
1. Extensions Not Exceeding Original Time Limit. If the request is for an extension of time, and the total length of all extensions to date does not exceed the length of the original time limit, then the Village Manager may grant an extension up to the length of the original time for good cause shown in writing by the applicant.
 2. Extensions Exceeding Original Time Limit. If the request is for an extension of time and the total length of all extensions already exceeds or will exceed the length of the original time limit, then the Village Manager may grant the extension if the Village Manager determines both of the following:
 - (a) The applicant has made, and will continue to make, reasonable and diligent efforts to move forward with the approved project; and

- (b) The project still meets all of the standards applicable to the approvals granted for the project under this Code;

and if the Village Manager makes a favorable determination under at least one of the following Paragraphs (c), (d), (e), or (f):

- (c) Adverse market conditions outside the control of the applicant have necessarily stalled the approved project, but the applicant has presented a study or other evidence reasonably indicating that those adverse market conditions will not continue to stall the project beyond the length of the requested extension; or
- (d) The applicant is temporarily unable for financial reasons to move forward with the approved project, but the applicant has provided a feasible plan and timetable for moving forward with the approved project within the length of time of the requested extension; or
- (e) The applicant has been unable to secure a permit, approval, or other authorization from a government agency required for the approved project, but the applicant has provided a reasonable plan for securing all required authorizations within the length of time of the requested extension; or
- (f) The applicant has been unable to move forward with the approved project because of other circumstances outside of the control of the applicant that legitimately have stalled the approved project, but the applicant has provided reasonable evidence that those circumstances will change and the approved project will move forward within the length of time of the requested extension.

The cumulative total time of all extensions under this Subsection L may not exceed two times the length of the original time limit.

- M. Inspection and Enforcement. In furtherance of the enforcement of this Code, the Village Manager shall undertake such regular and continuing programs of inspection of work approved and under way and of existing structures and uses as may be feasible and proper within the limits of staff and budgeted funds; shall undertake such additional inspections as may be necessary to the performance of his or her duties hereunder; shall receive from any person complaints alleging with particularity a violation of this Code; and when appropriate shall cause such investigations and inspections as may be warranted by such complaints to be made. Upon finding the existence of any violation of this Code, the Village Manager shall take or direct all actions necessary and appropriate to punish and abate such violation.
- N. Reports. The Village Manager, as from time to time appropriate, shall prepare and submit a report to the Board of Trustees, the Zoning Board of Appeals, the Plan Commission, and the Design Review Commission concerning the administration of the land use and development regulations of the Village, setting forth such information and statistical data as may be of interest and value in advancing and furthering the goals and purposes of such regulations, and setting forth the Village Manager's recommendations for the improvement of such regulations and their administration.

13-102 ZONING BOARD OF APPEALS

- A. Creation; Membership. The Zoning Board of Appeals shall consist of seven members appointed by the President with the advice and consent of the Board of Trustees. All members shall be residents of the Village. The members appointed by the President shall 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 and until their successors have been appointed and have qualified for office. A vacancy that may occur shall be filled for the balance of the unexpired term by appointment of the President with the advice and consent of Board of Trustees. All appointments of successors upon the expiration of any term of any member shall be for a period of five years and until a successor has been appointed and has qualified for office. A member shall be eligible for reappointment. All members of the Zoning Board of Appeals shall serve without compensation.

- B. Chairman and Vice Chairman. The Village President, with the advice and consent of the Board of Trustees, shall name one member of the Zoning Board of Appeals as Chairman, to preside at all meetings and hearings and to fulfill the customary functions of that office, and another member as Vice Chairman. The Chairman and Vice Chairman may administer oaths. In the absence of the Chairman, the Vice Chairman, or, in the absence of the Vice Chairman, a Temporary Chairman elected by the Board of Appeals shall act as Chairman and shall have all the powers of the Chairman. The Vice Chairman shall have, in addition, such other powers and duties as may from time to time be provided by the rules of the Zoning Board of Appeals.
- C. Staff Secretary; Minutes; Public Records. The Village Manager shall designate a Staff Secretary of the Zoning Board of Appeals, who shall attend all of its proceedings. The Staff Secretary shall provide for the keeping of minutes of the proceedings of the Zoning Board of Appeals, showing the vote of each member upon every question or, if absent or failing to vote, indicating such fact, and shall maintain permanent records of all Zoning Board of Appeals meetings, hearings, and proceedings and all correspondence of the Zoning Board of Appeals. The Staff Secretary shall provide for keeping a file of all records of the Zoning Board of Appeals, and such records shall, except to the extent provided by the Illinois Freedom of Information Act, be public records open to inspection.

- D. Quorum and Necessary Vote. No business shall be transacted by the Zoning Board of Appeals without a quorum, consisting of four members, being present. The concurring vote of at least four members of the Zoning Board of Appeals shall be necessary on any motion to reverse any order, requirement, decision, or determination appealed to it; to decide in favor of the applicant any application made; or to effect any variation from the provisions of this Code. Any lesser vote on any such motion, even if a majority of those voting, shall be considered a final decision denying the appeal, application, or variation. If less than a quorum is present, the hearing may be adjourned from time to time as provided in the Illinois Open Meetings Act. The Staff Secretary shall in writing notify all members of the Zoning Board of Appeals of the date of the adjourned hearing and shall also notify such other interested parties as may be designated in the vote of adjournment.
- E. Absent Members. No member absent from any portion of a hearing shall be qualified to vote upon the matter heard unless that member shall first certify on the record that he or she has reviewed the entire record of any such portion of the hearing during which he or she was absent and has fully informed himself or herself of the essential facts and issues of the matter being heard so as to be able to cast an informed and independent vote.
- F. Meetings; Hearings; Procedures. Regular meetings of the Zoning Board of Appeals shall be held at the call of the Chairman or as provided by rule of the Zoning Board of Appeals. Special meetings shall be called at the request of the Chairman or of any two members of the Zoning Board of Appeals or of the Board of Trustees.

All meetings, hearings, and deliberations of the Zoning Board of Appeals shall be open to the public except when closed pursuant to the provisions of the Illinois Open Meetings Act.

All testimony at any hearing of the Zoning Board of Appeals shall be given under oath.

The Zoning Board of Appeals shall adopt its own rules of procedure for the conduct of its business not inconsistent with this Code and the statutes of the State of Illinois. Such rules shall be filed with the Staff Secretary of the Zoning Board of Appeals and with the Village Clerk. Any rule so adopted that relates solely to the conduct of the Zoning Board of Appeal's hearing and that is not mandated by this Code or the statutes of the State of Illinois, may be waived by the Chairman upon good cause being shown.

- G. Record. The transcript of testimony, if any; the minutes of the Staff Secretary; all applications, requests, exhibits, and papers filed in any proceeding before the Zoning Board of Appeals; and the decision of the Zoning Board of Appeals shall constitute the record. The Zoning Board of Appeals may rely on the personal knowledge of its members, on its inspections of the property, and on any reports available to it; provided, however, that reliance on any specific factual matter or report shall be made a matter of record at the public hearing and every party shall be afforded reasonable time to respond to it.
- H. Decisions. Every recommendation or decision of the Zoning Board of Appeals shall be by written resolution which shall include findings of fact; shall refer to all the evidence in the record and to the exhibits, plans, or specifications upon which such recommendation or decision is based; shall specify the reason or reasons for such recommendation or decision; shall contain a conclusion or statement separate from the findings of fact setting forth the specific relief granted or denying relief or setting forth the recommendation of the Zoning Board of Appeals; and shall expressly set forth any limitations or conditions recommended or imposed on any relief granted or recommended or work or uses authorized.

The Zoning Board of Appeals may take final action on any recommendation or decision pertaining to an

application pending before it prior to the preparation of a written resolution, but in such event it shall, before taking such action, first state its findings and conclusions as above required at a meeting open to the public. The written resolution incorporating such findings and conclusions shall be presented and approved at the next regular meeting of the Zoning Board of Appeals open to the public.

In any case where this Code provides that the failure of the Zoning Board of Appeals to act shall be deemed a recommendation for grant or denial of an application, such failure shall be considered to be a decision of the Zoning Board of Appeals rendered on the day following the expiration of such fixed period, notwithstanding the absence of required findings and conclusions.

The decisions of the Zoning Board of Appeals on appeals made pursuant to Paragraph 13-102K1 of this Section shall in all instances be considered final administrative determinations and shall be subject to appeal in accordance with the Illinois Administrative Review Act.

- I. Conflicts. No member of the Zoning Board of Appeals shall participate in the hearing or disposition of any matter in which that member has an interest as such term is defined in applicable state statutes. Any conflict of interest prohibited by state law shall disqualify a member.
- J. Appeals. An appeal from any final decision of the Zoning Board of Appeals may be taken in the manner provided in Article III of the Illinois Code of Civil Procedure pertaining to administrative review.
- K. Jurisdiction and Authority. The Zoning Board of Appeals shall have the following jurisdiction and authority:
 - 1. Subject to the provisions of Section 14-302 of this Code, to hear and decide appeals from, and to review orders, decisions, or determinations

made by the Village Manager and to that end have the powers of the Village Manager with respect to such order, decision, or determination.

2. Subject to the provisions and standards of Section 14-303 of this Code, to hear, review, and offer its recommendations to the Board of Trustees on applications for variations from the requirements of this Code.
3. Subject to the provisions and standards of Article XIV, Part VI of this Code, to initiate changes and amendments to this Code.
4. Upon reasonable written request, to make its special knowledge and expertise available to any official, department, board, or commission of the Village, County, State, or Federal governments to aid them in the performance of their respective duties relating to zoning and its administration in the Village.
5. In furtherance of the above jurisdiction and authority, to make such investigations, maps, reports, and recommendations in connection therewith, relating to zoning and its administration in the Village as seem desirable to it; provided, however, that the expenditures of the Zoning Board of Appeals shall not exceed the amount appropriated therefore.

13-103 PLAN COMMISSION

- A. Creation; Membership. The Plan Commission shall consist of seven members appointed by the President with the advice and consent of the Board of Trustees. All members shall be residents of the Village. The members appointed by the President shall serve for a term of three years and until their successors have been appointed and have qualified for office. A vacancy that may occur shall be filled for the balance of the unexpired term by appointment of the President with the advice and consent of the Board of Trustees. All appointments of successors upon the expiration of

any term of any member shall be for a period of three years and until a successor has been appointed and has qualified for office. A member shall be eligible for reappointment. All members of the Commission shall serve without compensation.

- B. Chairman and Vice Chairman. The Village President, with the advice and consent of the Board of Trustees, shall name one member of the Plan Commission as Chairman, to preside at all meetings and hearings and to fulfill the customary functions of that office, and another member as Vice Chairman. In the absence of the Chairman, the Vice Chairman or, in the absence of the Vice Chairman, a Temporary Chairman elected by the Plan Commission, shall act as Chairman and shall have all the powers of the Chairman. The Vice Chairman shall have such other powers and duties as may from time to time be provided by the rules of the Plan Commission.
- C. Staff Secretary; Minutes; Public Records. The Village Manager shall designate a Staff Secretary of the Plan Commission, who shall attend all its proceedings. The Staff Secretary shall provide for the keeping of minutes of the proceedings of the Plan Commission, showing the vote of each member upon every question or, if absent or failing to vote, indicating such fact, and shall maintain permanent records of all Commission meetings, hearings, and proceedings and all correspondence of the Plan Commission. The Staff Secretary shall provide for keeping a file of all records of the Plan Commission, and such records shall, except to the extent provided by the Illinois Freedom of Information Act, be public records open to inspection.
- D. Quorum and Necessary Vote. No business shall be transacted by the Plan Commission without a quorum, consisting of four members, being present. The concurring vote of at least four members of the Plan Commission shall be necessary on any motion to recommend approval of any matter or any application. Any lesser vote on any such motion, even if a majority

of those voting, shall be considered a final decision to recommend denial of such matter or application. If less than a quorum is present, the hearing may be adjourned from time to time as provided in the Illinois Open Meetings Act. The Staff Secretary shall in writing notify all members of the date of the adjourned hearing and shall also notify such other interested parties as may be designated in the vote of adjournment.

Any one or more voting members of the Plan Commission may file minority or dissenting reports in support of any position concerning a matter brought before the Plan Commission.

- E. Absent Members. No member absent from any portion of a hearing shall be qualified to vote upon the matter heard unless that member shall first certify on the record that he or she has reviewed the entire record of any such portion of the hearing during which he or she was absent and has fully informed himself or herself of the essential facts and issues of the matter being heard so as to be able to cast an informed and independent vote.
- F. Meetings; Hearings; Procedures. Regular meetings of the Plan Commission shall be held at the call of the Chairman or as provided by rule of the Plan Commission. Special meetings shall be called at the request of the Chairman or of any three members of the Plan Commission or of the Board of Trustees.

All meetings and hearings of the Plan Commission shall be open to the public except when closed pursuant to the provisions of the Illinois Open Meetings Act.

All testimony at any hearing of the Plan Commission shall be given under oath.

The Plan Commission shall adopt its own rules of procedure governing its procedures and regulating its business as it, from time to time, deems proper and necessary. The adoption, amendment, or revision of

such rules shall be by a majority vote of all members of the Plan Commission. Every member of the Plan Commission shall be furnished a copy of such proposed rules and any amendment or revision thereto at least ten days before consideration for adoption. Such rules shall be filed with the Staff Secretary of the Plan Commission and with the Village Clerk. Any rule so adopted that relates solely to the conduct of the Plan Commission's meeting or hearings and that is not mandated by this Code or the statutes of the State of Illinois, may be waived by the Chairman upon good cause being shown.

- G. Record. The transcript of testimony, if any; the minutes of the Staff Secretary; all applications, requests, exhibits, and papers filed in any proceeding before the Plan Commission; and the decision and report, or reports, of the Plan Commission shall constitute the record.
- H. Decisions. Every recommendation of the Plan Commission shall be by written resolution which shall include findings of fact; shall refer to all the evidence in the record and to the exhibits, plans, or specifications upon which such recommendation or decision is based; shall specify the reason or reasons for such recommendation; and shall contain a conclusion or statement separate from the findings of fact setting forth the recommendation of the Plan Commission. Every resolution shall expressly set forth any limitations or conditions recommended by the Plan Commission.

In reaching its recommendation on any such application, the Plan Commission may rely on personal knowledge of its members, on its inspections of the property, and on any reports available to it; provided, however, that reliance on any specific factual matter or report shall be made a matter of record at the public hearing and every party shall be afforded a time to respond to it.

The Plan Commission may take final action on any recommendation pertaining to an application pending before it prior to the preparation of a written resolution, but in such event it shall, before taking such action, first state its findings and conclusions as above required at a meeting open to the public. The written resolution incorporating such findings and conclusions shall be presented and approved at the next regular meeting of the Plan Commission open to the public.

In any case where this Code provides that the failure of the Plan Commission to act within a fixed period shall be deemed a recommendation for grant or denial of an application, such failure shall, notwithstanding the absence of required findings and conclusions, be considered to be a decision of the Plan Commission rendered on the day following the expiration of such fixed period.

As to other matters brought before the Plan Commission, the Plan Commission shall prepare such report as it shall deem appropriate to the subject matter.

- I. Conflicts. No member of the Plan Commission shall participate in the hearing or disposition of any matter in which that member has an interest as that term is defined in applicable state statutes. Any conflict of interest prohibited by state law shall disqualify a member.
- J. Jurisdiction and Authority. In addition to the jurisdiction conferred on it by the state statutes and other codes and ordinances of the Village, the Plan Commission shall have the following jurisdiction and authority:
 1. Subject to the provisions of Sections 2-105 and 2-106 to prepare and recommend a comprehensive plan, including an official map, to the Board of Trustees, which, upon its adoption by the Board

of Trustees, shall be known as the "Official Comprehensive Plan" of the Village of LaGrange.

2. Subject to the provisions of Sections 2-105 and 2-106 to review, prepare, and recommend to the Board of Trustees changes in and amendments to the Official Plan, including the official map.
3. Subject to the provisions of Article XIV, Part VI of this Code, to initiate, hear, review, and offer its recommendations to the Board of Trustees on applications for amendments to this Code.
4. Subject to the provisions and standards of Section 14-401 of this Code, to hear, review, and offer its recommendations to the Board of Trustees on applications for special use permits.
5. Subject to the provisions and standards of this Code, to hear, review, and offer its recommendations to the Board of Trustees on applications for planned development approval.
6. Subject to the provisions of Subsection 14-402E of this Code, to hear, review, and offer its recommendations to the Board of Trustees on applications for, or appeals from the Village Manager denial of, Site Plan approval made to the Board of Trustees.
7. Subject to the provisions and standards of Section 14-403 of this Code, to hear, review, and offer its recommendations to the Board of Trustees on applications for Design Review permits.
8. To aid and assist the Board of Trustees and the departments of the Village in implementing general plans and in planning, developing, and completing specific projects.

9. To review and report on any matters referred to it by the Board of Trustees or the Village Manager.
10. Upon reasonable written request, to make its special knowledge and expertise available to any official, department, board, or commission of the Village, County, State, or Federal governments to aid them in the performance of their respective duties relating to the planning and development of the Village and its region.
11. In furtherance of the above jurisdiction and authority, to make such investigations, maps, reports, and recommendations in connection therewith relating to the planning and development of the Village as seem desirable to it; provided, however, that the expenditures of the Plan Commission shall not exceed the amount appropriated therefore.

13-104 DESIGN REVIEW COMMISSION

- A. Creation; Membership. The Design Review Commission shall consist of seven members appointed by the President with the advice and consent of the Board of Trustees. All members shall be residents of the Village. The President shall appoint, when possible, persons with a demonstrated interest in and knowledge about the history and architecture of the Village. The members appointed by the President shall serve, respectively, for the following terms: two for one year, two for two years, and three for three years and until their successors have been appointed and have qualified for office. A vacancy that may occur shall be filled for the balance of the unexpired term by appointment of the President with the advice and consent of the Board of Trustees. All appointments of successors upon the expiration of any term of any member shall be for a period of three years and until a successor has been appointed and has qualified for office. A member shall be eligible for reappointment.

All members of the Design Review Commission shall serve without compensation.

- B. Chairman and Vice Chairman. The Village President, with the advice and consent of the Board of Trustees, shall name one member of the Design Review Commission as Chairman, to preside at all meetings and hearings and to fulfill the customary functions of that office, and another member as Vice Chairman. In the absence of the Chairman, the Vice Chairman, or, in the absence of the Vice Chairman, a Temporary Chairman elected by the Design Review Commission shall act as Chairman and shall have all the powers of the Chairman. The Vice Chairman shall have, in addition, such other powers and duties as may from time to time be provided by the rules of the Design Review Commission.
- C. Staff Secretary; Minutes; Public Records. The Village Manager shall designate a Staff Secretary of the Design Review Commission, who shall attend all of its proceedings. The Staff Secretary shall provide for the keeping of minutes of the proceedings of the Design Review Commission, showing the vote of each member upon every question or, if absent or failing to vote, indicating such fact, and shall maintain permanent records of all Design Review Commission meetings and proceedings and all correspondence of the Design Review Commission. The Staff Secretary shall provide for keeping a file of all records of the Design Review Commission, and such records shall, except to the extent provided by the Illinois Freedom of Information Act, be public records open to inspection.
- D. Quorum and Necessary Vote. No business shall be transacted by the Design Review Commission without a quorum, consisting of four members, being present. The concurring vote of at least four members of the Design Review Commission shall be necessary on any motion to recommend approval of any matter or any application. Any lesser vote on any such motion, even if a majority of those voting, shall be considered a final decision denying the approval or application.

If less than a quorum is present, the hearing may be adjourned from time to time as provided in the Illinois Open Meeting Act. The Secretary shall in writing notify all members of the Design Review Commission of the date of the adjourned hearing and shall also notify such other interested parties as may be designated in the vote of adjournment.

- E. Absent Members. No member absent from any portion of a meeting shall be qualified to vote upon the matter heard unless that member shall first certify on the record that he or she has reviewed the entire record of any such portion of the meeting during which he or she was absent and has fully informed himself or herself of the essential facts and issues of the matter being heard so as to be able to cast an informed and independent vote.
- F. Meetings; Procedures. Regular meetings of the Design Review Commission shall be held at the call of the Chairman or as provided by rule of the Commission. Special meetings shall be called at the request of the Chairman or of any two members of the Commission or of the Board of Trustees.

All meetings and deliberations of the Design Review Commission shall be open to the public except when closed pursuant to the provisions of the Illinois Open Meetings Act.

The Design Review Commission shall adopt its own rules of procedure for the conduct of its business not inconsistent with this Code and the statutes of the State of Illinois. Such rules shall be filed with the Secretary of the Design Review Commission and with the Village Clerk. Any rule so adopted that relates solely to the conduct of the Design Review Commission's meetings and that is not mandated by this Code or the statutes of the State of Illinois, may be waived by the Chairman upon good cause being shown.

- G. Record. The transcript of testimony, if any; the minutes of the Secretary; all applications, requests,

exhibits, and papers filed in any proceeding before the Design Review Commission; and the decision of the Design Review Commission shall constitute the record.

- H. Decisions. Every recommendation or decision of the Design Review Commission shall be by written resolution which shall include findings of fact; shall refer to all the evidence in the record and to the exhibits, plans, or specifications upon which such recommendation or decision is based; shall specify the reason or reasons for such recommendation or decision; shall contain a conclusion or statement separate from the findings of fact setting forth the specific relief granted or denying relief or setting forth the recommendation of the Design Review Commission; and shall expressly set forth any limitations or conditions recommended or imposed on any relief granted or work or use authorized.

The Design Review Commission may take final action on any recommendation or decision prior to the preparation of a written resolution, but in such event it shall, before taking such action, first state its findings and conclusions as above required at a meeting open to the public.

In any case where this Code provides that the failure of the Design Review Commission to act within a fixed period shall be deemed to be a denial of, or a recommendation of denial of, an application, such failure shall, notwithstanding the absence of required findings and conclusions, be considered to be a decision of the Design Review Commission rendered on the day following the expiration of such fixed period.

The decisions of the Design Review Commission on sign permit appeals made pursuant to Paragraph 13-104J2 of this Section shall in all instances be considered final administrative determinations and shall be subject to appeal in accordance with the Illinois Administrative Review Act.

- I. Conflicts. No member of the Design Review Commission shall participate in the disposition of any matter in which that member has an interest as that term is defined in applicable state statutes. Any conflict of interest prohibited by state law shall disqualify a member.
- J. Powers and Duties. The Design Review Commission shall have the following powers and duties:
1. Subject to the provisions of Section 14-403 of this Code, to hear, review, and offer its recommendations to the Board of Trustees on applications for Design Review Permits.
 2. Subject to the provisions of Section 14-404 of this Code, to decide appeals from the decisions of the Village Manager denying sign permits.
 3. To review and decide matters related to the Central Business District Facade Renovation/Restoration Program.
 4. To review matters related to the Village's Appearance Plan.
 5. To review and report on any matters referred to it by the Board of Trustees or the Village Manager.
 6. To aid and assist the Board of Trustees and the departments of the Village, as requested, in implementing general plans and in planning, developing, and completing specific projects.
 7. Upon reasonable request, to make its special knowledge and expertise available to any official, department, board, or commission of the Village, County, State or Federal governments to aid them in the performance of their respective duties relating to the planning and development of the Village and its region.

