

VILLAGE OF LIBERTYVILLE

ORDINANCE NO. 14-O- 70

ORDINANCE AMENDING CHAPTER 2 OF THE VILLAGE OF LIBERTYVILLE
MUNICIPAL CODE TO ADD DIVISION 18 CREATING THE HISTORIC PRESERVATION
COMMISSION

Adopted by the
President and Board of Trustees
of
the Village of Libertyville
Lake County, Illinois
this 28 day of Oct., 2014

Published in pamphlet form by direction
and authority of the Village of Libertyville
Lake County, Illinois
this 29 day of Oct., 2014

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COMMISSION

WHEREAS, the rich historical past that has formed and embodies the character of the Village of Libertyville and the desire by its residents to preserve the community where the history is bound in its areas, places, structures, works of art, objects of aesthetic significance, architecture and its intrinsic value and beauty that connects its culture with community and through preservation thereof will be enjoyed and revered for future residents and visitors in mutual appreciation; and

WHEREAS, the authority for these purposes is pursuant to its powers as a non-home rule municipality; and also pursuant to the Illinois Historic Areas Preservation Act, 20 ILCS 3410 *et. seq.* and 5/11-48.2 *et. seq.* of the Illinois Compiled Statutes which have granted powers to the Mayor and Village Board of the Village of Libertyville to provide for official landmark designation by ordinance of areas, places, buildings, structures, and other objects having a special historical, community or aesthetic interest or value, and in connection with such areas so designated by ordinance to impose regulations governing the construction, alteration, demolition and use, and to adopt other additional measures appropriate for their preservation, protection, enhancement, rehabilitation, reconstruction, perpetuation or use; and

WHEREAS, pursuant to Village ordinance 12-O-15, the Village adopted an Historic Preservation ordinance which provided for the organization and authority of an Historic Preservation Commission; and

WHEREAS, the President and Board of Trustees desire to amend the Municipal Code of the Village of Libertyville, in order to create the Historic Preservation Commission to carry out the provisions of the Historic Preservation Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LIBERTYVILLE, COUNTY OF LAKE, STATE OF ILLINOIS, AS FOLLOWS:

SECTION 1. RECITALS. The foregoing recitals are adopted and incorporated as though fully set forth herein.

SECTION 2. AMENDMENT TO CHAPTER 2 TO ADD DISIVSION 18 Chapter 2 of the Municipal Code is hereby amended to add Division 18 which shall hereinafter read as follows:

DIVISION 18

2-515 Creation of Historic Preservation Commission . There is hereby created an Historic Preservation Commission.

2-516 Composition. The Libertyville Historic Preservation Commission shall consist of seven (7) voting members, residents of the Village of Libertyville, appointed by the Mayor and approved by the Village Board.

2-517 Qualification. The members shall be appointed on the basis of expertise, experience or interest in the area of architectural history, building construction or engineering, finance, historical and architectural preservation, neighborhood organizing and real estate.

2-518 Terms. Members of the Commission shall be appointed for terms of three (3) years. Of those members first taking office, two (2) shall be appointed for one (1) year, three (3) for two (2) years and two (2) for three (3) years. No members shall serve more than two (2) successive three-year terms. Alternate members shall be appointed to serve in the absence of or disqualification of the regular members. Vacancies shall be filled for the unexpired term only.

Members shall serve without compensation. Permanent vacancies on the Commission shall be filled by the Mayor with the advice and consent of the Village Board for the unexpired term of the former Commissioner.

2-519 Ethics and Conduct. Commissioners shall be subject to the provisions of all rules, regulations, ordinances and statutes governing conduct of members of the boards and commissions of the Village of Libertyville, including but not limited to Illinois State Statutes regarding gifts to public officials, filing of Statements of Economic Interest, and the like.

2-520 Officers. Officers shall consist of a chairman, vice-chairman, and a secretary. The Village President shall appoint all chairman, vice-chairman, and secretaries with confirmation of an affirmative vote of a majority of the Board of Trustees. The chairman shall preside over meetings. In the absence of the chairman, the vice-chairman shall perform the duties of the chairman. If both are absent, those present shall elect a temporary chairman. The secretary to the Preservation Commission shall have the following duties:

- a. Take minutes of each Preservation Commission meeting;
- b. Advise the Mayor of vacancies on the Preservation Commission and expiring terms of members; and
- c. Prepare and submit to the Village Board a record of the proceedings before the Preservation Commission on any matter requiring Village Board consideration.

2-521 Meetings.

- a. A quorum shall consist of a majority of the members. All decisions or actions of the historic Preservation Commission shall be made by a majority vote of those members present and voting at the meetings where a quorum exists. Meetings shall be held at regularly scheduled times to be established by resolution of the Commission at the beginning of each calendar year. There shall be a minimum of four (4) regular meetings per year.
- b. No member of the Historic Preservation Commission shall vote on any matter that may materially or apparently affect the property, income or business interest of that member. No action shall be taken by the Commission that could in any manner deprive or restrict the owner of property in its use, modification, maintenance, disposition, or demolition until such owner shall first have had the opportunity to be heard at public meeting of the Preservation Commission, as provided herein. The Chairman, and in his absence the acting Chairman, may administer oaths and compel the attendance of witnesses. All meetings of the

Preservation Commission shall be open to the public, except as provided for in the Illinois Open Meetings Act. Testimony at any hearing may be required by the Commission to be given under oath. The Preservation Commission shall keep minutes of its proceedings, showing the vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed after adoption with the Community Development Department and shall be of public record. The Commission shall adopt its own procedural rules for the conduct of business. The Commission may create a sub-committee structure to enhance efficiency in consideration of Commission business. Every final decision of the Commission and every recommendation it makes to the Village Board or its duly authorized committee shall include written findings of fact, and shall specify the reason or reasons for such decision or recommendation

2-522 Powers and Duties. The Commission shall have the following powers and duties:

- a. To adopt its own procedural rules for the conduct of business.
- b. To conduct an ongoing survey to identify historically and architecturally significant properties, structures and areas.
- c. To investigate, make application, and recommend to the Village Board the adoption of ordinances designating properties or structures having special historic, community or architectural value as "landmarks".
- d. To investigate, make application, and recommend to the Village Board the adoption of ordinances designating properties or structures having special historic, community or architectural value as "historic districts".
- e. To keep a register of all properties and structures that have been designated as landmarks or historic districts, including all information required for each designation.
- f. To determine an appropriate system of markers and make recommendations for the design and implementation of specific markings of the streets and routes leading from one landmark or historic district to another.
- g. To advise owners of landmarks and property or structures within historic districts on physical and financial aspects of preservation, renovation, rehabilitation, and reuse, and on procedures for inclusion on the State or National Register of Historic Places.
- h. To inform and educate the citizens of Libertyville concerning the historic and architectural heritage of the Village by publishing appropriate maps, newsletters, brochures, and pamphlets, and by holding programs and seminars.
- i. To hold public hearings and public meetings and to review applications for construction, alterations, removal, or demolition affecting proposed or designated landmarks or structures or historic districts and issue or deny Certificates of Appropriateness for such actions. Applicants shall be required to submit plans, drawings, elevations, specifications, and other information as may be necessary to make decisions.
- j. To develop specific guidelines for the alteration, demolition, construction or removal of landmarks or property and structures within historic districts.
- k. To review proposed zoning amendments, applications for special use permits or variances that affect proposed or designated landmarks and historic districts.

- l. To accept and administer on behalf of the Village of Libertyville, upon designation by the Village Board, such gifts, grants and funds as may be appropriate for the purpose of this ordinance.
- m. To call upon available Village staff members as well as other experts for technical advice.
- n. To appear as a Commission as a whole or through a representative and give testimony to the Economic Development Commission, Plan Commission and Zoning Board of Appeals on any matter affecting historically and architecturally significant property and landmarks.
- o. To periodically review the Libertyville Zoning Ordinance and to recommend to the Village Plan Commission and the Village Board any amendments appropriate for the protection and continued use of landmarks or property and structures within historic districts.

SECTION 3 EFFECTIVE DATE.

All ordinances, resolutions and orders, or parts thereof, in conflict herewith, be and the same are hereby repealed and this ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form as provided by law.

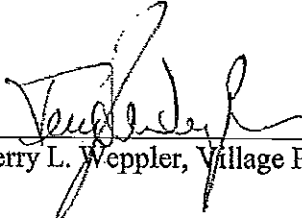
PASSED this 28 day of Oct., 2014

AYES: Johnson, Cullum, Moras, Justice, Gaines, Adams

NAYS: None

ABSENT: None

APPROVED this 29 day of Oct., 2014



Terry L. Weppeler, Village President

ATTEST:

Kevin Bowers, Deputy
Sally Koyal, Village Clerk

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