



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB4834

Introduced 01/19/06, by Rep. Sidney H. Mathias

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-13-1.1

from Ch. 24, par. 11-13-1.1

Amends the Illinois Municipal Code. Sets forth procedures for newspaper publication of a notice of hearing before a municipal commission or committee on a proposal for a zoning special use permit. Provides that the notice shall contain a description of the location of the proposed special use and the nature of the special use. Effective immediately.

LRB094 15371 AJO 50562 b

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Municipal Code is amended by
5 changing Section 11-13-1.1 as follows:

6 (65 ILCS 5/11-13-1.1) (from Ch. 24, par. 11-13-1.1)

7 Sec. 11-13-1.1. The corporate authorities of any
8 municipality may in its ordinances passed under the authority
9 of this Division 13 provide for the classification of special
10 uses. Such uses may include but are not limited to public and
11 quasi-public uses affected with the public interest, uses which
12 may have a unique, special or unusual impact upon the use or
13 enjoyment of neighboring property, and planned developments. A
14 use may be a permitted use in one or more zoning districts, and
15 a special use in one or more other zoning districts. A special
16 use shall be permitted only after a public hearing before some
17 commission or committee designated by the corporate
18 authorities, of which there shall be a notice of the time,
19 date, and place of the hearing published at least once, not
20 more than 30 nor less than 15 days before the date of the
21 hearing, in one or more newspapers published in the
22 municipality, or, if no newspaper is published therein, then in
23 one or more newspapers with a general circulation within the
24 municipality which is published in the county in which the
25 municipality is located. The notice shall contain a description
26 of the particular location for which the special use is
27 requested as well as a brief statement of the nature of the
28 proposed special use ~~with prior notice thereof given in the~~
29 ~~manner as provided in Section 11-13-6 and 11-13-7.~~ A special
30 use shall be permitted only upon evidence that such use meets
31 standards established for such classification in the
32 ordinances, and the granting of permission therefor may be

1 subject to conditions reasonably necessary to meet such
2 standards. In addition, any proposed special use which fails to
3 receive the approval of the commission or committee designated
4 by the corporate authorities to hold the public hearing shall
5 not be approved by the corporate authorities except by a
6 favorable majority vote of all aldermen, commissioners or
7 trustees of the municipality then holding office; however, the
8 corporate authorities may by ordinance increase the vote
9 requirement to two-thirds of all aldermen, commissioners or
10 trustees of the municipality then holding office.

11 (Source: P.A. 86-330.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.