

1 **ARTICLE 37-II PRESERVATION COMMISSION**

2 **Sec 37-21 Creation; Members**

3 (a) There is created the Aurora Preservation Commission,
4 which shall consist of eleven (11) voting members ~~to be~~
5 ~~appointed by the mayor with the consent of the city~~
6 ~~council. Members shall serve for terms of three (3) years~~
7 ~~which may be extended until the respective successor of~~
8 ~~each member is appointed. Vacancies shall be filled by~~
9 ~~appointment for the remainder of any unexpired term.~~

10 (b) All voting members of the commission shall be residents
11 of the city and shall be appointed on the basis of
12 demonstrated expertise, experience or interest in the areas
13 of anthropology, architecture, art, building construction,
14 engineering, finance, historical and architectural
15 preservation, history, law, neighborhood organizing,
16 planning or real estate. A representative from any of the
17 various city departments may serve, ex officio, as a
18 nonvoting member of the commission when so appointed by the
19 mayor at the request of the commission.

20 **Sec 37-22 Organization; Rules; Meetings; Removals; Conflicts**

21 (a) The mayor shall appoint a chairman and a vice-chairman
22 from among the members of the commission for terms of one
23 (1) year or until such time as the mayor appoints a new
24 chairman and/or vice-chairman. The chairman shall preside
25 over all meetings. In the absence of the chairman, the
26 vice-chairman shall perform the duties of the chairman.

27 (b) The commission shall adopt rules for the conduct of
28 its business. Meetings shall be held at regularly scheduled
29 times or at the call of the chairman. ~~The commission shall~~
30 ~~be subject to the Illinois Open Meetings Act.~~

31 (c) ~~A quorum shall consist of a majority of appointed~~
32 ~~members.~~ The transaction of business shall be made by a
33 majority vote of those members in attendance while a quorum
34 is present. However, the adoption, modification or
35 rescission of any rule or part of a rule shall require the
36 affirmative vote of a majority of appointed members.
37 Members shall be automatically dismissed from the
38 commission upon being unexcused from at least two-thirds
39 ($\frac{2}{3}$) of all meetings held during any twelve-month period of
40 time.

~~(d) The mayor may, in his or her sole discretion, remove any member for incompetence, neglect of duty or malfeasance in office. The mayor shall, within ten (10) days, report the reasons for the removal, in writing, to the city council.~~

~~(e) Any member of the commission having a pecuniary or personal interest in any matter coming before the commission shall disclose such interest to the other members and such interest shall be made a matter of record. Any member having such an interest shall not present or speak on such matter nor shall he or she vote or in any way use his or her personal influence on such matter. He or she shall not be counted in determining a quorum for consideration of such matter.~~

Sec 37-23 Powers And Duties

The commission shall have the authority to do the following:

(a) Designate landmarks, historical districts and urban conservation districts within the corporate limits of the city in accordance with the procedures and standards set forth in this chapter.

(b) Issue certificates of appropriateness and certificates of economic hardship in accordance with the procedures and criteria set forth in this chapter. The commission may selectively delegate its authority to grant certificates of appropriateness for the more routine requests, i.e. alterations that are clearly appropriate and so consistent with the purpose of this chapter and the design guidelines that further review is not required.

(c) Adopt rules and regulations as may be deemed necessary for review of applications for certificates or appropriateness.

(d) Review decisions of the director with respect to whether a proposed work is an alteration or normal maintenance and repair. Such a review shall not require a hearing.

(e) Provide financial and technical assistance as may from time to time be available to the owners of a landmark or property within a historic district or urban conservation district.

- 1 (f) Retain, upon approval by the city council, such
2 specialists as may from time to time be required.
- 3 (g) Engage in mutual cooperation with city departments and
4 other commissions on matters affecting designated sites.
- 5 (h) Make suggestions and recommendations relative to the
6 nomination of designated sites to state and national
7 registers.
- 8 (i) Foster the marking and maintenance of designated sites
9 as may be appropriate of each and as may aid the public in
10 visiting such areas with convenient and appropriate
11 surroundings.
- 12 (j) Recommend the city's acquisition by donation, purchase
13 or eminent domain of a fee or lesser interest in designated
14 sites. This may include, but not be limited to easements,
15 covenants and leasehold interests.
- 16 (k) Recommend the city's acquisition by donation, purchase
17 or eminent domain of a fee or lesser interest in property
18 which is within the public view and adjacent to or
19 immediately surrounding a designated site when the adjacent
20 property's alteration, clearance or maintenance is
21 important for the proper preservation and use of a
22 designated site or improvement.
- 23 (l) Recommend the city's reconstruction, maintenance,
24 operation or transfer of designated sites in accordance
25 with the purposes, procedures and standards set forth in
26 this chapter.
- 27 (m) Create and perfect appropriate covenants and
28 restrictions to protect designated sites.
- 29 (n) Receive funds from federal, state and private sources
30 for deposit in a separate account of the city to be
31 referred to as the preservation fund. Monies from this fund
32 shall only be loaned or expended by the commission with
33 approval of the city council in furtherance of the purposes
34 set forth in this chapter. If the commission is dissolved,
35 any amounts remaining in the fund shall be applied by the
36 city council to further the purposes of this chapter. If
37 any amounts remain in the fund after a period of one (1)
38 year following the commission's dissolution, then such

1 funds may be applied by the city council for such general
2 corporate purposes, as it may deem appropriate.

3 (o) Recommend the issuance of revenue bonds by the city
4 council to further the purposes of this chapter.

5 (p) Cooperate with other governmental bodies or agencies
6 and not-for-profit organizations with purposes similar to
7 those set forth in this chapter.

8 (q) For purposes of remedying emergency conditions
9 determined to be dangerous to life, health or property, the
10 commission may waive the procedures set forth in this
11 chapter and grant immediate approval for a certificate of
12 appropriateness. The commission shall state its reasons in
13 writing for such immediate approval.

14 Sec 37-24 Director

15 (a) Upon recommendation by the commission, the mayor, with
16 the consent of the city council, may appoint a director to
17 provide staff support to the commission. If a director is
18 not appointed, the director of planning and zoning shall
19 have the responsibilities of the director as set forth in
20 this chapter.

21 (b) The director shall keep, or cause to be kept, a record
22 of all proceedings and actions of the commission. This
23 record shall be open to the public for inspection and shall
24 be kept and maintained at the director's office.

25 (c) The director shall submit, at a minimum, a quarterly
26 report of the commissions' activities to the city council.

27 (d) The director is hereby authorized to prepare and serve
28 citations and stop work orders for violations of this
29 chapter and/or applicable guidelines. The director may
30 appoint a designee for the purpose only of citing such
31 violations.

32 (e) The director shall keep a register of all landmarks,
33 historic districts and urban conservation districts which
34 have been so designated pursuant to this chapter. This
35 register shall include the information required of each
36 designation, along with appropriate maps.