

**Title 2**  
**BOARDS AND COMMISSIONS**

CHAPTER 1  
(Revised entirely per Ordinance 1478-14)  
**PLANNING AND ZONING COMMISSION**

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**2-1-1 ORGANIZATION**

- A. Creation: A Planning and Zoning Commission is hereby created for the Village to carry out the duties of a plan commission and zoning board of appeals. When used in this Chapter, "Commission" shall be construed to mean the Planning and Zoning Commission and "Commissioners" shall be construed to mean the members of the Commission.
- B. Membership: The Commission shall consist of a chairman and six members to be appointed by the Mayor with the advice and consent of the Board of Trustees. The Mayor shall be an ex-officio member of the Commission. The Chairman shall be appointed annually by the Mayor with the advice and consent of the Board of Trustees. Annually, the Commissioners shall elect one of its own to serve as vice-chairman.
- C. Term of Office: The first appointees shall serve for the following terms, or until their respective successors, in similar manner, have been appointed and qualified: 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. After such initial terms have expired, successors to each member so appointed shall serve five-year terms except that vacancies shall be filled for the unexpired term of the membership vacated. The term of each Commissioner shall expire April 30 of the year of the expiration of its respective term of office. Thereafter, any appointments shall be made at the annual meeting of the Board of Trustees.
- D. Vacancy: Any vacancy on the Commission shall be filled in the same manner as the original appointment.
- E. Removal: In the event that a member of the Commission does not perform in accordance with the criteria set forth herein, or upon committing an act or omission recognized as constituting "cause" for removal under Illinois law, such as, by way of example only, official misconduct, the Mayor, with the approval of the Board of Trustees, may remove any member of the Commission for cause after a public hearing.
- F. Compensation. For each regular or special meeting actually attended, a

Commissioner shall be paid \$30.00. In addition, the secretary shall be paid \$30.00 for recording the proceedings of each regular and special meeting and forwarding minutes, findings and/or recommendations from the proceedings to the Village Clerk in his/her capacity as custodian of records to forward to the Commission and Board of Trustees in a timely manner.

- G. Expenses: Expenses incurred by the Commission in the performance of its official duties are to be itemized and shall be paid by the Village.
- H. Conflicts: A Commissioner shall not participate in a hearing or disposition of any matter in which that Commissioner has an interest as such term is defined in the Illinois Municipal Code. Any conflict of interest prohibited by the Illinois Municipal Code shall disqualify a Commissioner.
- I. Rules of Procedure: The Commission may adopt its own rules of procedure for the conduct of its business as it from time to time deems proper and necessary. Such rules shall be filed with the Village Clerk. Any rule so adopted that relates solely to the conduct of the Commission's hearing and that is not mandated by the Island Lake Zoning Code or the Illinois state statutes may be waived by the Chairperson upon good cause being shown.

#### **2-1-2 PLAN COMMISSION, ZONING BOARD OF APPEALS REFERENCES**

Any ordinance, code, regulation, etc., of the Village or state statute that references the Planning Commission, Plan Commission, Zoning Board, Zoning Board of Appeals or Board of Appeals shall mean the Planning and Zoning Commission.

#### **2-1-3 DUTIES OF THE COMMISSION**

The duties of the Commission are as follows:

1. To prepare and recommend to the Board of Trustees a comprehensive plan of public improvements looking to the present and future development of the Village. After its adoption by the Board of Trustees this plan shall be known as the Official Plan of the Village of Island Lake. Thereafter, from time to time, the Commission may recommend changes in the Official Plan. This plan may include reasonable requirements with reference to the streets, alleys and public grounds in unsubdivided land situated within the corporate limits or in contiguous territory not more than 12 miles beyond the corporate limits and not included in any municipality. These requirements shall be effective whenever this unsubdivided land is subdivided after the adoption of the Official Plan.

Following the adoption of the Official Plan no map or plat of any subdivision presented for record affecting land within the corporate limits of the Village or in contiguous territory outside of and not more than 12 miles from those limits and not included in any other municipality, shall be entitled to record or shall be valid unless the subdivision thereon shall provide for streets, alleys and public grounds in conformity with the Official Plan.

2. To prepare and recommend to the Board of Trustees from time to time plans for specific improvements in the pursuance of the Official Plan.

3. To give aid to the Village officials charged with the direction of projects for improvements embraced within the Official Plan and to further the making of these projects, and generally promote the Official Plan.
4. To exercise such other powers, germane to the powers granted by this Code as may be conferred by the Village and are granted a village under the Illinois Municipal Code (65 ILCS), including, but not limited to Sections 5/11-12-1 to 5/11-12-12.
5. To hear appeals from any order, requirement, decision or determination of the Zoning Enforcement Officer, relating to the Island Lake Zoning Code by any person, firm or corporation aggrieved thereby, or by any officer, department, board or commission of the Village. The appeal shall be taken within 45 days of the action complained of by filing a notice of appeal, in duplicate, specifying the grounds thereof, in the office of the Village Clerk who shall transmit forthwith one copy to the Zoning Enforcement Officer and one copy to the Chairman of the Commission. The Zoning Enforcement Officer shall forthwith transmit to the Chairman of the Commission all the papers constituting the record upon which the action appealed from was taken.

An appeal stays all proceedings in furtherance of the action appealed from unless the Zoning Enforcement Officer certifies to the Commission that, by reason of facts stated in the certification, a stay would cause imminent peril to life or property. In such case, the proceedings shall not be stayed except by a restraining order issued by the Commission or a court of record after notice to the Zoning Enforcement Officer and on due cause shown.

The Commission shall schedule a hearings pursuant to Section 9-11-14 of the Island Lake Zoning Code, give due notice thereof to all interested parties and shall render a written decision on the appeal without unreasonable delay. Any person may appear at the hearing and present testimony in person or by a duly authorized agent or attorney. The Commission may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination of the Zoning Enforcement Officer.

6. To recommend to the Board of Trustees after holding a public hearing on an application for variations from the strict enforcement of any provisions of the Island Lake Zoning Code, in accordance with the rules and standards set forth therein.
7. To recommend to the Board of Trustees, after holding a public hearing, on applications for special uses listed in each of the several zoning districts.
8. To recommend to the Board of Trustees, after holding a public hearing, on applications for planned unit developments referred to it by the Board of Trustees and to hear and decide other matters referred to it or upon which it is required to pass under the provisions of the Island Lake Zoning Code.
9. To recommend to the Board of Trustees, after holding a public hearing, on petitions for amendment of the provisions of the Island Lake Zoning Code and the boundary lines of zoning districts established therein.

10. To transmit to the Board of Trustees, with every recommendation, findings of fact and to refer to any exhibits containing plans and specifications relating to its recommendation, which plans and specifications shall remain a part of the permanent records of the Commission. The findings of facts shall specify the reason or reasons for its recommendation. The terms of the relief recommended shall be specifically set forth in a conclusion or statement separate from the findings of fact of the Commission.

The Commission may take final action of any decision pertaining to an application pending before it prior to the preparation of written findings, but in such event it shall, before taking such action, first state its findings and conclusions as required herein at a meeting open to the public. The Commission's decision or recommendation shall be deemed made as of the date of taking such final action.

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

The decisions of the Commission on appeals from orders, decisions or determinations of the Zoning Enforcement Officer shall be final administrative determinations subject to review as may be provided by law. The Commission's recommendations on applications for variations and other matters shall not be binding on the Board of Trustees but shall be advisory only.

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

11. To file immediately in the office of the Village Clerk the transcript of testimony, if any; the minutes; all applications, requests, exhibits and papers filed in any proceeding before the Commission; and every rule, order, requirement, decision or determination of the Commission after any meeting or hearing, which shall be a public record.
12. Nothing contained herein shall be construed to authorize the Commission to change any of the provisions of the Island Lake Zoning Code or district boundary lines established hereby. The concurring vote of four members shall be necessary to reverse any order, requirement, decision or determination of the Zoning Enforcement Officer or to decide in favor of the applicant any matter upon which the Commission is authorized to act.
13. Review and report on any matters referred to it by the Board of Trustees of the Zoning Enforcement Officer.
14. Additional duties of the Commission are also outlined in the Island Lake Zoning Code, this Code and the Illinois Municipal Code.

#### **2-1-4 SPECIAL ZONING COMMISSION**

The Commission shall serve as a special zoning commission whenever a text amendment is proposed to the Island Lake Zoning Code.

#### **2-1-5 MEETINGS**

All meetings of the Commission shall be held at the call of the Chairman and at such other times as the Commission and/or Board of Trustees may determine. The presence of four members shall be necessary for a quorum. Special meetings shall be called at the request of the chairperson or of any two Commissioners or the Board of Trustees.

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

The Chairman, or Acting Chairman, may administer oaths and compel the attendance of witnesses. The Commission shall keep minutes of its proceedings, keep record of its examinations and other official actions, prepare findings of fact and record the individual votes upon every question.

## CHAPTER 2

### LAKE MANAGEMENT BOARD

#### **2-2-1 BOARD ESTABLISHED; MEMBERSHIP**

The organization of the lake management board shall consist of eight (8) members to serve four (4) year terms. Members shall be appointed by the mayor with the advice and consent of the village board.

#### **2-2-2 OFFICERS OF THE BOARD**

The mayor shall designate one member of the lake management board to be chairperson. The lake management board shall elect a vice chairperson, secretary and designate a representative to attend the fourth Thursday village board meeting.

#### **2-2-3 MEETINGS**

The lake management board shall meet monthly on the third Saturday at nine o'clock (9:00) A.M. or upon the call by the chairperson or at least three (3) members of the board in accordance with the Illinois Open Meetings Act.

#### **2-2-4 POWERS AND DUTIES**

- A. Purpose: The aims of the board are to monitor the lake of Island Lake, propose methods to enhance the lake quality, management and control. The board shall recommend alternative courses of action and assess its environmental and economic aspects concerning the lake.
- B. Serve As Liaison: The board shall serve as liaison to the village board and cooperate with all agencies and commissions and governments including, but not limited to, Illinois environmental protection agency - division of water pollution control, Illinois department of transportation - division of water resources, national flood insurance program - federal emergency management agency, Lake County health department and McHenry County health department.

#### **2-2-5 COMPENSATION**

- A. Each member in attendance of the lake management board shall be paid thirty dollars (\$30.00) for each regular or special meeting actually attended by the member.
- B. In addition, the secretary shall be paid thirty dollars (\$30.00) for recording the proceedings of each regular and special meeting of the lake management board and making copies of the proceedings available to the lake management board and the village board in a timely manner.

- C. The designated representative shall be paid thirty dollars (\$30.00) for attending the village board committee meeting of the whole on behalf of the lake management board.
- D. The designated representative(s) of the lake management board shall be paid thirty dollars (\$30.00) for attending each meeting of any outside agencies, commissions, or governments and reimbursement for any necessary travel thereto at the rate of thirty one and one-half cents (\$0.31<sup>1</sup>/<sub>2</sub>) per mile.

**2-2-6            REMOVAL**

The mayor may, by and with the consent of the board of trustees, remove any lake management board member for cause. Further, any lake management board member who fails to attend three (3) consecutive lake management board meetings without a valid reason, or who fails to attend one-half (<sup>1</sup>/<sub>2</sub>) of the total of all lake management board meetings scheduled or called during any one year period, may be considered to have abandoned the office and said office may be declared vacant by the mayor.

## CHAPTER 3

### **BOARD OF FIRE AND POLICE COMMISSIONERS**

#### **2-3-1 CREATION**

There is hereby created a Board of Fire and Police Commissioners consisting of three (3) members, as provided by statute.

#### **2-3-2 APPOINTMENT; TERMS**

The Board of Fire and Police Commissioners shall be appointed by the mayor, by and with the consent of the board of trustees. The terms of office of the members of the board of fire and police commissioners shall be three (3) years and until their respective successors shall be appointed and qualified. No more than two (2) members of the board shall belong to the same political party. No commissioner may be appointed who is related to any elected official of the Village by marriage or blood up to the degree of first cousin.

#### **2-3-3 QUALIFICATIONS; OATH; BOND; REMOVAL**

The members of the Board of Fire and Police Commissioners shall have such qualifications as are now, or may hereafter be required of them by law. Each member of the board of fire and police commissioners shall take oath or affirmation of office and shall execute and deliver to the Village a bond in accordance with section 1-8A-7 of this code. The members of the board of fire and police commissioners shall be subject to removal from office as provided for in section [2-3-6](#) of this chapter. Each commissioner shall also file an affidavit of party affiliation as defined in the election code and state statute.

#### **2-3-4 POWERS AND DUTIES**

The Board of Fire and Police Commissioners shall have such powers and duties as are now or as may hereafter be given to it by law.

#### **2-3-5 COMPENSATION**

Each member of the Board of Fire and Police Commissioners, including the secretary, shall be paid thirty dollars (\$30.00) for each regular or special meeting actually attended by the member.

#### **2-3-6 REMOVAL**

The mayor may, by and with the consent of the board of trustees, remove any Board of Fire and Police Commissioners member for cause in accordance with state statutory procedures. Further, any board of fire and police commissioners member who fails to attend three (3) consecutive board of fire and police commissioners meetings without a valid reason, or who fails to attend one-half ( $1/2$ ) of the total of all board of fire and police commissioners meetings scheduled or called during any one year period, may be



considered to have abandoned the office and the office may be declared vacant by the mayor in accordance with state statutory procedures.

## **CHAPTER 4**

### **POLICE PENSION BOARD**

#### **2-4-1 ESTABLISHMENT; MEMBERSHIP**

There is hereby established a Police Pension Board consisting of five (5) members to administer the police pension fund and to designate the beneficiaries thereunder. The board shall be known as "Board of Trustees of the Police Pension Fund". The majority of the members shall be residents of the Village.

#### **2-4-2 APPOINTMENT**

- A. Of the board members, two shall be appointed by the mayor; the third and fourth shall be elected from the regular force by the active members, and the fifth shall be elected by and from among the beneficiaries of the fund, to the extent there are beneficiaries.
- B. The members shall serve and be appointed or elected in the manner provided by 40 ILCS 5/3-128.

#### **2-4-3 POLICE PENSION FUND**

- A. The board shall establish and maintain reserves, collect, manage, invest and control the police pension fund and all monies pertaining thereto in the manner provided by state statute and shall pay beneficiaries as provided by law.
- B. There shall be deposited in the police pension fund all monies as provided by Statute.

## CHAPTER 5

### **EMERGENCY MANAGEMENT AGENCY (EMA)**

#### **2-5-1 CREATION; MEMBERSHIP**

- A. Creation: There is hereby created the Village Emergency Management Agency (EMA) to prevent, minimize, repair and alleviate injury or damage resulting from disaster caused by enemy attack, sabotage or other hostile action or from natural or manmade disaster, in accordance with the "Illinois Emergency Services and Disaster Act of 1975".
- B. Membership: This EMA shall consist of the coordinator and such additional members as may be selected by the coordinator.

#### **2-5-2 COORDINATOR**

- A. Appointment: The coordinator of the Village EMA shall be appointed by the mayor and shall serve until removed by same.
- B. Responsibilities:
  - 1. Administration: The coordinator shall have direct responsibility for the organization, administration, training and operation of the EMA, subject to the direction and control of the mayor, as provided by statute.
  - 2. Emergency Interim Mayor: In accordance with and pursuant to the Emergency Interim Executive Succession Act, which is incorporated herein by reference, the following officers are hereby designated as the emergency interim successors to the office of the village mayor in the following order:
    - Village trustee with the highest number of years in office.
    - Village trustee with the second highest number of years in office.
    - Village trustee with the third highest number of years in office.
    - Village trustee with the fourth highest number of years in office.
    - Village trustee with the fifth highest number of years in office.
    - Village trustee with the sixth highest number of years in office.
- The emergency interim successor shall exercise the powers and discharge the duties of the office of the village mayor until such time as a vacancy which may exist shall be filled in accordance with the law, or until the village mayor, or the preceding emergency interim successor, again becomes available to exercise the powers and discharge the duties of his office.
- C. Vacancy: In the event of the absence, resignation, death or inability to serve of the coordinator, the mayor or any person designated by him shall be and act as coordinator until a new appointment is made as provided in this chapter.

### **2-5-3 OATH**

Every person appointed to serve in any capacity in the Village EMA organization shall, before entering upon his duties, subscribe to the following oath, which shall be filed with the coordinator:

*I, \_\_\_ , do solemnly swear (or affirm) that I will support and defend and bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of Illinois, and the territory, institutions and facilities thereof, both public and private, against all enemies, foreign and domestic; that I take this obligation freely, without any mental reservation or purpose of evasion; and, that I will well and faithfully discharge the duties upon which I am about to enter. And I do further swear (or affirm) that I do not advocate, nor am I nor have I been a member of any political party or organization that advocates the overthrow of the government of the United States, or of this State by force or violence; and that during such time as I am affiliated with the Village of Island Lake EMA organization, I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this State by force or violence.*

### **2-5-4 OFFICE**

The mayor is authorized to designate space in the village building or elsewhere for the village EMA office.

### **2-5-5 COMPENSATION**

Members of the EMA who are paid employees or officers of the Village, if called for training by the state director of EMA, shall receive for the time spent in such training the same rate of pay as is attached to the position held. Members who are not village employees or officers shall receive for such training time such compensation as may be established by the mayor.

### **2-5-6 REIMBURSEMENT BY STATE**

The village treasurer may receive and allocate to the appropriate fund, any reimbursement by the state to the Village for expenses incident to training members of the EMA as prescribed by the state director of EMA, compensation for services and expenses of members of the mobile support team while serving outside the Village in response to a call by the governor or state director of EMA, as provided by law, and any other reimbursement made by the state incident to EMA activities as provided by law.

### **2-5-7 PURCHASES AND EXPENDITURES**

A. Purchase Of Contracts: The mayor may, on recommendation of the village coordinator of EMA, authorize any purchase of contracts necessary to place the Village in a position to effectively combat any disaster resulting from the explosion of any nuclear or other bomb or missile and to protect the public health and safety, protect property and provide emergency assistance to victims in the case of such disaster, or from manmade or natural disaster.

- B. Purchase Supplies And Equipment: In the event of enemy-caused or other disaster, the village coordinator of EMA is authorized, on behalf of the Village to procure such services, supplies, equipment or material as may be necessary for such purposes, in accordance with the current approved disaster plan on file, in view of exigency, without regard to the statutory procedures or formalities normally prescribed by law pertaining to village contracts or obligations, as authorized by the state EMA act; provided, that if the mayor and board of trustees meet at such time, the mayor shall act subject to the directions and restrictions imposed by that body.

**2-5-8 APPROPRIATION; LEVY OF TAXES**

The mayor may make an appropriation for EMA purposes in the manner provided by law and may levy in addition for EMA purposes only, a tax not to exceed five cents (\$0.05) per one hundred dollars (\$100.00) of the assessed value of all taxable property in addition to all other taxes, as provided by the state EMA act; however, that amount collectable under such levy shall in no event exceed twenty five cents (\$0.25) per capita.

**2-5-9 FUNCTIONS**

The Village EMA shall perform such EMA functions within the Village as shall be prescribed in and by the state EMA plan and program prepared by the governor, and such orders, rules and regulations as may be promulgated by the governor. In addition, the EMA shall perform such duties outside the corporate limits as may be required pursuant to any mutual aid agreement with any other political subdivision, municipality or quasi-municipality entered into as provided in the state EMA act.

**2-5-10 SERVICE AS MOBILE SUPPORT TEAM**

- A. All or any members of the Village EMA organization may be designated as members of a mobile support team created by the director of the state EMA as provided by law.
- B. The leader of such mobile support team shall be designated by the coordinator of the Village EMA organization.
- C. Any member of a mobile support team who is a village employee or officer while serving on call to duty by the governor, or the state director, shall receive the compensation and have the powers, duties, rights and immunities incident to such employment or office. Any such member who is not a paid officer or employee of the Village, while so serving, shall receive from the state, reasonable compensation as provided by law.

**2-5-11 AGREEMENTS WITH OTHER POLITICAL SUBDIVISIONS**

The coordinator of EMA may negotiate mutual aid agreements with other cities or political subdivisions of the state, but no such agreement shall be effective until it has been approved by the mayor and the state director of EMA.

**2-5-12 EMERGENCY ACTION**

If the governor proclaims that a disaster emergency exists in the event of actual enemy attack upon the United States or the occurrence within the state of a major disaster resulting from enemy sabotage or other hostile action, or from manmade or natural disaster, it shall be the duty of the Village EMA to cooperate fully with the state EMA and with the governor in the exercise of emergency powers as provided by law.

**2-5-13            DECLARATION OF EMERGENCY**

- A.    A local disaster emergency may be declared only by the mayor. It shall not be continued or renewed for a period in excess of seven (7) days, except by or with the consent of the village board. Any order or proclamation shall be given prompt and general publicity and shall be filed promptly with the village clerk.
  
- B.    The effect of a declaration of a local disaster emergency is to activate the response and recovery aspects of any and all applicable local or interjurisdictional disaster emergency plans and to authorize the furnishing of aid and assistance thereunder.

## CHAPTER 6

### PARKS AND RECREATION DEPARTMENT

#### **2-6-1 DEPARTMENT ESTABLISHED**

A Parks and Recreation Department is hereby established. The parks and recreation department shall administer and supervise the operation of village parks and village sponsored recreation activities, including the scheduling of use of village parks and the operation of the creative playtime preschool, club, summer camp, and recreation programs. The administrative head of the department shall be an employee of the Village with the title of director who is hired by the corporate authorities and whose compensation shall be fixed by the board of trustees. The duties of the department director shall be as directed by the village board and the director shall report to the village board with the trustee acting as the chairman of the parks and recreation committee to act as liaison.