

1/9/2007
11/6/2006

117-O-06

AN ORDINANCE

**Amending Title 2, Chapter 9, Section 2-9-8(G) of the City Code,
"Appeals", Making the Planning and Development Committee of
the City Council the Receiving and Final Decision-Making Body
on Applications Appealing the Preservation Commission's
Decision Denying Certificates of Appropriateness**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: That Section 2-9-8 (G) of the Evanston City Code of
1979, as amended, be and it hereby is, further amended, to read as follows:

2-9-8: CERTIFICATE OF APPROPRIATENESS:

(G) Appeals:

1. Any applicant, following a denial of a Certificate of Appropriateness by the Commission, may, within thirty (30) days of the denial apply for appeal to the Planning and Development Committee of the Council.
2. An application for appeal shall be submitted to the Commission on a form prepared by the Commission. Within five (5) business days of submission of an application for appeal by the applicant to the Commission, the Commission shall transmit the application to the Planning and Development Committee.
3. If no motion to accept the application for appeal is made and adopted at the meeting of the Planning and Development Committee immediately following receipt of the findings and decision of the Commission and the application for appeal, the decision of the Commission shall be final and may be appealed to the Circuit Court of Cook County.
4. If a motion to accept the application for appeal is made and adopted at the meeting of Planning and Development Committee held immediately following receipt of the findings and decision of the Commission and the application for appeal, the Planning and Development Committee must affirm, modify or reverse

the decision of the Commission within forty-five (45) days of the date of approval of the motion to accept the appeal.

5. The Planning and Development Committee shall review the appeal solely on the basis of the record and application of the appropriate standards included in Section 2-9-9.

6. Denial or grant by the Planning and Development Committee of a Certificate of Appropriateness is considered a final decision and may be appealed to the Circuit Court of Cook County.

7. The authority to review, grant, and/or deny appeals of Certificates of Appropriateness pursuant to this Section 2-9-8 (G) shall vest in the Planning and Development Committee so long as the membership of said Committee consists of all seated Aldermen. Otherwise, said authority rests with the Council or its duly authorized Committee.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: January 8, 2007

Approved: _____

Adopted: January 22, 2007

January 26, 2007

Lorraine H. Morton
Lorraine H. Morton, Mayor

Attest:

Mary P. Morris
Mary P. Morris, City Clerk

Approved as to form:

Herbert D. Hill
Herbert D. Hill
First Assistant Corporation Counsel