

55-O-11

AN ORDINANCE

**Amending Subsection 2-9-8-(C) of the City Code
to Require Mailed Notice of Certain Meetings
of the Preservation Commission**

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

SECTION 1: That Subsection 2-9-8-(C) of the Evanston City Code of 1979, as amended ("City Code"), is hereby further amended to read as follows:

(C) Review by Commission:

1. The Commission shall review the application and vote to issue or deny the application within forty-five (45) days following receipt of the application. The time to consider the application may be extended with the consent of the applicant. The Secretary of the Commission shall notify, by regular mail, the applicant and the owner of record of the time and place of any Commission meeting to consider the application at least five (5) business days prior to the meeting. The applicant or his/her authorized representative shall be allowed to appear and present testimony in regard to the application.
2. The Secretary or his/her designee shall also notify, by regular mail, certain affected neighbors of those meetings wherein the Commission shall review applications for Certificates of Appropriateness for any of the following activities: additions to existing structures; construction of new primary structures; relocation of existing primary structures and/or secondary structures; demolition of significant and/or contributing primary structures. Such notice shall be sent to all owners, whose addresses appear on a current tax assessment list provided by the applicant, of real property located within a radius of two hundred fifty feet (250') of the subject property. Said distance shall include open space, roads, streets, alleys and other rights-of-way. Such notice shall be sent at least five (5) business days prior to the meeting. The applicant shall pay the City a fee, equivalent to the then-current first class postage rate as determined by the U.S. Postal Service, for each such notice sent. The failure of delivery of such notice shall not invalidate any such hearing.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: That if any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid application of this ordinance is severable.

SECTION 4: 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: June 13, 2011

Approved:

Adopted: June 27, 2011

June 29, 2011

Elizabeth B. Tisdahl
Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

Rodney Greene
Rodney Greene, City Clerk

W. Grant Farrar
W. Grant Farrar, City Attorney