

ORDINANCE

NO. 2563

AN ORDINANCE ESTABLISHING AN HISTORIC PRESERVATION  
COMMISSION, AN HISTORIC DISTRICT, AND PROCEDURES AND  
STANDARDS FOR IMPLEMENTATION OF HISTORIC PRESERVATION  
IN THE CITY OF BLUE ISLAND, COUNTY OF  
COOK, AND STATE OF ILLINOIS

WHEREAS, the Mayor and City Council of the City of Blue Island desire to establish mechanisms whereby the distinctive visual characteristics of buildings, structures and sites which represent and reflect elements of Blue Island's cultural, social, economic, political and architectural history may be protected by:

1. Designating Old Western Avenue as an Historic District, hereafter referred to as "The District";
2. Defining a process for designation of historic landmarks;
3. Defining a process for designation of Historic Districts;
4. Creating an historic preservation commission;
5. Promoting the renovation of Blue Island's historic buildings, structures and sites;
6. Providing for strengthening of Blue Island's economy through continued utilization of The District as a commercial center;
7. Fostering an awareness among the citizens of the City of the unique history of Blue Island as embodied in its architecture and historic landmarks; and

WHEREAS, the authority for these purposes is found in the Illinois Historic Areas Preservation Act, Chapter 24, Section 11-48.2-1 et seq. of the Illinois Revised Statutes which have granted powers to the Mayor and City Council of the City of Blue Island to provide for official landmark designation by ordinance of areas, places, buildings, structures, works of art and other objects having a special historical, community or aesthetic interest or value, and in connection with such areas so designated by ordinance, whether owned or controlled privately or by any public body, to provide special conditions, to impose regulations governing the construction, alteration, demolition and use, and to adopt other additional

measures appropriate for their preservation, protection, enhancement, rehabilitation, reconstruction, perpetuation or use; and

WHEREAS, the Mayor and City Council of the City of Blue Island desire to exercise the powers hereinabove enumerated.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Blue Island, County of Cook and State of Illinois:

SECTION ONE

DEFINITIONS.

1. Accessory Structure. Any structure, whether temporary or permanent, the use of which is incidental and secondary to that of the principal building and is located on the same premises.
2. Addition. Any act or process which changes one or more of the "exterior architectural features" of a structure designated for preservation by adding to, joining with or increasing the size or capacity of the structure.
3. Alteration. Any act or process which changes one or more of the "exterior architectural features" of a structure designated for preservation.
4. Architectural Significance. A building, structure or site has architectural significance if:
  - a) It is the work of, or associated with, a nationally or locally noted architect, building or architectural firm.
  - b) It is an example of a particular style, whether local or typical, major or not, in terms of detail, material, workmanship and with no or negligible alteration to the original structure.
  - c) It is one of a contiguous grouping of such which have a sense of cohesiveness expressed through a similarity of characteristics of a style, period, or method of construction and accenting the architectural significance of the area.
  - d) The detail, material and workmanship can be valued in and of themselves as reflective of, or similar to, those of the majority of the other visual elements in the area.
5. Block Face. All properties on a block facing or fronting one street.
6. Building. Any structure created for the support, shelter or enclosure of any form of human activity or moveable property of any kind, and which is permanently affixed to the land.
7. Certificate of Appropriateness. A Certificate from the Blue Island Historic Preservation Commission authorizing plans for alteration, construction, removal or demolition of a structure or site within its jurisdiction as defined by this Ordinance.

8. Commission. The Blue Island Historic Preservation Commission.
9. Council. The City Council of Blue Island.
10. Demolition. Any act or process which destroys in part or in whole a building, structure or object.
11. Deterioration. The condition or appearance of a building or structure characterized by holes, breaks, rock crumbling, cracking, peeling, rusting, or other evidence of physical decay or neglect, excessive use, or lack of maintenance.
12. Exterior Architectural Appearance. The architectural character, general composition, and general arrangement of the exterior of a structure, including the kind and texture of the building material and the type and character of all windows, doors, light fixtures, signs and appurtenant elements, visible from public streets, alleys, walkways and thoroughfares.
13. Exterior Architectural Feature. (See: Exterior Architectural Appearance)
14. Historic District. The area of the Old Western Avenue Historic District designated by the City Council of Blue Island which falls under the provisions of this Ordinance. Or, a place or area designated as an "Historic District" by Ordinance of the City Council, pursuant to procedures and fulfilling criteria prescribed hereunder.
15. Historic Significance. A building, structure or site has historic significance if:
  - a) It has a strong association with the life or activities of a person or persons, organization or group (whether formal or informal), who have contributed to, or participated in, the historic events of the nation, state or community.
  - b) It is the location of a significant historic event.
  - c) It exemplifies the cultural, economic, social, or historic heritage of the City of Blue Island, of the State of Illinois, or the United States.
  - d) It is associated with an antiquated use due to technological or social changes in the nation, state or community.
16. Landmark. Any building, structure or site which has special character or special historic and/or architectural significance as part of the development, heritage or cultural characteristics of the City of Blue Island, the State of Illinois, or the nation, which has been designated as a Historic Landmark, in compliance with the provisions of this Ordinance.
17. Maintenance. Conformance of a building and its facilities to the Codes under which the building was constructed.
18. Reconstruction. The act or process of altering, rehabilitating or renovating.
19. Rehabilitation.
  - a) Repairs to, or replacement of, present exterior or interior elements of any existing building, such as windows, stairs, flooring, wiring, etc.; or

- b) Rearrangement of rooms, by the relocation of partitions or walls; or by the installation of new bathrooms or kitchens; or
- c) The general replacement of the interior or portions of the interior of a building; which may or may not include changes to a structural element such as flooring systems, roof systems, columns, or load-bearing interior or exterior walls.

20. Renovation. A building and its facilities made to conform to present day minimum standards of sanitation, fire and life safety, and building code.

21. Repair. The replacement of existing work with the same kinds of materials for the purpose of its maintenance, but not including additional work that would effect facilities, or any vital element, such as plumbing, gas piping, wiring, ventilation or heating installation, or any work that would be in violation of Blue Island Building and Housing Codes.

22. Site. That piece or parcel of land where something is located.

23. Structure. That which is built or constructed, including without limitation because of enumeration, buildings for any occupancy or use whatsoever, fences, signs, billboards, fire escapes, stairway, chute escapes, railings, water tanks, towers, open grade steps, sidewalks or stairways, tents or anything erected and framed of component parts which is fastened, anchored or rests on a permanent foundation on the ground.

24. Use. The purpose or activity for which the land, or buildings thereon is designated, arranged, or intended, or for which it is occupied or maintained, and shall include any manner of performance of such activity with respect to the performance standards of this Ordinance.

#### SECTION 1140

##### HISTORIC DISTRICT.

A. CREATION: There is hereby established an Historic Preservation District in the City of Blue Island which will be known as the Old Western Avenue Historic District.

B. LOCATION AND BOUNDARIES: The Old Western Avenue Historic District is located between 135th Street on the south, the Rock Island Railroad tracks and Calumet-Sag Channel on the north, the alleys to the east and west of Old Western Avenue. The property included in the Old Western Avenue Historic District is that property which is portrayed on the map attached hereto and incorporated herein by reference and identified as "Exhibit A".

C. RECORDING AND PUBLIC NOTIFICATION OF ESTABLISHMENT OF DISTRICT: Upon the passage of this Ordinance, a notice will be sent to the property owner, the

Planning Department, the Building Department, the City Clerk's

Office and recorded with the County Recorder of Deeds advising that the property within the heretofore described area has been designated as an Historic District and that buildings located within the boundaries of the Historic District shall be subject to issuance of Certificate of Appropriateness.

D. ADDITIONS TO THE HISTORIC DISTRICT:

1. Petition for Inclusion. Request for inclusion within the Old Western Avenue Historic District may be made by any property owner whose property is adjacent to the existing district by filing a Petition for Inclusion in the District. Petitions for Inclusion shall be available from the Planning Department and shall request such information as deemed proper by the Commission. Completed petitions shall be submitted to the Planning Department which shall forward them to the Commission for their consideration.

Within thirty (30) days after receiving the Petition for Inclusion the Commission shall consider the Petition at a public meeting. The Commission shall accept or reject the Petition based on the historic and/or architectural significance of the property, within fifteen (15) days of the public meeting. The Commission shall notify the Planning Department and applicant of its decision. If the Commission recommends Inclusion, it shall forward such recommendation to Council.

The City Council shall consider and vote on the Commission's recommendation for Inclusion. If the Council approves Inclusion, it shall constitute an Amendment to the

Historic Preservation Ordinance. The Council shall notify the owner, Planning Department, Building Department and Clerk's Office of its decision.

If the Council fails to recommend Inclusion, the owner can resubmit a Petition for Inclusion after ninety (90) days.

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Appeals. Applicants aggrieved by a decision of the Commission, on a Petition for Inclusion, may within thirty (30) days after notification by the Commission of the notice of such decision, appeal the decision of the Commission to the Council, whose decision in this matter shall be final subject only to judicial review as provided by general law.

3. Automatic Inclusion of Block Face. Whenever at least sixty percent (60%) of the property owners on a block face have petitioned and have been accepted into the District, then the entire block face shall be included within the District.

SECTION THREE

THE BLUE ISLAND HISTORIC PRESERVATION COMMISSION.

A. CREATION: There is hereby established the Blue Island Historic Preservation Commission.

B. MEMBERSHIP:

1. Appointments. The Commission shall consist of seven (7) members appointed by the Mayor with the consent of the City Council. The Commission shall be composed of seven (7) residents of Blue Island, with a minimum of two (2) members who are members of the Blue Island Historical Society.

The Mayor shall appoint a member of the Planning Commission to serve as anon-voting ex-officio advisory member of the Blue Island Historic Preservation Commission.

2. Qualifications. The Mayor shall make every possible effort to appoint members who reside in an Historic District and/or members having an interest in the history and architectural heritage of Blue Island, and having knowledge and expertise in the fields of architecture, real estate, building construction, and other related disciplines.

3. Terms. Members of the Commission shall be appointed for terms of three (3) years. Of those members first taking office, two (2) shall be appointed for one (1) year, three (3) for two (2) years and two (2) for three (3) years. Successors to each member so appointed shall serve for a term of three (3) years. No member shall serve more than two (2) successive three-year terms. An appointment to fill a vacancy shall be only for the unexpired portion of the term. An absence by any member for three (3) consecutive meetings shall constitute a vacancy. Members shall serve without compensation.

C. MEETINGS AND RULES: The Commission shall adopt procedural rules and regulations for its own governance, not inconsistent with the provisions of this or any other Ordinance of the City.

The Commission shall elect a Chairperson, Vice-Chairperson and Secretary from among its members to serve one-year terms of office.

The Commission shall keep minutes of its proceedings, showing the action of the Commission upon each question, and shall keep records of its proceedings and other official actions taken by it, all of which shall be a public record maintained by the Planning Department.

Three (3) members of the Commission shall constitute a quorum; however, no application for a Certificate of Appropriateness shall be denied except by the

vote of a majority of the entire Commission.

D. JURISDICTION: The Commission is created for the purposes of:

1. Surveying and identifying such buildings, places or areas within the City of Blue Island which are historically or architecturally significant; and
2. Conducting public hearings and making subsequent recommendations to the City Council on the designation of such buildings, places, or areas as Historic Landmarks as defined herein; and
3. Acting on Petitions for Inclusion in Historic District, as defined herein; and
4. Acting on petitions for creation of Historic Districts, as defined herein; and

Considering, issuing or denying applications for Certificates of Appropriateness for all new construction, demolition, or alteration of any exterior architectural feature of any designated Historic Landmarks or any building, structure or site located within the Historic District and defined herein; and

6. Hearing and deciding all matters referred to it or upon which it is required to pass by this Ordinance and to exercise all further responsibilities which may be given to it by Council; and
7. Accepting such gifts, grants and money from private or public sources as may be appropriate for the purposes of this Ordinance. Such money may be expended for publishing maps and brochures, hiring clerical and technical assistants or consultants, and for performing such other functions as are appropriate for the purposes of this Ordinance; and
8. Accepting donations of property, buying and selling property, as may be appropriate for the purposes of this Ordinance. The acceptance and administration of all gifts and grants of real money and/or property shall be subject to the approval of City Council. With the approval and consent of the Mayor, the Commission may spend and disburse such sums as may, from time to time, be appropriated for its use by the Council; and
9. Recommending to the City Council any additional measures to safeguard and enhance the City's historic, aesthetic, architectural, cultural and community heritage as embodied in its buildings, places and sites; and
10. Conducting educational programs and activities for owners of historically or architecturally significant structures and for the general public.

#### SECTION FOUR

##### LANDMARK DESIGNATION

A. CREATION: There are hereby created criteria and procedures for the designation of Historic Landmarks within the corporate limits of the City of Blue Island. Designation of Historic Landmark is subject to the procedures and guidelines as set forth in this Ordinance.

B. CRITERIA FOR LANDMARK DESIGNATION: The following criteria shall be utilized by the Blue Island Historic Preservation Commission in determining the designation of Landmarks:

1. Historical significance; or
2. Architectural significance; and/or
3. Other qualities and characteristics (such as qualities and characteristics as in the judgment of the Commission shall be considered for the designation of a Landmark).

C. PROCEDURES FOR LANDMARK DESIGNATION:

1. Any person, group of persons, or association, including, but not limited to the Blue Island Historic Preservation Commission, may request an Historic Landmark designation for any building, structure, or site within the corporate limits of the City of Blue Island which may have historic or architectural significance as defined by this Ordinance. The Planning Department shall supply, upon request, the application forms. Completed forms shall be submitted to the Planning Department which shall forward them to the Commission for their consideration.
2. The Commission shall notify the owner of such real property of the proposed designation. Whenever possible, the Blue Island Historic Preservation Commission shall secure the owner's written consent to the proposed designation. In the event said owner or owners of property shall refuse or decline to give written consent to the designation, the Commission shall schedule a public hearing on the question of said proposed designation.
3. Upon receipt of the application, the secretary of the Commission shall schedule a public hearing, to be held within thirty (30) days from the receipt of said application, on the question of proposed designation, setting forth a date, time and place and causing written notice to be given to the owner or any person having a legal or equitable interest in said property being proposed for designation (not including people with a leasehold interest).

The Commission shall cause a legal notice to be published in a newspaper of general circulation in the City of Blue Island setting forth the nature of the hearing, the property involved and the date, time and place of the scheduled hearing.

The Commission shall notify the Planning Commission and Planning Department of the public hearing.

4. During the public hearing, the Commission shall review and evaluate the application according to the criteria established by Ordinance.
5. Following the public hearing, the secretary of the Commission shall prepare the Commission's evaluation, recommendation and all available information for submission to the City Council within fifteen (15) days.

6. A simple majority vote by the City Council is necessary for approval of a Landmark designation. If the City Council approves the application for a designation, a notice will be sent to the property owner, the Planning Department, the Building Department, the City Clerk's Office and recorded with the County Recorder of Deeds. If the City Council denies the petition, no petitioner or applicant can file for ninety (90) days to the secretary of the Commission.
7. Buildings designated as Historic Landmarks shall be subject to issuance of Certificates of Appropriateness.

SECTION FIVE

HISTORIC DISTRICT DESIGNATION.

A. CREATION: There are hereby created criteria and procedures for the designation of Historic Districts within the corporate limits of the City of Blue Island. Designation of an Historic District is subject to the procedures and guidelines as set forth in this Ordinance.

B. CRITERIA FOR DISTRICT DESIGNATION: The following criteria shall be utilized by the Blue Island Historic Preservation Commission in determining the designation of Historic Districts:

1. The district shall contain within definable geographic boundaries one or more landmarks along with such other buildings, places, sites or areas which, while not of such historic significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics of the landmark or landmarks located within the district; or
2. The historic district shall contain within definable geographic boundaries such buildings, places, sites or areas which, while not of such individual significance to be designated as landmarks, nevertheless as an aggregate possess historic significance for the City of Blue Island in:
  - a) establishing a sense of time and place unique to the City of Blue Island; and/or
  - b) exemplifying or reflecting the cultural, social, economic, political, or architectural history of the nation, the state, or the City; and/or
  - c) Representing distinguishing characteristics of an architectural type which is inherently valuable for studying a period, style, method of construction, indigenous materials or unique craftsmanship.

By either definition, the buildings, places, sites, or areas within the Historic District, by their inclusion therein, are of sufficient historic significance to be worthy of rehabilitation, restoration, and preservation.

C. PROCEDURES FOR DISTRICT DESIGNATION:

1. Any person, group of persons, or association, including but not limited to the Blue Island Historic Preservation Commission, may present to the Commission a petition requesting that a defined geographic area be designated as an Historic District. The Planning Department shall supply, upon request, the application forms. Completed forms shall be submitted to the Planning Department which shall forward them to the Commission for their consideration.
2. The petition shall contain the names of no less than fifty-one percent (51%) of the property owners. Or, if leaseholders, with a five (5) year or longer leasehold interest, are signatories to the petition then the petition shall contain no less than seventy-five percent (75%) of the property owners and/or leaseholders.
3. Upon receipt of the application, the secretary of the Commission shall schedule a public hearing, to be held within sixty (60) days from the receipt of said application, on the question of proposed designation, setting forth a date, time and place. The Commission shall determine any estate, other than those whose names appear on the application, which may be materially affected by designation, and the secretary shall notify owners of all such estates as they appear on the most recent real estate tax list, of the public hearing to be held by the Commission on such designation.

The Commission shall cause a legal notice to be published in a newspaper of general circulation in the City of Blue Island setting forth the nature of the hearing, the property involved and the date, time and place of the scheduled hearing.

The Commission shall notify the Planning Commission and Planning Department of the public hearing.

4. During the public hearing, the Commission shall review and evaluate the application according to the criteria established by Ordinance. The Commission shall afford the opportunity of any persons in attendance to present views pertinent to the proposed designation.
5. Following the public hearing, the secretary of the Commission shall prepare the Commission's evaluation, recommendation and all available information for submission to the City Council within thirty (30) days.
6. A simple majority vote by the City Council is necessary for approval of Historic District designation. Upon designation by Ordinance of the Council, such geographic area shall be an Historic District afforded the protection of this Historic Preservation Ordinance as administered *by* the Commission.
7. If the City Council approves the application for designation, a notice will be sent to the property owner, the Planning Department, the Building Department, the City Clerk's Office and recorded with the County Recorder of Deeds that the area has been designated as such, and that building located within the boundaries of the Historic District shall be subject to issuance of Certificates of Appropriateness.

8. If the City Council denies the petition, no petitioner or applicant can file for ninety (90) days to the secretary of the Commission.

## SECTION SIX

### CERTIFICATE OF APPROPRIATENESS.

A. PURPOSE: A Certificate of Appropriateness issued by the Commission shall be required before a Building Permit, Moving or Building Permit, or Demolition Permit is issued for any designated Historic Landmark or any building, structure or site or part thereof in the Historic District.

A Certificate of Appropriateness is required if the building, structure or site will be altered, extended, or repaired in such a manner as to produce a major change in the exterior appearance of such building or structure. Such major changes include, but are not limited to:

1. Major changes by addition, alteration, maintenance, reconstruction, rehabilitation, renovation or repair;
2. New construction, wholly or in part;
3. Moving a building;
4. Demolition, wholly or in part;
5. Demolition, construction or material change of any street, sidewalk, fence, wall sign or ornamentation if subject to view from a public street, alley, walkway or thoroughfare.

### B. LIMITATIONS OR EXCEPTIONS:

1. Ordinary Maintenance. Ordinary maintenance and repairs to the interior buildings, structures or sites pursuant to the Blue Island Property Maintenance Ordinance may be made without application for a Certificate of Appropriateness.
2. Emergency Considerations. A Certificate of Appropriateness shall be issued if the applicant shows to the Commission that a failure to grant the permit will cause an imminent threat to life, health or property.

C. APPLICATION FOR CERTIFICATE OF APPROPRIATENESS: The application for issuance of a Certificate of Appropriateness must include:

1. Street address of the property involved.
2. Legal description of the property involved.
3. Brief description of the present improvements situated on the property.
4. Detailed description of the construction, alteration, demolition or use proposed together with any architect drawings or sketches if those services have been utilized by the applicant and if not, a sufficient description of the construction, alteration, demolition and use to enable anyone to determine what the final appearance and use of the real estate will be.

5. Owner.
6. Developer, if different than owner.
7. Architect.

D. STANDARDS FOR CERTIFICATE OF APPROPRIATENESS: In making a determination whether to approve or deny an application for a Certificate of Appropriateness, the Blue Island Historic Preservation Commission shall be governed by the following criteria and principles:

1. Every reasonable effort should be made to provide a compatible use for buildings which will require minimum alteration to the building and its environment.
2. Rehabilitation work should not destroy the distinguishing qualities or character of the property and its environment. The removal or alteration of any historic material or architectural features should be held to the minimum. The proposed work should preserve, highlight or enhance the historic or architectural character of the building and district.
3. Construction, new improvements or rehabilitation work should be visually compatible with other buildings and places in the district and have a positive effect on and harmonize with the aesthetic, cultural or historic nature of the building or district.
4. Architectural details and materials should be incorporated as necessary to relate the new with the old and to preserve and enhance the inherent character of the district.
5. Deteriorated architectural features should be repaired rather than replaced, wherever possible. In the event that replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities.
6. Many changes to buildings and environments which have taken place in the course of time are evidence of the history of the building and the neighborhood. These changes may have developed significance in their own right, and this significance should be recognized and respected.
7. All buildings should be recognized as products of their own time. Alterations to create an appearance inconsistent with the actual character of the building should be discouraged.
8. Wherever possible, new additions or alterations to buildings should be done in such a manner that if they were to be removed in the future, the essential form and integrity of the original building would be unimpaired.
9. Contemporary design for new buildings in an historic district and additions to existing buildings or landscaping should not be discouraged if such design is compatible with the size, scale, color, material, and character of the district, building, or its environment.

Further, the Blue Island Historic Preservation Commission shall consider among other things the following architectural and aesthetic features of a building or structure when applying the criteria and principles in a determination whether to approve or deny an application for a Certificate of Appropriateness:

1. The height;
2. The proportion of the front facade, that is, the relationship between the width of the building to the height of the front elevation;
3. The proportion of the openings into the structure, that is, the relationship between the width and height of the windows and doors;
4. The relationship of building mass to the open space between it and adjoining buildings or structures;
5. The directional expression of a building or structure, that is, the vertical or horizontal positioning;
6. The roof shape;
7. Architectural details, general design, materials, textures and color;
8. Landscape and appurtenances including, signs, fences, accessory structures and pavings;
9. The relationship of features (1) through (8) to similar features of the other buildings, structures and visual elements in the Historic District.

E. HEARING ON APPLICATION: Applications for a Certificate of Appropriateness are available from the Planning Department. They shall be completed and submitted to the Blue Island Planning Department. Such applications shall be forwarded by the Planning Department to the Blue Island Historic Preservation Commission. The Commission shall schedule a public meeting for consideration of the application within thirty (30) days of receipt of said application.

The Commission shall inform applicants of the date and time of the meeting when their applications shall be considered..

F. ISSUANCE OF A CERTIFICATE OF APPROPRIATENESS: The Blue Island Historic Preservation Commission shall notify applicants of their decision within fifteen (15) days after the public meeting. Upon approval of the application for Certificate of Appropriateness, the Commission shall direct the Planning Department to issue signed Certificates of Appropriateness to the applicant, with a copy to be forwarded to the Building Department.

Any Certificate of Appropriateness issued by the Planning Department shall become invalid if issuance of a building permit necessitates changes in the plans reviewed by the Commission, or if the building permit issued for the same work becomes invalid. The Certificate of Appropriateness remains valid for the same period of validity as the building permit.

SECTION SEVEN

APPEALS FOR DENIAL OF A CERTIFICATE OF APPROPRIATENESS.

A. SCOPE: In the event of disapproval of an application for a Certificate of Appropriateness by the Blue Island Historic Preservation Commission, the Commission shall notify the applicant in writing of the disapproval and the reasons therefore and shall recommend changes in the application with respect to the criteria and standards set forth in this Ordinance Section Five (C), which, if made, would make the application acceptable to the Commission.

The Commission shall consider the economic reasonableness of any recommended changes it determines necessary to bring the application into conformity with the requirements of the Ordinance.

Within fourteen (14) days of receipt of the notification of disapproval the applicant must either file a written modification of his application in conformity with the Commission's recommended changes or request an appeal hearing. The application shall be considered to be withdrawn if no written modification or request for public hearing is received. Within fifteen (15) days of receipt of a written modification the Commission must either issue the Certificate of Appropriateness or hold a hearing.

B. FINDINGS ON APPEAL: The Blue Island Historic Preservation Commission shall select a reasonable time and place for the hearing of the appeal and give due notice thereof to the applicant by mailing notice of the hearing, said mailing to be made at least ten (10) days prior to the date of the hearing.

Notice of the time and place of such public hearing shall be published at least once, not more than thirty (30) days or less than

fifteen (15) days before the hearing, in a newspaper of general circulation published in the City of Blue Island. .

The Chairperson shall conduct the hearing and the Blue Island Historic Preservation Commission shall receive oral or written testimony from all interested parties. The applicant or any other interested party may be represented by counsel. The Blue Island Historic Preservation Commission and the applicant shall have the right to introduce evidence and cross-examine witnesses. A recorded or written transcript of the hearing shall be made and kept. The Commission shall vote, announce its decision, make its recommendation, and notify the Planning Department and the applicant within seven (7) days after the conclusion of the public hearing, unless the time is extended by mutual agreement between the Commission and the applicant.

The Commission may reverse wholly or in part its former decision.

In the event of a denial of appeal by the Blue Island Historic Preservation Commission, the applicant may appeal the decision to the City Council, whose decision in this matter shall be final subject only to judicial review as provided by law.

#### SECTION EIGHT

##### ' DEMOLITION OR REMOVAL OF A DESIGNATED HISTORIC LANDMARK OR STRUCTURE WITHIN AN HISTORIC PRESERVATION DISTRICT.

A. DEMOLITION OR REMOVAL PROCEDURE: Application forms for a Certificate of Appropriateness for Demolition, Partial Demolition, or Removal are available from the Blue Island Planning Department. Applications shall be completed and submitted to the Planning Department which shall forward them to the Commission for its consideration. The Commission shall schedule a public hearing within thirty (30) days of

the receipt of the application for a Certificate of Appropriateness with proper notification through the newspaper and shall notify the applicant in writing.

At the hearing, the Commission shall request the following information:

1. A report from the building inspector on the state of repair and structural stability of the structure under consideration;
2. Information and graphics on the extent and process of demolition or removal, including information on any proposed changes in landscaping;
3. Evidence of any hardship that would result in substantial economic loss to the applicant from denial of the petition;
4. An assessment of any alterations in the essential character of the area which would occur as a result of demolition or removal action.

B. DECISION OF COMMISSION TOWARDS DEMOLITION OR REMOVAL: If the Commission's decision is to postpone the demolition or removal, the Commission shall notify the owner in writing. During the period set forth for postponement of the requested action, the Commission shall explore alternatives to demolition or removal.

Such alternatives may include consultation with private civic groups, interested private citizens and other public boards or agencies in an effort to find a persuasive means of preserving the structure. If sale of property is considered a feasible alternative to the owner, the building must remain on the open market, dependent on its classification, for the following lengths of time:

- i) designated Landmarks - six (6) months
- ii) historic and architecturally significant buildings in historic district - six (6) months
- iii) non-significant buildings located within historic district - three (3) months

Failure to Reach Agreement: If, after a period not to exceed the required waiting period, no alternative agreement has been reached with the applicant, the Commission shall issue a Certificate of Appropriateness for demolition or removal of the structure in question.

C. CONDITIONS: In granting the Certificate of Appropriateness, the Commission shall recommend conditions necessary to minimize the adverse impact of the requested activity as outlined in Section Five.

D. APPEALS: Where the Commission has denied issuance of a Certificate of Appropriateness, the applicant for said Certificate may appeal to the City Council. Such appeal must be filed with the City Clerk within fifteen (15) days after the decision of the Commission. The City Council shall hold a public hearing and shall vote on said appeal within forty-five (45) days of its receipt.

#### SECTION NINE

##### RELATION TO OTHER ORDINANCE.

This Ordinance supplements and is in addition to those provisions set forth in the Building Code, Zoning Code, Property Maintenance Ordinance and Comprehensive Plan for the City. Nothing herein is to be construed as repealing any requirement relating to the proper wiring, plumbing and construction of any building or structure or other work required to be in conformity with the Building Code and other ordinances of the City within the boundaries of the District, the provisions of both the Zoning Code and this Ordinance shall apply. Whenever there is a conflict between the provisions of the Zoning Code and this Ordinance, this Ordinance shall apply.

#### SECTION TEN

##### SEVERABILITY.

If any provision, clause or phrase of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications and to this end the provisions of this Ordinance are declared to be separable.

SECTION ELEVEN

APPOINTMENT.

The Mayor of the City of Blue Island shall appoint the seven (7) persons to serve on the Commission, as established in Section Three, B, within sixty (60) days of the passage of this Ordinance.

SECTION TWELVE

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION THIRTEEN

This Ordinance shall be in full force and effect from and after its passage, and approval as provided by law.

PASSED this 8th \_\_\_\_\_

day of September, 1981.

*Edison P. Stevo*  
CITY CLERK OF THE CITY OF BLUE ISLAND,  
COUNTY OF COOK AND STATE OF ILLINOIS

VOTING AYE: Ald. Jebens, Kaiser, Disabato, Pegorin, Luccheri, Luciano,  
Botte, Peloquin, Frasor, Rauch, Savino, Brescia, Schaller, Stevo.

VOTING NAY: None

ABSENT: None

ABSTAIN: None

MAYOR'S  
COUNT"

APPROVED this \_\_\_\_\_ day  
of September,

1981.


A

E CITY OF BLUE ISLAND,

F COOK AND STATE OF ILLINOIS

ATTESTED AND FILED in my office

this 27 day of July 1981.

  
\_\_\_\_\_  
CITY CLERK

**ORDINANCE NO. 06- 48**

**AN ORDINANCE AMENDING ORDINANCE NO. 2653 ENTITLED  
"AN ORDINANCE ESTABLISHING AN HISTORIC PRESERVATION COMMISSION,  
AN HISTORIC DISTRICT, AND PROCEDURES AND STANDARDS FOR  
IMPLEMENTATION OF HISTORIC PRESERVATION IN THE CITY OF BLUE  
ISLAND, COUNTY OF COOK AND STATE OF ILLINOIS.**

**NOW THEREFORE, BE IT ORDAINED** by the City Council of the City of Blue Island, County of Cook, State of Illinois, as follows:

**SECTION ONE**

Ordinance No, 2653 is hereby amended to include the following:

**Section Fourteen**

**Enforcement and Penalties for Violation:**

- (A) It shall be a violation of this ordinance for any person, firm or business entity to undertake or cause to be made any alteration, construction, reconstruction, demolition or removal of any designated landmark without first obtaining a Certification of Appropriateness from the Blue Island Historic Preservation Commission authorizing plans for alteration, construction, reconstruction, demolition or removal.

Violations of any provision of this ordinance shall be prosecuted by the City Prosecutor pursuant to the provisions of Ordinance 93-240 of the City of Blue Island.

- (B) Any person, firm or business entity found to be in violation of this ordinance after a hearing conducted pursuant to Ordinance 93-240 shall, upon such a finding, be subject to a fine of not less than Fifty and 00/100 Dollars (\$50.00) nor more than Seven Hundred and Fifty and 00/100 Dollars (\$750.00) at the discretion of the hearing officer. Each day a violation continues after the day notice of the violation and summons have been served in accordance with the terms and provisions of Ordinance 93-240 shall be deemed a separate offense subject to a separate fine.
- (C) In addition to such penalties, the City Attorney may institute and prosecute an appropriate action or proceeding in the Circuit Court of Cook County, Illinois to enjoin, correct, abate and/or seek imposition of a fine for any violation of this section.

**SECTION TWO**

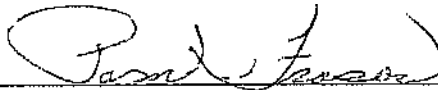
All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**CITY CLERK**

**SECTION THREE**

This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law. A full, true and complete copy of this ordinance shall be published in pamphlet form, by authority of the City Council, as corporate authorities.

**PASSED** this 12TH day of DECEMBER, 2006.



**CITY CLERK OF THE CITY OF BLUE ISLAND  
COUNTY OF COOK AND STATE OF ILLINOIS**

**VOTING AYE:** ALD. VARGAS, MINDEMAN, CANTELO, VIEYRA, BILOTTO,

DELTZ, RIITHENBERG, STONE, DEITERS, OSTLING, JACKSON,

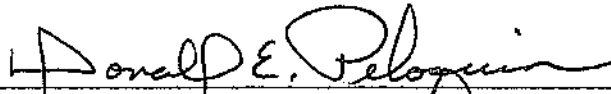
H A L L .

**VOTING NAY:** NONE.

**ABSENT:** ALD. ELTON, RITA.

**ABSTAIN:** NONE.

**APPROVED:** this 12TH day of \_\_\_\_\_, 2006.



**MAYOR OF THE CITY OF BLUE ISLAND,  
COUNTY OF COOK AND STATE OF ILLINOIS**

**ATTESTED** and Filed in my office this

12TH day of DECEMBER, 2006.

\_\_\_\_\_  
CITY CLERK

PUBLISHED in pamphlet form this  
12TH day of DECEMBER, 2006.

STATE OF ILLINOIS  
SS.  
COUNTY OF COOK

CERTIFICATE

I, Pam Frasor, certify that I am the duly elected and acting municipal clerk of the City of Blue Island of Cook County, Illinois.

I further certify that on **December 12, 2006** the Corporate Authorities of such municipality passed and approved Ordinance No. **06-048** entitled: **AN ORDINANCE AMENDING ORDINANCE No. 2653 ENTITLED "AN ORDINANCE ESTABLISHING AN HISTORIC PRESERVATION COMMISSION, AN HISTORIC DISTRICT, AND PROCEDURES AND STANDARDS FOR IMPLEMENTATION OF HISTORIC PRESERVATION IN THE CITY OF BLUE ISLAND, COUNTY OF COOK AND STATE OF ILLINOIS"**. Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **06-048** including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance posted in the municipal building commencing on **December 12, 2006** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at Blue Island, Illinois, this 12th day of **December 2006**.

(SEAL)

( \_\_\_\_\_ )  
\_\_\_\_\_  
Municipal Clerk

**CITY CLERK**