

ORDINANCE NO. 2020-O-44

**AN ORDINANCE AMENDING THE WILMETTE VILLAGE CODE CONCERNING
BOARDS AND COMMISSIONS
(Chapter 2)**

WHEREAS, the Village of Wilmette, Cook County, Illinois, (hereinafter the “Village”) is a home rule municipal corporation as provided in Article VII, Section 6 of the 1970 Constitution of the State of Illinois and, pursuant to said constitutional authority, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Village President and Board of Trustees (collectively “Village Board”) finds that, pursuant to said authority, it creates and appoints members to various subsidiary boards and commissions in order to fulfill various public purposes; and,

WHEREAS, the Administration Committee of the Village Board met to discuss and recommend amendments to the functions and make up of various boards and commission of the Village; and

WHEREAS, the Village Board finds that the recommendations of the Administration Committee should be incorporated into the policies and laws of the Village.

WHEREAS, the Human Relations Commission and the Housing Commission had a membership of appointed members below the required quorum and have not met or conducted any business in 2020; and

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES of the Village of Wilmette, Cook County, Illinois:

SECTION 1: Each of the foregoing recitals and findings are hereby made a part of this Ordinance and are incorporated by reference as if set forth verbatim herein.

SECTION 2: The Wilmette Village Code, as amended, is further amended in Chapter 2, Administration, Article XXVIII, Plan Commission, Section 2-766 by inserting such new text in the manner shown in underlined bold type below, so that said Chapter 2, Article XXVIII, Section 2-766 shall hereafter provide as follows:

ARTICLE XXVIII. - PLAN COMMISSION

Sec. 2-766. - Membership, appointment, tenure and compensation.

(a) The Plan Commission shall consist of seven members, and as ex officio member, the Director of Community Development. All such members shall be appointed by the President of the village by and with the advice and consent of the Board of Trustees. To be qualified for appointment, an appointee shall be a resident of and an elector in the village.

(b) All members shall be appointed for a term of four years. All subsequent appointments shall be for a term of four years. No member shall serve for more than two consecutive terms.

(c) ~~The appointment of a member to fill a vacancy shall be made for the remainder of the unexpired term.~~

~~(d)~~ When a member of the Plan Commission has been unable or has failed to attend four consecutive meetings of the commission for health, business or other reasons, such absence shall be construed as resignation from the commission and the member shall be so notified in writing. A vacancy thus created shall be filled as any other vacancy.

(d) In making appointments to the commission, the Village President may give preference to candidates who are experienced or trained in:

- (1) architecture;**
- (2) real estate;**
- (3) the law;**
- (4) finance;**
- (5) landscape architecture;**
- (6) urban planning;**
- (7) development;**
- (8) construction;**
- (9) housing.**

SECTION 3: The Wilmette Village Code, as amended, is further amended in Chapter 2, Administration, Article XXIX, Fire and Police Commission, Section 2-792 by inserting such new text in the manner shown in underlined bold type below, so that said Chapter 2, Article XXIX, Section 2-792 shall hereafter provide as follows:

Sec. 2-792. - Qualifications.

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. **In making appointments to the commission, the Village President may give preference to candidates who are experienced or trained in:**

- (1) human resources;**
- (2) diversity and inclusion practices;**
- (3) public safety;**
- (4) the law.**

SECTION 4: The Wilmette Village Code, as amended, is further amended in Chapter 2, Administration, Article XXX, Human Relations Commission by deleting the text of said Chapter 2, Article XXX in the manner shown in strikethrough type below and inserting such new text in the manner shown in underlined bold type below, so that said Chapter 2, Article XXX shall hereafter provide as follows:

ARTICLE XXX. - HUMAN RELATIONS COMMISSION

Sec. 2-825. - Creation.

There is hereby established a Human Relations Commission which shall consist of nine members. **Two of the nine members shall be high school students.** ~~Except in the case of a member who is also an employee of a school district in the village, members shall be citizens and residents of the village.~~

Sec. 2-826. – **Mission and** Purpose.

The Human Relations Commission shall be an advisory body to the Village Board and its Boards and Commissions, and its mission shall be to foster and promote an inclusive community where all racial, ethnic, gender, religious, sexual orientation, and cultural backgrounds feel safe and welcomed. The Human Relations Commission shall also promote increased participation in all aspects of community life and a sense of shared community among all residents.

The purpose of the Human Relations Commission is **to make recommendations to the Village Board regarding the following:**

- (1) To promote the well-being of all members of the community;
- (2) To support all segments of the population including, **but not limited to,** youth, seniors, persons with disabilities, **black, indigenous, and people of color (BIPOC),**

lesbian, gay, bisexual, transgender, and queer or questioning (LGBTQ), all persons regardless of their religious beliefs, veterans, and low income groups;

(3) To support, address and make recommendations concerning emerging community needs;

(4) To serve as an advocate, educator, communicator, and a point of contact for all segments of the population in the community;

(5) To promote justice and equity;

(6) To encourage and facilitate solutions to social issues;

~~(7) To promote the arts and multi-cultural events;~~

~~(7)(8)~~ To plan or support community events and programs that bring together and support diverse members of the community; ~~and~~

~~(8)(9)~~ To provide recommendations to the Village Board on matters pertaining to community welfare; **and**

(9) To develop ways of anticipating, preparing for and relieving community tensions arising from intergroup conflict.

Sec. 2-827. - Duties and functions.

The Human Relations Commission shall have the authority to adopt a meeting schedule ~~consistent with its allocated staff time under section 2-809~~, adopt rules of procedure for the conduct of its business which are consistent with the Village Code, make recommendations to the Village President and Board of Trustees for the adoption of ordinances or resolutions, and to perform such other duties or functions as assigned to it by the Village President and Board of Trustees. The Human Relations Commission may make recommendations for the expenditure of funds but shall have no authority to enter into contracts or to expend funds.

Sec. 2-828. - Appointment, term of office; composition.

(a) The nine members shall be appointed by the Village President with the advice and consent of the Board of Trustees for a term of three years. So that terms shall be staggered, upon the initial appointment of members after formation of this commission; ~~;~~

1. The initial appointment for seven non-student appointees shall be made by the Village President as follows: shall appoint five

i. three members for an initial term of three years;

ii. ___ three members for an initial term of two years;

iii. ___ and one member for an initial term of ~~one~~ **four** years.

Subsequent appointments shall be for three-year terms. ~~However, the term of a member appointed to fill a vacancy shall include the remainder of the unexpired term of his predecessor plus the next full term following such initial appointment.~~ **To be qualified for appointment, non-student appointees shall be a resident of the village.**

2. The appointment for the two student appointees shall be made by the Village President for a term of one year.

To be qualified for appointment, student appointees shall be a student in high school and a resident of the Village.

(b) No member so appointed shall serve more than two consecutive terms. All appointees shall hold office until their successors are appointed and qualified.

(c) The Village President shall designate one of the members as Chairperson of the Commission.

(d) Any member may be removed by the Village President from the commission for any reason at any time: **as provided for in Section 2-741 of this Chapter.**

~~(e) If a vacancy occurs on the commission, then a successor member shall be appointed by the Village President with the advice and consent of the Board of Trustees, to serve the unexpired term of the vacated member.~~

~~(f) In making appointments to the commission, the Village President may give preference to candidates **that will foster a Commission consisting of a diverse mix of residents encompassing different races, ethnicities, religions, genders, sexual orientation, ages, and socio-economic differences.**~~

In addition, the Village President may give preference to candidates who are:

(1) disabled (or have an immediate family that is disabled);

(2) experienced or trained to promote diversity and cultural understanding;

(3) experienced or trained in youth-oriented services;

(4) a Veteran, or experienced or trained in promoting Veteran affairs;

(5) experienced and trained in the law;

(6) historians or have extensive training and schooling in American history. based on the following factors:

~~(1) Training or expertise in public health or be a medical professional;~~

~~(2) A person with a disability or an immediate family member of a person with a disability;~~

~~(3) Training or expertise in the creation or promotion of the arts;~~

~~(4) Training or expertise in the promotion of diversity and cultural understanding; or~~

~~(5) Training or expertise in fostering a comprehensive program of youth-oriented services.~~

Sec. 2-829. - Quorum.

Five members of the commission shall constitute a quorum, and any action or recommendation shall require the affirmative vote of at least five members.

Sec. 2-830. - Goals and performance measurement.

(a) The Human Relations Commission shall submit to the Village Board Administration Committee, ~~on or before June 30 of each year~~ **annually**, its goals for the following fiscal year. Whenever possible, such goals shall be measurable and defined quantitatively.

(b) The Human Relations Commission shall submit a report to the Village Board Administration Committee, ~~on or before March 1 of each year~~ **annually**, detailing the past year's activities and accomplishments, including performance measures and an analysis of the prior year's goals and their completion.

Secs. 2-831—2-853. - Reserved.

SECTION 5: The Wilmette Village Code, as amended, is further amended in Chapter 2, Administration, Article XXXII, Housing Commission, by deleting the text of said Chapter 2, Article XXXII in the manner shown in strikethrough type below and inserting such new text in the manner shown in underlined bold type below, so that said Chapter 2, Article XXXII shall hereafter provide as follows:

ARTICLE XXXII. - HOUSING COMMISSION

Sec. 2-878. - Creation.

There is hereby established a Housing Commission which shall consist of ~~five~~ **seven** members, ~~who shall be citizens and residents of the village.~~

Sec. 2-879. – **Mission and** Purpose.

~~The purpose of the Housing Commission~~ **The mission of the Housing Commission is** to present to the President and Board of Trustees recommendations for the alleviation of the shortage of decent, safe and reasonably affordable housing for the elderly and low and moderate income persons, including, but not limited to, the study and development of housing alternatives and housing requirements in the village. Thereafter, the commission shall periodically review and update its recommendations with respect to any recommendations made to the President and Board of Trustees.

The purpose of the Housing Commission in order to effectuate its mission is

(1) To assist in the review of the Housing Chapter of the Comprehensive Plan and to review the Village's Affordable Housing Plan when directed by the Village Board;

- (2) To work with and monitor land trust programs aimed at increasing affordable housing within the Village;
- (3) To conduct public education regarding fair housing;
- (4) To conduct a housing needs assessment when directed by the Village Board;
- (5) To receive information from the Housing Our Own - Wilmette's housing assistance rental and property tax subsidy programs;
- (6) To monitor the sale of and to make recommendations to the Village Board to invoke its right of first refusal that the Village has to purchase affordable units should such units be offered for sale at prices deemed not affordable;
- (7) To research methods to preserve existing affordable housing units and to further expand the number of affordable housing units within the Village as recommended by the Village's Affordable Housing Plan;
- (8) To research methods to encourage developers to include affordable units in new multi-family buildings as recommended by the Village's Affordable Housing Plan;
- (9) To receive information about the Illinois Housing Development Authority's affordable housing statistics for Wilmette.

Sec. 2-880. - Duties and functions.

The Housing Commission shall have the authority to adopt a meeting schedule, adopt rules of procedure for the conduct of its business which are consistent with the Village Code, make recommendations to the Village President and Board of Trustees for the adoption of ordinances or resolutions, and to perform such duties and functions as assigned to it by the Village President and Board of Trustees. The Housing Commission may make recommendations for the expenditure of funds but shall have no authority to enter into contracts or to expend funds.

~~The Housing Commission shall perform the duties assigned to it by this section and shall have the power to carry out such other duties or functions as assigned to it by the Village President or Board of Trustees.~~

Sec. 2-881. - Appointment; term of office; composition.

(a) The ~~five~~ seven members shall be appointed by the Village President with the advice and consent of the Board of Trustees for a term of three years. So that terms shall be staggered, upon the initial appointment of members after formation of this commission:

The initial appointment for seven appointees shall be made by the Village President as follows: shall appoint five

- (1) three members for an initial term of three years;

(2) three members for an initial term of two years;

(3) and one member for an initial term of ~~one~~ **four** years.

Subsequent appointments shall be for three-year terms. ~~However, the term of a member appointed to fill a vacancy shall include the remainder of the unexpired term of his predecessor plus the next full term following such initial appointment.~~ **To be qualified for appointment, appointees shall be a resident of the village.**

(b) No member so appointed shall serve more than two consecutive terms. All appointees shall hold office until their successors are appointed, ~~except those commissioners appointed to unexpired terms may serve for two full terms following such initial appointments.~~

(c) The Village President shall designate one of the members as Chairperson of the Commission.

(d) Any member may be removed by the Village President from the commission as provided for in Section 2-741 of this Chapter.

~~(de)~~ If a vacancy occurs on the commission, then a successor member shall be appointed by the Village President on the advice and consent of the Board of Trustees, ~~to serve the unexpired term of the vacated member.~~

(f) In making appointments to the commission, the Village President may give preference to candidates who are experienced or trained in:

(1) affordable housing;

(2) real estate development/construction;

(3) financing;

(4) the law;

(5) urban planning.

Sec. 2-882. - Quorum; rules; qualifications.

~~(a) Any member may be removed by the Village President for failure to attend three consecutive meetings of the commission.~~

~~(b) Three~~ **Four** regular members of the commission shall constitute a quorum, and any action or recommendation shall require the affirmative vote of at least ~~three~~ **four** members.

~~(c) The commission may adopt rules of order and procedures for the conduct of business.~~

Sec. 2-883. - **Goals and performance measurement.**

(a) The Housing Commission shall submit to the Village Board Administration Committee, annually, its goals for the following fiscal year. Whenever possible, such goals shall be measurable and defined quantitatively.

(b) The Housing Commission shall submit a report to the Village Board Administration Committee, annually, detailing the past year's activities and accomplishments, including performance measures and an analysis of the prior year's goals and their completion.

Technical assistance.

~~The Housing Commission may obtain technical assistance in the performance of its powers and duties upon authority from, and within the appropriations made by, the Board of Trustees.~~

Secs. 2-884—2-914. - Reserved.

SECTION 6: The Wilmette Village Code, as amended, is further amended in Chapter 2, Administration, Article XXXIII, Transportation Commission, Section 2-915 by deleting the text of said Chapter 2, Article XXXIII, Section 2-915 in the manner shown in strikethrough type below and inserting such new text in the manner shown in underlined bold type below, so that said Chapter 2, Article XXXIII, Section 2-915 shall hereafter provide as follows:

Sec. 2-915. - Creation; composition; term; meetings.

(a) There is hereby established a Transportation Commission which shall consist of seven members, who shall be citizens and residents of the village. The seven members shall be appointed by the Village President with the advice and consent of the Board of Trustees for a term of four years.

(b) At the expiration of the term of each member or of each succeeding member, or in the event of a vacancy, the President, with the advice and consent of the Board of Trustees, shall appoint a member to hold office ~~for the unexpired term, or in the case of expiration,~~ for a term of four years, or until his successor shall have been appointed and qualified. No member may serve for more than eight consecutive years.

(c) The President shall designate one of the members as Chairperson of the Commission.

(d) **Any member may be removed by the Village President from the commission as provided for in Section 2-741 of this Chapter.** ~~A member may be removed from office by the Village President for failure to attend four consecutive meetings. A vacancy so created shall be filled for the remaining portion of the member's unexpired term in the same manner as other vacancies.~~

(e) The Transportation Commission shall meet as necessity requires and convenience allows.

(f) In making appointments to the commission, the Village President may give preference to candidates who are experienced or trained in:

- (1) transportation related industries;**
- (2) civil engineering;**

- (3) site plan development;
- (4) the creation of traffic and parking studies;
- (5) public transportation systems;
- (6) the creation of bike and pedestrian studies.

SECTION 7: The Wilmette Village Code, as amended, is further amended in Chapter 2, Administration, Article XXXV, Environmental and Energy Commission by deleting the text of said Chapter 2, Article XXXV in the manner shown in strikethrough type below and inserting such new text in the manner shown in underlined bold type below, so that said Chapter 2, Article XXXV shall hereafter provide as follows:

ARTICLE XXXV. - ENVIRONMENTAL AND ENERGY COMMISSION

Sec. 2-967. - Creation.

There is hereby established an Environmental and Energy Commission which shall consist of nine members, ~~who shall be citizens and residents of the village.~~

Sec. 2-968. - Purpose.

The Environmental and Energy Commission shall be an advisory body to the Village Board and its Boards and Commissions, and its purpose shall be to provide advice and education on environmental issues, environmental health, bicycle and other green modes of transportation and energy-related issues.

Sec. 2-969. - Duties and functions.

The Environmental and Energy Commission shall have the authority to adopt a meeting schedule ~~consistent with its allocated staff time under section 2-944~~, adopt rules of procedure for the conduct of its business which are consistent with the Village Code, make recommendations to the Village President and Board of Trustees for the adoption of ordinances or resolutions, and to perform such other duties or functions as assigned to it by the Village President and Board of Trustees. The Environmental and Energy Commission may make recommendations for the expenditure of funds but shall have no authority to enter into contracts or to expend funds.

Sec. 2-970. - Appointment, term of office; composition.

(a) The nine members shall be appointed by the Village President with the advice and consent of the Board of Trustees for a term of three years. ~~However, the term of a member appointed to fill a vacancy shall include the remainder of the unexpired term of his predecessor plus the next full term following such initial appointment.~~ **To be qualified for appointment, appointees shall be a resident of the village.**

(b) No member so appointed shall serve more than two consecutive terms. All appointees shall hold office until their successors are appointed and qualified.

(c) The Village President shall designate one of the members as Chairperson of the Commission.

(d) Any member may be removed by the Village President from the commission ~~for any reason at any time.~~ **as provided for in Section 2-741 of this Chapter.**

(e) If a vacancy occurs on the commission, then a successor member shall be appointed by the Village President on the advice and consent of the Board of Trustees, **to serve the unexpired term of the vacated member.**

(f) **In making appointments to the commission, the Village President may give preference to candidates who are experienced or trained in** Each of the Environmental and Energy Commission members appointed shall have training or experience in areas such as environmental matters, energy conservation, education, transportation, pollution control, engineering, science and public health. At all times possible one member of the Environmental and Energy Commission shall have training or expertise in environmental health, or in the alternative, training and expertise in the health and medical field. At all times possible one member of the Environmental and Energy Commission **should** have training or expertise in cycling as a green mode of transportation.

Sec. 2-971. - Quorum, rules; qualifications.

~~(a) Any member may be removed by the Village President for failure to attend three consecutive meetings of the commission.~~

~~(b) Five regular members of the commission shall constitute a quorum, and any action or recommendation shall require the affirmative vote of at least five members.~~

~~(c) The commission may adopt rules of order and procedures for the conduct of business.~~

~~(d) Each of the Environmental and Energy Commission members appointed shall have training or experience in areas such as environmental matters, energy conservation, education, pollution control, engineering, science and public health.~~

Sec. 2-972. - Goals and performance measurement.

(a) The Environmental and Energy Commission shall submit to the Village Board Administration Committee, ~~on or before June 30 of each year~~ **annually**, its goals for the following fiscal year. Whenever possible, such goals shall be measurable and defined quantitatively.

(b) The Environmental and Energy Commission shall submit a report to the Village Board Administration Committee, ~~on or before March 1 of each year~~ **annually**, detailing the past year's activities and accomplishments, including performance measures and an analysis of the prior year's goals and their completion.

Secs. 2-973—2-1002. - Reserved.

SECTION 8: The Wilmette Village Code, as amended, is further amended in Chapter 2, Administration, Article XXXVI, Historic Preservation Commission, by deleting the text of said Chapter 2, Article XXXVI in the manner shown in strikethrough type below and inserting such new text in the manner shown in underlined bold type below, so that said Chapter 2, Article XXXV shall hereafter provide as follows:

ARTICLE XXXVI. - HISTORIC PRESERVATION COMMISSION

Sec. 2-1003. - Creation.

There is hereby established a Historic Preservation Commission which shall consist of ~~nine~~ **seven** members, ~~who shall be citizens and residents of the village.~~

Sec. 2-1004. - Appointments, term of office; composition.

(a) The ~~nine~~ **seven** members shall be appointed by the Village President with the advice and consent of the Board of Trustees for a term of four years. **To be qualified for appointment, appointees shall be a resident of the village.**

(b) No member so appointed shall serve more than two consecutive terms. All appointees shall hold office until their successors are appointed, ~~except those commissioners appointed to unexpired terms may serve for two full terms following such initial appointments.~~

(c) The Village President shall designate one of the members as Chairperson of the Commission.

(d) If a vacancy occurs on the commission, then a successor member shall be appointed by the Village President on the advice and consent of the Board of Trustees, ~~to serve the unexpired term of the vacated member.~~

(e) **In making appointments to the commission, the Village President may give preference to candidates who are experienced or trained in:**

- (1) historic preservation;**
- (2) architecture;**
- (3) history;**
- (4) landscape architecture;**
- (5) urban planning.**

Sec. 2-1005. - Quorum; rules; qualifications.

(a) Any member may be removed by the Village President ~~for failure to attend three consecutive meetings of the commission.~~ **from the commission as provided for in Section 2-741 of this Chapter.**

(b) ~~Four~~ **Five** regular members of the commission shall constitute a quorum, and any action or recommendation shall require the affirmative vote of at least ~~four~~ **five** members.

(c) The commission may adopt rules of order and procedures for the conduct of business.

Sec. 2-1006. - Meetings.

The Historic Preservation Commission shall have an initial budget to meet six times per year. Such meetings shall be open to the public and public notice shall be given for such meetings as provided by law. Additional meetings may be budgeted pursuant to section 2-1007(b).

Sec. 2-1007. – ~~Funding~~ **Goals and performance measurement.**

~~(a) The Historic Preservation Commission shall submit to the Board of Trustees an annual request for appropriations for anticipated expenditures. Expenditures in excess of the amount appropriated are subject to prior approval by the Board of Trustees.~~

~~(b) The Historic Preservation Commission shall also submit to the Board of Trustees an annual request for the allocation, in hours, of the anticipated amount of village staff time required for the functioning of the Historic Preservation Commission. Use of staff time in excess of the amount allocated is subject to prior approval by the Village Manager or the Board of Trustees.~~

(a) The Historic Preservation Commission shall submit to the Village Board Administration Committee, annually, its goals for the following fiscal year. Whenever possible, such goals shall be measurable and defined quantitatively.

(b) The Historic Preservation Commission shall submit a report to the Village Board Administration Committee, annually, detailing the past year's activities and accomplishments, including performance measures and an analysis of the prior year's goals and their completion.

Sec. 2-1008. - Purpose.

The purpose of the Wilmette Historic Preservation Commission is to preserve the character of community life by recognizing, preserving and acknowledging the significance of those structures, sites, geographic features, and trees which exemplify or reflect the cultural, social, economic, political or architectural history of the village in accordance with the provisions of this division.

Sec. 2-1009. - Duties and functions.

The Historic Preservation Commission shall perform the duties assigned to it by section 2-1008 and article ~~XXIX~~ of chapter 8 and shall have the power to carry out such other duties or functions as assigned to it by the Village President or Board of Trustees.

Sec. 2-1010. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alteration means a change in the exterior appearance of a Wilmette Landmark that requires a permit or as specified in the designation ordinance.

Certificate of appropriateness means a certificate recommended by the commission indicating review and authorization of plans for alteration, construction, demolition or relocation of a Wilmette Landmark, or property, structure or site within a Wilmette Historic District.

Certificate of Economic Hardship means a certificate issued by the Village Board after a determination by the commission that the previous denial of a certificate of appropriateness has resulted in a denial of all reasonable use or return from the property.

Contributing means a classification, by the commission, applied to an area, property, structure or site within a Wilmette Historic District signifying that it contributes generally to the qualities that give the Wilmette Historic District historic, cultural, architectural or archaeological significance as embodied in the criteria for designating a Wilmette Historic District. The classification also includes a property, structure or site designated significant or contributing in the Wilmette Historical and Architectural Surveys.

Demolition means as used in this section, shall mean the destruction or removal of a Wilmette Landmark that requires a permit.

Exterior architectural appearance means the architectural character and general composition of the exterior of a property or structure visible from a public street, including, but not limited to, the kind and textures of the building material and the type, design and character of all architectural details and elements, including, but not limited to, windows, doors, light fixtures, trim and signs.

Geographic feature means a land formation, whether naturally occurring or manmade.

Non-contributing means any property, structure or site which has not been classified as contributing or significant by the commission.

Place of worship means a church, synagogue, mosque, temple, or other building, structure, or place used primarily for religious worship and includes the grounds of a place of worship and accessory structures located thereon.

Relocation means any reposition of a structure on its site or to another site.

Rules and procedures means the rules and procedures of the Wilmette Historic Preservation Commission.

Site means any geographic location associated with an event, person or structure.

Structure means any improvement to real property.

Wilmette Historic District means an identifiable area with definable boundaries designated as a "Wilmette Historic District" by the Village Board of Trustees and in which a significant number of the properties, structures or sites have a high degree of historic, cultural, architectural, or archaeological significance and integrity. Many of the properties, structures or sites included in the Wilmette Historic District may qualify as Wilmette Landmarks or be contributing and may or may

not be contiguous. For the purposes of this chapter and unless otherwise expressly provided by the Village Board of Trustees in the ordinance for designation, all designations shall presumptively include the lots of record associated with structures located in the district.

Wilmette Landmark means an artifact, structure, site, geographic feature or tree that has been designated, by village ordinance, as being a paragon for the cultural, social, economic, political or architectural values of the nation, state or village.

Sec. 2-1011. - Actions affecting a Wilmette Landmark or within a Wilmette Historic District.

(a) No designated Wilmette Landmark or contributing structure within a Wilmette Historic District shall be altered or demolished and no new construction on a vacant lot in a Wilmette Historic District may be undertaken, except in accordance with the provisions of section 2-1014 and 2-1016.

(b) The requirements of section 2-1014 and 2-1016, and all its further subsections, shall not be applicable to, and no certificate of appropriateness shall be required for, the alteration, demolition or construction of a place of worship or the property on which a place of worship is, or will be, situated.

(c) Owners of places of worship may, on a voluntary basis, request to meet with and consult with the Historic Preservation Commission prior to the alteration, demolition, or construction of a place of worship, so that Historic Preservation Commission may provide the owners of the place of worship with the benefit of its expertise and advice regarding the project under consideration.

Sec. 2-1012. - Application; required contents.

Any person or entity proposing the alteration or demolition of a designated Wilmette Landmark, a contributing structure within a Wilmette Historic District or new construction on a vacant lot in a Wilmette Historic District, shall submit a written application for a certificate of appropriateness to the Historic Preservation Commission, through the Department of Community Development. The application shall include detailed plans showing the proposed appearance of the Wilmette Landmark visible from a public right-of-way or plans regarding the proposed action within a Wilmette Historic District.

Sec. 2-1013. - Public hearing; report.

(a) Upon receipt of the application, the Historic Commission shall hold a public hearing on the application and allow the applicant and other interested parties to present testimony. Such hearings shall be held in accordance with the rules and procedures adopted by the commission.

(b) Following the conclusion of the hearing, the commission shall submit a report to the Village Board of Trustees either recommending that the application be granted in its original form or as amended, or that the application be denied.

Sec. 2-1014. - Criteria for review of certificates of appropriateness.

(a) Criteria for the approval of a certificate of appropriateness shall give due consideration to the rights of property owners, the Secretary of the Interior's Standards and the standards of review adopted by the commission and shall require that:

(1) The alteration does not materially impair the historical significance of the Wilmette Landmark.

(2) The alteration does not materially impair the architectural integrity of the Wilmette Landmark or Wilmette Historic District.

(3) The alteration is carried out in a manner consistent with the historical/architectural character of the Wilmette Landmark.

(4) It is not economically practical to preserve the Wilmette Landmark or contributing structure within a Wilmette Historic District without alteration or demolition.

(b) Any new construction shall be visually compatible with the historical/architectural character of the Wilmette Historic District.

(c) If the proposal does not meet any of the above-stated criteria, the Historic Commission shall recommend that the application be denied.

Sec. 2-1015. - Appeal of denials.

Any applicant, following a final negative recommendation of the commission for a certificate of appropriateness, may, within 30 days of the negative recommendation, make application for a Certificate of Economic Hardship.

Sec. 2-1016. - Criteria for a Certificate of Economic Hardship.

The commission shall only recommend an application for a Certificate of Economic Hardship upon a determination that the negative recommendation of the certificate of appropriateness has resulted in the denial of all reasonable use or return from the property, in accordance with the commission's rules and procedures.

Sec. 2-1017. - Consideration by the Village Board of Trustees.

(a) Upon receipt of the Historic Preservation Commission's recommendation for designation of a Wilmette Landmark or action on an application for a certificate of appropriateness, the Village Board of Trustees shall approve or disapprove the recommendation by majority vote. Upon the receipt of the commission's recommendation for designation of a Wilmette Historic District and which designation is accompanied by the written consent of 75 percent or more of the owners of record of those properties within the proposed district, the Village Board of Trustees shall approve or disapprove the proposed Wilmette Historic District by a majority vote. If alteration or demolition is approved, the village shall issue, upon proper application and satisfaction of all other requirements of the Village Code, the appropriate Building Permit or Demolition Permit.

(b) Notice of the Village Board of Trustee's approval of the designation shall be provided by regular mail to the nominator and all property owners of record of the landmark or properties within the district.

(c) Notwithstanding the foregoing, no place of worship or property on which a place of worship is located shall be designated as a Wilmette Landmark without the written consent of the religious entity that is the owner of such place of worship.

SECTION 9: The Wilmette Village Code, as amended, is further amended in Chapter 2, Administration, Article XXXVII, Zoning Board of Appeals, Section 2-1049 by inserting such new text in the manner shown in underlined bold type below, so that said Chapter 2, Article XXXVII, Section 2-1049 shall hereafter provide as follows:

Sec. 2-1049. - Members.

(a) All members of the Zoning Board of Appeals shall be residents of the village.

(b) The Zoning Board of Appeals shall consist of seven members appointed by the President and confirmed by the Board of Trustees. Each member so appointed shall serve for a term of five years. No member shall serve for more than two consecutive full terms.

(c) One of the members so appointed shall be named as the Chairperson of the Zoning Board of Appeals by the President and confirmed by the Board of Trustees.

(d) The President and the Board of Trustees shall have the power, after a public hearing, to remove any member of the Zoning Board of Appeals for good cause shown.

(e) Vacancies on the Zoning Board of Appeals shall be filled ~~for the unexpired term of the member whose place has become vacant~~ in the manner herein provided for the appointment of such member. When a member of the Zoning Board of Appeals has been unable or has failed to attend three consecutive meetings of the Zoning Board of Appeals, such absence shall be construed as resignation from the Zoning Board of Appeals and the member shall be so notified in writing by the President. A vacancy thus created shall be filled in the same manner as any other vacancy.

(f) In making appointments to the board, the Village President may give preference to candidates who are experienced or trained in:

- (1) architecture;**
- (2) real estate;**
- (3) the law;**
- (4) finance;**
- (5) urban planning;**
- (6) construction and development.**

SECTION 10: The Wilmette Village Code, as amended, is further amended in Chapter 2, Administration, Article XXXVIII, Police and Firefighters' Pension Fund, by inserting such new text in the manner shown in underlined bold type below, so that said Chapter 2, Article XXXVIII, shall hereafter provide as follows:

ARTICLE XXXVIII. - POLICE AND FIREFIGHTERS' PENSION FUNDS

Sec. 2-1067. - Board of Trustees of the Police Pension Fund; creation; composition; term.

(a) Pursuant to article 3, section 3-128 of the Illinois Pension Code (ILCS ch. 40, act 5, § 3-128), there is hereby established a Board of Trustees of the Police Pension Fund.

(b) The Board of Trustees of the Police Pension Fund shall be composed of five members. Two members of said Board shall be appointed by the President of the village for two-year terms of office. Three members of said Board shall be elected by active and retired members of the Police Department in the manner provided in article 3, section 3-128 of the Illinois Pension Code (ILCS ch. 40, act 5, § 3-128), now or hereafter amended.

(c) In making appointments to the Board of Trustees of the Police Pension Fund, the Village President may give preference to candidates who are experienced or trained in:

- (1) human resources;**
- (2) financial investments.**

Sec. 2-1068. - Board of Trustees of the Firefighters' Pension Fund; creation; composition; term.

(a) Pursuant to article 4, section 4-121 of the Illinois Pension Code (ILCS ch. 40, act 5, § 4-121), there is hereby established a Board of Trustees of the Firefighters' Pension Fund.

(b) The Board of Trustees of the Firefighters' Pension Fund shall be composed of five members. Two members of said Board shall be appointed by the President of the village for three-year terms of office. Three members of said Board shall be elected by active and retired members of the Fire Department in the manner provided in article 4, section 4-121 of the Illinois Pension Code (40 ILCS ch. 40, act 5, § 4-121), now or hereafter amended.

(c) In making appointments to the Board of Trustees of the Firefighters' Pension Fund, the Village President may give preference to candidates who are experienced or trained in:

- (1) human resources;**
- (2) financial investments.**

Secs. 2-1069—2-1089. - Reserved.

SECTION 11: The Wilmette Village Code, as amended, is further amended in Chapter 2, Administration, Article XXXIV, Appearance Review Commission, Section 2-939(e)

by deleting the text of said Section 2-939 in the manner shown in strikethrough type below, so that said Section 2-939 shall hereafter provide as follows:

ARTICLE XXXIV. - APPEARANCE REVIEW COMMISSION

Sec. 2-939. - Members and officers.

(a) All members of the Appearance Review Commission shall be residents of the village.

(b) The Appearance Review Commission shall consist of seven members appointed by the President and confirmed by the Board of Trustees. **In making appointments to the commission, the Village President may give preference to candidates who are experienced or trained in** ~~In making these appointments, the President should, to the maximum extent possible, appoint persons with relevant education and/or experience in the fields of architecture, landscape architecture, graphic design, interior design, urban planning, real estate development and transactions, construction, and engineering, so that the membership of the commission includes, to the greatest extent practicable, persons of diverse professional background. Each member so appointed shall serve a term of five years. Initial terms shall be staggered. No member shall serve for more than two consecutive full terms.~~

(c) One of the members so appointed shall be named as Chairperson of the Appearance Review Commission by the President and confirmed by the Board of Trustees.

(d) The President and the Board of Trustees shall have the power, ~~after a public hearing,~~ to remove any member of the Appearance Review Commission **as provided for in Section 2-741 of this Chapter.** ~~for good cause shown.~~

(e) Vacancies on the Appearance Review Commission shall be filled ~~for the unexpired term of the member whose place has become vacant~~ in the manner herein provided for the appointment of such member. When a member of the Appearance Review Commission has been unable or has failed to attend three consecutive meetings of the Appearance Review Commission, such absence shall be construed as resignation from the Appearance Review Commission, and the member shall be so notified in writing by the President. A vacancy thus created shall be filled in the same manner as any other vacancy.

SECTION 12: The terms of office for the first appointed members after the passage of this ordinance to the Housing Commission and the Human Relations Commission shall be the same term as the initial term of office for the respective commission. The Village President, when making such an appointment, shall designate which initial term is being filled when making such appointment.

SECTION 13: Codifier's Authority. The Village's codifier is authorized and hereby directed, to adjust section and paragraph numbering as may be necessary to render this ordinance consistent with the numbering of the Village Code.

SECTION 14: This Ordinance shall be in full force and effect from and after its passage and approval as required by law.

PASSED by the President and Board of Trustees of the Village of Wilmette, Illinois, on the **27th** day of **October 2020** according to the following roll call vote:

AYES: None.

NAYS: None.

ABSTAIN: None.

ABSENT: None.

Clerk of the Village of Wilmette, IL

APPROVED by the President of the Village of Wilmette, Illinois, this **27th** day of **October 2020**.

President of the Village of Wilmette, IL

ATTEST:

Clerk of the Village of Wilmette, IL

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