

1 AN ACT in relation to counties.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Counties Code is amended by changing
5 Section 5-12011 as follows:

6 (55 ILCS 5/5-12011) (from Ch. 34, par. 5-12011)

7 Sec. 5-12011. Hearing and decision of board of appeals.
8 The board of appeals shall also hear and decide appeals from
9 and review any order, requirement, decision or determination
10 made by an administrative official charged with the
11 enforcement of any ordinance or resolution adopted pursuant
12 to this Division.

13 It shall also hear and decide all matters referred to it
14 or upon which it is required to pass under any such ordinance
15 or resolution or under the terms of this Division. Where a
16 public hearing before a board of appeals is required by this
17 Division or by any ordinance or resolution under the terms of
18 this Division, notice of each hearing shall be published at
19 least 15 days in advance thereof in a newspaper of general
20 circulation published in the township or road district in
21 which such property is located. If no newspaper is published
22 in such township or road district, then such notice shall be
23 published in a newspaper of general circulation published in
24 the county and having circulation where such property is
25 located. The concurring vote of 3 4 members of a board
26 consisting of 5 members or the concurring vote of 4 5 members
27 of a board consisting of 7 members is necessary to reverse
28 any order, requirement, decision or determination of any such
29 administrative official or to decide in favor of the
30 applicant any matter upon which it is required to pass under
31 any such ordinance or resolution, or to effect any variation

1 in such ordinance or resolution, or to recommend any
2 variation or modification in such ordinance or resolution to
3 the county board. An appeal may be taken by any person
4 aggrieved or by any officer, department, board or bureau of
5 the county. An appeal shall be taken within such time as is
6 prescribed by the board of appeals by general rule by filing
7 with the officer from whom the appeal is taken and with the
8 board of appeals a notice of appeal, specifying the grounds
9 thereof. The officer from whom the appeal is taken shall
10 forthwith transmit to the board all the papers constituting
11 the record upon which the action appealed from was taken.

12 An appeal stays all proceedings in furtherance of the
13 action appealed from, unless the officer from whom the appeal
14 is taken certifies to the board of appeals after the notice
15 of appeal has been filed with him that by reasons of facts
16 stated in the certificate a stay would, in his opinion, cause
17 imminent peril to life or property, in which case proceedings
18 shall not be stayed otherwise than by a restraining order
19 which may be granted by the board of appeals or by a court on
20 application, on notice to the officer from whom the appeal is
21 taken and on due cause shown.

22 (Source: P.A. 86-962.)