**Section 522.60 Receipt of Application**

a) All permit applications shall be stamped or otherwise marked with the date and time upon receipt at the designated Department office.

b) Priority of processing permit applications shall be in the order they are received.

c) If a receipt is requested showing the date and time the application was received, the applicant shall submit a self-addressed, stamped envelope.

d) Applications must be delivered to the designated Department office with jurisdiction and not to any other District or to personnel other than the personnel designated to accept applications.

e) Mailed applications will be considered to be received on the date postmarked by the U.S. Postal Service (USPS) on the envelope (at 11:59 PM). Private postmark stamps, bulk rate, or business stamping machines will not establish the proper postmark. The postmark will be established by the canceled stamp or USPS insignia on the envelope. If a postmark fails to exist, then the date shall be the date and time actually received and marked by the designated personnel at the Department office.

f) Attempting to "notarize" or acknowledge a time other than 11:59 PM will not be recognized when applications are mailed.

g) Faxed or electronically submitted applications, letters, protests or messages will not be accepted unless agreed to in writing by the Department office.

h) Applications submitted by delivery or expedited mail service (e.g., overnight mail, Federal Express, UPS) will be considered to be applications delivered in person and not applications submitted by the private postmark date.

i) If two or more applications are mailed or received at the same time that could contradict the interests of the others, and the Department cannot determine which application was there first with any degree of certainty, priority will be determined by the Department by lottery, drawing straws, coin toss, or any other fair and impartial method determined by the Department.

j) To ease administration of permit applications, the Department, at its discretion, may group applications for a particular site or geographic area.

k) Priority will not defeat the erection of a validly permitted or registered conforming but damaged sign re-erected at the same location.

l) Examples of Priority Applications:

1) Example One: Application "A" postmarked on the third of the month and received on the fifth; Application "B" hand delivered on the fifth. Application "A" has priority since it was postmarked on the third at 11:59 PM.

2) Example Two: Application "A" postmarked on the third of the month and received on the fifth; Application "B" received at 5:00 PM on the third. Application "B" has priority since it was received at 5:00 PM and Application "A" could have been mailed and postmarked up to 11:59 PM.

3) Example Three: Group A consists of five applications received at different times for a particular location with the first application having priority over the others. The administrator inspects the site during his/her regular duties or schedules a special trip. If conditions will not allow the issuance of a permit, the applications are denied. During the period for processing the denial, conditions change which may allow the issuance of a permit. The application with priority will be considered first, the application with second priority will be considered second, and so forth.

4) Example Four: Same facts as Example three but all five applications receive final denial notice from the Department. Department then moves on to Group B applications, inspects the sites and determines if any permits could be issued. If not, a 30-day notice is sent. If, after reinspection, conditions change, the application with first priority in Group B is considered to determine whether a permit can be issued. If not, the second priority application is reviewed and so forth until the formal denial process ends. The Department then moves on to Group C if one exists.

5) Example Five: Two applications arrive at different dates but are postmarked on the same date or two or more people claim they are first in line at the designated Department office to have their applications processed. The Department is unable to determine with any degree of certainty who has priority. The Department will inform the parties that the Department will determine priority by lottery as described in subsection (i) of this Part.

(Source: Amended at 35 Ill. Reg. 8523, effective May 17, 2011)