

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.)