



MEMORANDUM

TO: LOMBARD ZONING BOARD OF APPEALS
John DeFalco, Zoning Board of Appeals Chairperson

FROM: Jennifer Ganser, Assistant Director
Department of Community Development

DATE: September 23, 2015

SUBJECT: ZBA By-Laws

At the August 26, 2015 ZBA meeting a request was made to change of the standing ZBA meeting from 7:30 pm to 7:00 pm. In order for this change to occur, the ZBA by-laws need to be changed. Please review the red-lined by-laws for consideration at the September 23, 2015 ZBA meeting.

ACTION REQUESTED

Staff recommends the ZBA vote to approve the amended by-laws, with an effective date of January 27, 2016.

**BY-LAWS
OF
LOMBARD ZONING BOARD OF APPEALS**

I. NAME

The organization shall be known as “THE ZONING BOARD OF APPEALS OF THE VILLAGE OF LOMBARD, ILLINOIS.”

II. OBJECTIVES

The object of the Lombard Zoning Board of Appeals is to hear and pass upon applications for variations within its jurisdiction and to hear and decide appeals from any order, requirement, decision, or determination made by an administrative official charged with enforcement of any zoning ordinance.

III. MEMBERSHIP

The Zoning Board of Appeals shall consist of seven (7) members to serve respectively for the following terms: one (1) for one (1) year, one (1) for two (2) years, one (1) for three (3) years, one (1) for four (4) years, one (1) for five (5) years, one (1) for six (6) years, and one (1) for seven (7) years, the successor to each member so appointed to serve for a term of five (5) years.

IV. OFFICERS

A. Chairperson

1. The Chairperson shall be a member of the Zoning Board of Appeals and supervise all activities and projects of the Zoning Board of Appeals. The Chairperson shall conduct all meetings and public hearings and the Chairperson shall administer all oaths.
2. The Chairperson shall be appointed annually by the Village President with approval of the Board of Trustees. The terms of office for the Chairperson shall run from May 1st to the following April 30th.

B. Vice Chairperson

1. The Vice-Chairperson shall be elected by membership of the Zoning Board of Appeals at the first regular meeting of the Board

after appointment of the Chairperson. In the event of the death, resignation, or inability to act of the Vice Chairperson, a successor will be elected at the next regular meeting to serve out the unexpired term of the deceased, resigned, or disabled Vice Chairperson.

2. The Vice-Chairperson shall perform such duties as may be designated by the Chairperson. The Vice-Chairperson shall perform all duties and exercise all powers of the Chairperson in the absence of the Chairperson.

C. Secretary

1. A Secretary shall be assigned to the Zoning Board of Appeals by the Village Manager as provided by the Village Code.
2. The Secretary shall cause to have recorded and maintained permanent minutes of the meetings of the Zoning Board of Appeals, which minutes shall be open to inspection by all members of the public. The Secretary shall keep a record of attendance of members at such meetings and shall perform such other duties as shall be assigned by the Chairperson.
3. The Secretary shall report to the President and Board of Trustees and to the Chairperson the name of any member of the Zoning Board of Appeals who fails to attend three (3) consecutive regular meetings. The Secretary shall provide the President and Board of Trustees with the recommendation of the Chairperson as to what action to be taken as a result of said absences. The Secretary shall also report annually on April 30th of each year, the record of attendance of all members of the Zoning Board of Appeals during the previous year.

V. MEETINGS

A. Regular Meetings

Regular meetings of the Zoning Board of Appeals shall be held on the fourth Wednesday of each month at 7:30-00 P.M. in the Board Room of the Village Hall.

When any regular meeting day falls on a Village holiday or the eve of a Village holiday, or when there is a failure to have a quorum at a regular meeting as set forth herein, then the regular meeting shall be continued to any other day.

B. Special Meetings

1. A special meeting may be called by the Chairperson, the President and Board of Trustees or by any four (4) members of the Zoning Board of Appeals. A special meeting may be called by announcing the date, time and place of the intended special meeting at the preceding regular meeting, or at any time deemed necessary provided that notice as specified in subsection C below is provided.

C. Notice of Special Meetings

1. Notice of a special meeting, with an agenda for said special meeting attached, shall be posted at least forty-eight (48) hours prior to the date and time of the special meeting at the place of the special meeting. Notice and a copy of the agenda shall also be given at least forty-eight (48) hours prior to the time of the meeting to all news media requesting notices of Village meetings.

D. Quorum

1. Four (4) members of the Zoning Board of Appeals shall constitute a quorum. The Chairperson shall be counted in determining whether a quorum is present and shall be a voting member.
2. The Vice-Chairperson, when assuming the role of Chairperson in the absence of the Chairperson, shall not relinquish the right to vote and shall be polled to vote as any other member.
3. A concurring vote of four (4) members of the Zoning Board of Appeals is necessary to decide any matter within its jurisdiction.
4. If a motion fails to obtain four (4) concurring votes, the motion fails.
 - a. If a motion to deny a request fails, then a motion to approve the request shall be requested by the Chairperson and shall be voted upon.
 - b. If a motion to approve fails, then a motion to deny shall be requested by the Chairperson and shall be voted upon.
5. If the original motion fails and its counter motion fails, the petition shall be forwarded to the Village Board for consideration without a recommendation.

6. If a member desires to abstain from a vote on any issue, because of a conflict or potential conflict in regard to the matter before the Zoning Board of Appeals, then the minutes shall so state and that member shall not be required to vote on that issue. An abstaining member is not to be included in the vote with the majority on that particular issue.

VI. RULES OF ORDER

A. Governing Rules of Conduct

Robert's Rules of Order shall be the governing parliamentary authority for all meetings of the Zoning Board of Appeals except as to those rules of conduct of the meetings which are contained herein or as amended subsequent hereto as provided in these By-Laws.

The rules governing meetings are subject to the laws, limitations, restrictions and conditions as set forth by the Statutes of the State of Illinois, the Ordinances of the Village of Lombard, the By-Laws of this Zoning Board of Appeals and Robert's Rules of Order as aforesaid.

B. Amendment to By-Laws

These By-Laws may be amended from time to time hereafter at any regular or special meeting by an affirmative vote of four (4) members of the Zoning Board of Appeals provided at least ten (10) days written notice has been given to all members of the Zoning Board of Appeals, which notice shall contain the text of the proposed amendment ~~of~~ or amendments to be voted upon, and notice for which meeting shall have been given in accordance with the requirements of notice as set forth in these By-Laws.

These By-Laws were adopted this ____ day of _____, 2003-2015 and a copy thereof shall be filed with the Village Clerk.

BY: _____

_____, Chairperson
Lombard Zoning Board of Appeals

_____, Secretary
Lombard Zoning Board of Appeals