

**CITY OF MORRIS
GRUNDY COUNTY, ILLINOIS**

ORDINANCE NO. 3538

**AN ORDINANCE ESTABLISHING CHAPTER 17.80 OF
THE MORRIS ZONING CODE REGARDING
PUBLIC NOTICE FOR ZONING MATTERS**

**PASSED AND APPROVED BY THE
MAYOR AND CITY COUNCIL OF THE CITY OF MORRIS
THIS 4TH DAY OF APRIL, 2005.**

Published in Pamphlet Form by the
authority of the Mayor and City Council
of the City of Morris, Grundy County,
Illinois this 4th day of April, 2005.

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AN ORDINANCE ESTABLISHING CHAPTER 17.80 OF
THE MORRIS ZONING CODE REGARDING
PUBLIC NOTICE FOR ZONING MATTERS

WHEREAS, the Morris City Council has deemed it reasonable and necessary to provide for public notice for public hearings associated with Zoning Amendments, Zoning Variances and Conditional Permitted Uses (including Planned Unit Developments);

WHEREAS, the Morris City Council is authorized pursuant to Division 13 of the Illinois Municipal Code to adopt the provisions contained herein (*65 ILCS 5/11-13-1 et. seq.*);

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MORRIS, GRUNDY COUNTY, ILLINOIS AS FOLLOWS:

SECTION 1. That Chapter 17.80 of the Morris Municipal Code is hereby created and shall hereafter be entitled “ **PUBLIC NOTICE FOR ZONING MATTERS.**”

SECTION 2. That Section 17.80.010 of the Morris Municipal Code is hereby created which shall read in its entirety as follows:

17.80.010 Notice Required.

A. Except as otherwise provided herein, an applicant for any action that requires a public hearing must provide public notice of such hearing. Zoning actions that require a public hearing are:

1. Zoning Amendments;
2. Zoning Variances (excluding variances from the Subdivision Code);
3. Conditional Permitted Uses (including Planned Unit Developments).

B. The required public notice for each public hearing shall consist of the following actions:

1. Sign Display

- a. The applicant shall post a sign in the front yard of the affected property, facing and visible from a public street and no further than thirty (30) feet from the right of way line.
- b. The sign shall conform to such requirements as to copy, size of lettering, and other items as may be established by the City Council.
- c. The sign shall be erected not less than fifteen (15) days prior to the date of the scheduled public hearing and remain continuously in place until the public hearing is concluded but no more than ten (10) days thereafter.

- d. No posting of a sign shall be required if the applicant is the city, the zoning action pertains to property not owned by the city and the property owner does not consent to the erection of a sign giving notice of the action.

2. Written notification.

- a. The applicant shall also provide written notice of the public hearing to the owners of record of each parcel of real estate abutting or across a street or alley from any boundary of the property affected by the application, including cornering properties.
- b. The owners of record for this purpose shall be considered those appearing on the records of the Grundy County Recorder of Deeds or those who paid property taxes for the most recent year according to the records of the Grundy County Treasurer.
- c. The written notice shall be delivered either in person or by certified mail, return receipt requested, not more than thirty (30) days nor less than fifteen (15) days prior to the scheduled date of public hearing.
- d. The written notice shall be substantially in the form of notice provided by the Building and Zoning Officer and shall contain the following information:
 - i. the name and address of the owner and the applicant, if different from the owner;
 - ii. the street address, legal description, and a simple description of the location of the subject property that will enable the ordinary reader to accurately locate it;
 - iii. the zoning action requested; and
 - iv. the date, time, and location of the public hearing thereupon.
 - v. The name, address and telephone number of the City of Morris Building and Zoning Officer.

3. Newspaper publication.

- a. The City shall publish a notice of the public hearing in one or more newspapers published within the City of Morris.
- b. The notice shall be published at least fifteen (15) days but no more than thirty (30) days before the scheduled date of the public hearing. The published notice shall contain the same information as is required for written notification herein.

4. Proof of compliance. No later than the time of the public hearing, the applicant shall file with the Building and Zoning Officer the following:

- a. An affidavit, or testimony of the applicant(s) under oath, stating that he or she has complied with all notice requirements herein;
- b. A copy of the written notice sent;
- c. A list of names and addresses of all owners of record of property abutting or across the street or alley from the subject property;
- d. Signatures, on postal return receipts or in such other form acceptable to the Building and Zoning Officer, of those receiving the written notice or an Affidavit of Service if personally served; and
- e. A publisher's certificate of publication of the required notice.

C. The City of Morris shall not be obligated to take any action on an application for zoning relief unless and until the provisions of this Section are complied with by the applicant.

D. The notice requirements for a Zoning Text Amendment shall not require either sign display or written notification as set forth herein, but shall require newspaper publication.

SECTION 3. This Ordinance shall be effective immediately from and following its passage, approval and publication as required by law.

SECTION 4. Any Ordinance inconsistent herewith are hereby repealed and revoked to the extent of any such inconsistency.

PASSED AND APPROVED THIS 4TH DAY OF APRIL, 2005.


RICHARD P. KOPCZICK, Mayor

(SEAL)

ATTEST:


JOHN ENGER, City Clerk

Ayes:	<u>5</u>
Nays:	<u>0</u>
Abstain:	<u>0</u>
Absent:	<u>3</u>