

CHAPTER 5
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5.01 ARCHITECTURAL REVIEW COMMISSION

(Ord. 2009-119)

A. Creation: There is hereby established an Architectural Review Commission (“Commission” for purposes of this Section 5.01) for the purpose of retaining the unique character of the City with a diversity of architecture and design.

B. Purpose, Powers and Duties: Except as provided herein, the Commission shall be responsible for the review and approval of construction plans for any new building, additions to existing buildings and remodeling of existing buildings.

C. Membership and Terms of Office: The Commission shall consist of the members of City Council and the term of office shall be the same as each member’s term of office to his or her elected position.

D. Officers: The Mayor shall serve as Chairman of the Commission and shall appoint a Vice-Chairman. The Clerk shall serve as the Commission Secretary, except that he shall have no vote in any proceedings before the Commission. The chairman shall preside over meetings. In the absence of the chairman, the vice-chairman shall perform the duties of the chairman. If both are absent, a temporary chairman shall be elected by those present. The secretary shall have the following duties:

1. Take minutes of each Commission meeting;
2. Be responsible for publication and distribution of copies of the minutes, reports and decisions of the Commission to the Commissioners;
3. Give notice as provided herein or by law for all public hearings conducted by the Commission; and
4. Prepare and submit to the City Council a complete record of the proceedings before the Commission on any matter requiring City Council consideration.

E. Meetings:

1. A quorum shall consist of a majority of the members. All decisions or actions of the Commission shall be made by a majority vote of those Commissioners present and voting at any meeting where a quorum exists. Meetings shall be held at regularly scheduled times, to be established at the beginning of each calendar year or at any time upon the call of the Chairman.
2. A Commissioner shall not vote on any matter that may materially or apparently affect the property, income or business interest of that member. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public. The Commission shall keep minutes of its proceedings, showing the vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Commission and shall be a public record.

F. Powers and Duties: The Commission shall have the following powers and duties:

1. To adopt its own procedural rules for the conduct of its meetings;
2. Review and approve all building permit applications submitted for new construction, remodeling of existing buildings and additions to existing buildings. The Building Commissioner shall determine whether or not building permit applications for accessory structures should be considered by the Commission.
3. For any application submitted to the Commission, a building permit shall not be issued until final design approval is granted by the Commission, as evidenced in its minutes, and by the dated Commission stamp on each approved set of plans.
4. To adopt architectural review guidelines to be applied in the consideration of application before the Commission.
5. The Commission shall consider an application based on its architecture and design in the neighborhood of the proposed construction and its zoning district.

5.02 LIBRARY BOARD OF DIRECTORS

A. Creation, Appointment: The Harvard Library Board of Directors is hereby created. The Board of Directors shall consist of nine directors to be appointed by the Mayor, by and with the advice and consent of the City Council. Not more than one director shall be a member of the City Council. Directors shall service without compensation.

B. Chairman: The chairman shall be appointed annually by the Mayor with the advise and consent of the City Council.

C. Term of Office: The term of the directors shall be three years, staggered so that three terms expire each year, as provided by law.

D. Removal of Members: The Mayor shall have the authority to remove any member of the Library Board without notice, and without hearing or approval by the City Council, at any time except where in conflict with state statutes.

E. Duties; Library Operation: The Board of Directors shall have charge of advising the Mayor and City Council on the operation of the Harvard City Library. Within 30 days after the close of each fiscal year an annual report shall be filed with the City Council containing, among other things, an itemized statement of the expenses anticipated for the coming year, as required by statute (75 ILCS 5/4-10).

F. Powers: The Board of Directors shall have the power to make any reasonable rules and regulations governing the library and library facilities.

5.03 PLANNING AND ZONING COMMISSION (Ord. 99-118,§2, 1999)

A. Organization

1. Creation: A Planning and Zoning Commission is hereby created for the City to carry out the duties of a plan commission and zoning board of appeals. When used in this Chapter 7, "Commission" shall be construed to mean the Planning and Zoning Commission and "Commissioners" shall be construed to mean the members of the Commission.

2. Membership: The Commission shall consist of a chairman and six members to be appointed by the Mayor with the advice and consent of the City Council. The chairman shall be appointed annually by the Mayor with the advice and consent of the City Council. In the absence of the chairman, the Commissioners shall elect one of its own to serve as acting chairman.

3. Term of Office: The first appointees shall serve for the following terms or until their respective successors, in similar manner, have been appointed and qualified: one for one year, one for two years, one for three years; one for four years; one for five years, one for six years and one for seven years. Successors to each member so appointed shall serve five-year terms except that vacancies shall be filled for the unexpired term of the membership vacated. The term of each Commissioner shall expire April 30 of the year of the expiration of its respective term of office. Thereafter, the appointments shall be made at the annual meeting of the City Council.

4. Vacancy: Any vacancy on the Commission shall be filled in the same manner as the original appointment.
 5. Removal of Commissioners: The Mayor shall have the authority to remove any member of the Commission without notice, and without hearing or approval by the City Council, at any time except where in conflict with state statute.
 6. Compensation: Commissioners shall be compensated pursuant to Chapter 20, City Fees and Charges, of this Code and shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties from City funds. (Ord. 2005-143A, §1)
- B. Plan Commission, Zoning Board of Appeals References:
Any ordinance, code, regulation, etc., of the City or state statute that references the Plan Commission and/or Zoning Board of Appeals shall mean the Planning and Zoning Commission.
- C. Duties of the Commission: The duties of the Commission are as follows:
1. To prepare and recommend to the City Council a comprehensive plan for the present and future development or redevelopment of the City. Such a plan, after its adoption by the City Council, will be known as the Official Comprehensive Plan. Such plan shall be advisory and in itself shall not be construed to regulate or control the use of private property in any way, except as to such part thereof as has been implemented by ordinances duly enacted by the City Council.
 2. To prepare and recommend to the City Council from time to time such changes on the Official Comprehensive Plan as may be deemed necessary by the City Council or by the Commission.
 3. To prepare and recommend to the City Council from time to time plans and/or recommendations for specific improvements in pursuance of such Official Comprehensive Plan.
 4. To give aid to City officials charged with the direction of projects for improvements embraced within the Official Comprehensive Plan, to further the making of such improvements and generally to promote the realization of the Official Comprehensive Plan.
 5. To arrange and conduct any form of publicity relative to its activities for the general purpose of public understanding.
 6. To exercise such other powers germane to the powers granted by this subsection as may be conferred by the City Council.

7. To prepare and recommend to the City Council schemes for regulating or forbidding structures or activities which may hinder access to solar energy necessary for the proper functioning of solar energy systems as defined in Section 1.2 of The Comprehensive Solar Energy Act of 1977 (30 ILCS 725/1.2) or to recommend changes in such schemes.
 8. File an annual report with the City Council setting forth its transactions and recommendations.
 9. Land Subdivision, Resubdivision: All maps or plats of any subdivision or resubdivision presented for record, affecting land within the corporate limits of the City and within 1 1/2 miles of the corporate limits, shall be reviewed by the Commission pursuant to the Harvard Subdivision Ordinance.
 10. Public Improvements: The City Clerk shall furnish the Commission for its consideration a copy of all ordinances, plans and data relative to public improvements of any nature. The Commission may report in relation thereto if it deems a report necessary or advisable for the consideration of the City Council.
 11. Regional Plan: The plan and activities of the Commission shall be in cooperation with and implemented by any regional plan that may be adopted by other municipalities in the county insofar as the same is possible.
 12. Zoning Matters: The duties pertaining to zoning matters are found in the Harvard Zoning Ordinance and the Illinois Municipal Code (65 ILCS 5/11-13-1 et seq.).
- D. Special Zoning Commission: The Commission shall serve as a special zoning commission whenever a text amendment is proposed to the Harvard Zoning Ordinance.
- E. Meetings: All meetings of the Commission shall be held at the call of the chairman and at such other times as the Commission and/or City Council may determine. The presence of four members shall be necessary for a quorum. All meetings shall be open to the public. The chairman, or acting chairman, may administer oaths and compel the attendance of witnesses. The Commission shall keep minutes of its proceedings, keep record of its examinations and other official actions, prepare findings of fact and record the individual votes upon every question.

5.04 HARVARD MILK DAYS BOARD (Ord. 2002-112,§1, 2002)

The Harvard Milk Days Board is hereby created. Membership of the Board shall be determined by the Board of Directors of Harvard Milk Days, Inc., a not-for-profit corporation. The function, duties and powers of the Board shall be as outlined in the corporation's articles of incorporation and bylaws. The Board shall continue to exist and provide service until this section of the Harvard Municipal Code is repealed by the Harvard City Council.

5.05 HARVARD EVENTS COMMITTEE
(Ord. 2007-123,§1)

A. Creation, Appointment: The Harvard Events Committee (“Committee” for purposes of this Section 5.05) is hereby created to plan and execute recreational events for the enrichment of the community. The Committee shall consist of nine members, appointed by the Mayor with the consent of the City Council.

B. Term of Office: The term of office for Committee members shall be three years or until a successor is appointed and qualified.

C. Chairman, Regulations, Meetings: The Mayor shall appoint a chairman for the Committee from among its members. The Committee may adopt such rules and regulations as may be necessary to carry out its duties and functions, including the date and time of its regularly scheduled meetings. These rules and regulations shall be approved by the Mayor and City Council. Such regularly scheduled meetings shall be held at least four times per year and shall be subject to the Open Meetings Act.

D. Quorum: Any five members of the Committee shall constitute a quorum for the purpose of transacting business at a meeting.

E. Gifts and Donations: Subject to acceptance by the Mayor and City Council, the Committee may accept and use gifts and donations from any source, including associations, industries, companies, institutions, foundations, governmental agencies and individuals to carry out its purpose. Title to all such gifts and donations shall be in the name of the City. Upon acceptance by the Mayor and City Council, any monetary gifts and donations shall be deposited with the City Treasurer.

F. Removal of Members: The Mayor shall have the authority to remove any member of the Committee without notice, and without a hearing or City Council approval, at any time except where in conflict with a state statute.

G. Expenditures: The Mayor and City Council shall have the sole authority to direct and authorize the expenditure of any funds or gifts received by the Committee.

5.06 Spirit of '76 Scholarship Fund:

A. Creation, Appointments: The Spirit of '76 Scholarship Fund (“Scholarship Fund”) is established to administer a scholarship fund. The Mayor and City Council shall administer the Scholarship Fund after applications have been examined by the Application Committee. Members of the Application Committee shall be appointed by the Mayor with the advise and consent of the City Council. The Mayor shall serve as the Scholarship Fund Chairman in the event another individual is not appointed the chairman.

B. The Application Committee shall:

1. Elect a chairman and secretary and shall meet at the call of the chairman, or two

of its members.

2. Examine all applications received by the Scholarship Fund Chairman;
 3. Recommend to the City Council the name or names, if any, of worthy recipients;
 4. Make any and all recommendations based solely upon applications submitted in type written form to the Scholarship Fund Chairman;
 5. When adequate funds are available to fund the scholarship, review all applications on or before April 15th of each year; and
 6. Where deemed appropriate, to personally interview each applicant.
- C. Scholarship Eligibility Conditions: All high school seniors residing within the boundaries of Harvard Community Unit School District Number 50 shall be eligible to receive a scholarship regardless of their financial need.
- D. Scholarship Application Procedure: The following procedure shall be followed to apply for a scholarship:
1. The application shall be in typewritten form and submitted to the attention of the Scholarship Fund Chairman.
 2. The application shall include:
 - a. Biographical information;
 - b. Resume of participation activities, including, but not limited to, civil, school, church or other community related activities or organizations;
 - c. The reason the applicant is seeking a scholarship;
 - d. Applicant's intended use of the scholarship; and
 - e. The name, address and telephone number of three references.
 3. Applicants may be personally interviewed by the Application Committee and/or City Council.
- E. Scholarship Fund Chairman Duties: In addition to receiving all applications and forwarding them to the Application Committee, the chairman shall notify all applicants in writing on or before May 1 of each year that the scholarship is funded as to selection.
- F. Scholarship Award Procedures and Conditions: The number of scholarships

awarded and the monetary value of each shall be determined by the City. The City shall not award any scholarships if the City determines there are no worthy applicants. Scholarship funds shall be paid directly to the scholarship recipients.

G. Source of Funds, Investment: Scholarship funds shall be those funds representing accrued interest on the principal of all funds, whatever the source; the principal; legacies; and other donations that may be made to the Scholarship Fund. In addition, the City may appropriate funds to the Scholarship Fund. The monies shall be invested, pursuant to Illinois law, at the optimal rate of interest.

H. Scholarship Repayment Conditions: Except as provided herein, scholarship recipients shall not be required to repay scholarship monies. Scholarship recipients shall be required to repay scholarship monies if:

1. The recipient fails to use the funds for the purpose or purposes set forth in his application, and
2. The applicant terminates, without good cause, his efforts to complete the training set forth in the application.

I. Termination of Scholarship Fund: If the Scholarship Fund is terminated for any reason, the funds shall be transferred to the General Fund or any other City fund so designated by a majority of the City Council.

5.07 MARY D. AYER COMMITTEE

A. Creation, Appointments: The Mary D. Ayer Committee is established to oversee the Mary D. Ayer Fund and recommend to the City Council the administration of the earned interest, which shall only be used for philanthropic purposes. The committee shall consist of five members, appointed by the Mayor with the advice and consent of the City Council.

B. The Committee shall:

1. Elect a chairman and secretary and meet at the call of the chairman or two of its members pursuant to the Open Meetings Act;
2. Examine all requests received by the City of disbursement for the earned interest from the Mary D. Ayer Fund. For-profit requests shall not be considered.
3. Recommend to the City Council what requests should be funded when adequate funds are available from the earned interest.

5.08 LANDMARK COMMISSION

A. Creation, Appointment: The Harvard Landmark Commission is hereby created to make recommendations to the City Council that certain areas, places, buildings, structures, works of

art or other objects, be designated as landmarks, as defined in Appendix A. The Commission shall consist of six members, appointed by the Mayor with the consent of the City Council.

B. Term of Office: Each commissioner shall serve until his or her successor is appointed and qualified.

C. Chairman, Regulations, Meetings: The Mayor shall appoint a chairman of the Commission from among its members. The Commission may adopt such rules and regulations as may be necessary to carry out its duties and functions, including the date and time of its regularly scheduled meetings. Such regularly scheduled meeting shall be held at least four times per year.

D. Quorum: Any four members of the Commission shall constitute a quorum for the purpose of transacting business at a meeting.

E. Functions, Duties and Powers: The Commission shall advise the Mayor and Council as to all matters pertaining to landmark status within the City. The Commission shall have the following duties and powers:

1. To foster and promote the development of preservation of areas, places, buildings, structures, works of art and other objects having a special historical, community or aesthetic interest or value.
2. To explore funding, both public and private, for studies appropriate for the accomplishment of such purpose.
3. To recommend that certain areas, places, buildings, structures, works of art and other objects having a special historical, community or aesthetic interest or value, be designed as landmarks and, further, to make recommendations as to any special conditions or regulations pertaining thereto including, but not limited to, the imposition of regulations governing construction, alterations, demolition and use, and other measures appropriate for preservation, protection, enhancement, rehabilitation, reconstruction, perpetuation and use, and to make such recommendations to the City Council as are appropriate pursuant to the authority allowed to cities 65 ILCS 5/11-48.2-2.

F. Gifts and Donations: Subject to acceptance by the corporate authorities, the Commission may accept and use gifts and donations from any source, including associations, industries, companies, institutions, foundations, governmental agencies and individuals to carry out its purpose. Title to all such gifts and donations shall be in the name of the City. Upon acceptance by the corporate authorities, any monetary gifts and donations shall be deposited with the City Clerk.

G. Removal of Members: The Mayor shall have the authority to remove any member of the Commission without notice, and without hearing or approval by the City Council, at any time except where in conflict with state statute.

H. Expenditures: The corporate authorities shall have the sole authority to direct and authorize the expenditure of any funds of gifts received by the Commission.