



CITY OF AURORA, ILLINOIS

ORDINANCE NO. 020-027
DATE OF PASSAGE Apr. 14, 2020

An Ordinance creating Section 2-82 of the City Code of the City of Aurora pertaining to the authority of the City Council to conduct public hearings.

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, various provisions of Illinois law require municipalities to conduct public hearings as a prerequisite to final action by their corporate authorities; and

WHEREAS, the City Council, as the corporate authorities of the City of Aurora, has authorized and directed that various boards, commissions, committees, or other advisory bodies may conduct public hearings on its behalf; and

WHEREAS, such authorization and direction does not diminish the legal authority of the City Council to conduct public hearings; and

WHEREAS, the City Council desires to re-affirm its legal authority to conduct public hearings whenever necessary notwithstanding its authorization or direction to an advisory body or committee to conduct a hearing and in lieu of such authorization or direction;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois, as follows: that the City Code of the City of Aurora shall be and hereby is amended by adding Section 2.82 as follows:

Sec. 2-82. - Authority to Conduct Public Hearings. Whenever any provision of Illinois law requires a public hearing as a prerequisite to any final action by the city council, the city council shall retain the authority to conduct the public hearing notwithstanding any provision of this code or other ordinance authorizing or directing an advisory body or committee to conduct a hearing on its behalf. Matters that require a

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public hearing shall be referred upon receipt by the city to the entity designated by ordinance to conduct the hearing unless (1) the city council elects to conduct the hearing on the matter itself, or (2) the mayor, during a municipal state of emergency, directs that hearing be conducted by the city council. When conducting a public hearing under this section, the city council shall make all findings required of the advisory body or committee as part of such hearing. Whenever the city council has conducted a public hearing under this section, said hearing shall fully satisfy any requirement in this code that a hearing be conducted by any other advisory body or committee and discharge the advisory body or committee from conducting a public hearing or making a recommendation to the city council. In determining whether to exercise its authority to conduct a public hearing in lieu of a previously designated advisory body or committee, the city council may consider (a) the urgency of the pending matter, (b) whether practical difficulties exist that prevent the advisory body or committee from conducting a timely hearing, (c) the extraordinary nature of the pending matter, (d) a request by the mayor or the head of the advisory body or committee or (e) any other factor that the city council determines warrants a departure from the process it has by ordinance established.


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PASSED AND APPROVED ON April 14, 2020

AYES 12 NAYS 0 NOT VOTING 0 ABSENT 0

ALDERMAN	Vote
Alderman Llamas, Ward 1	yes
Alderman Garza, Ward 2	yes
Alderman Mesiacos, Ward 3	yes
Alderman Donnell, Ward 4	yes
Alderman Franco, Ward 5	yes
Alderman Saville, Ward 6	yes
Alderman Hart-Burns, Ward 7	yes
Alderman Smith, Ward 8	yes
Alderman Bugg, Ward 9	yes
Alderman Lofchie, Ward 10	yes
Alderman Jenkins, At Large	yes
Alderman O'Connor, At Large	yes

ATTEST:


City Clerk


Mayor