

1 AN ACT concerning government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Municipal Code is amended by
5 changing Section 11-12-5 as follows:

6 (65 ILCS 5/11-12-5) (from Ch. 24, par. 11-12-5)

7 Sec. 11-12-5. Every plan commission and planning
8 department authorized by this Division 12 has the following
9 powers and whenever in this Division 12 the term plan
10 commission is used such term shall be deemed to include the
11 term planning department:

12 (1) To prepare and recommend to the corporate
13 authorities a comprehensive plan for the present and
14 future development or redevelopment of the municipality.
15 Such plan may be adopted in whole or in separate
16 geographical or functional parts, each of which, when
17 adopted, shall be the official comprehensive plan, or part
18 thereof, of that municipality. This plan may include
19 reasonable requirements with reference to streets, alleys,
20 public grounds, and other improvements hereinafter
21 specified. The plan, as recommended by the plan commission
22 and as thereafter adopted in any municipality in this
23 state, may be made applicable, by the terms thereof, to

1 land situated within the corporate limits and contiguous
2 territory not more than one and one-half miles beyond the
3 corporate limits and not included in any municipality.
4 Such plan may be implemented by ordinances (a)
5 establishing reasonable standards of design for
6 subdivisions and for resubdivisions of unimproved land and
7 of areas subject to redevelopment in respect to public
8 improvements as herein defined; (b) establishing
9 reasonable requirements governing the location, width,
10 course, and surfacing of public streets and highways,
11 alleys, ways for public service facilities, curbs,
12 gutters, sidewalks, street lights, parks, playgrounds,
13 school grounds, size of lots to be used for residential
14 purposes, storm water drainage, water supply and
15 distribution, sanitary sewers, and sewage collection and
16 treatment; and (c) may designate land suitable for
17 annexation to the municipality and the recommended zoning
18 classification for such land upon annexation.

19 (2) To recommend changes, from time to time, in the
20 official comprehensive plan.

21 (3) To prepare and recommend to the corporate
22 authorities, from time to time, plans for specific
23 improvements in pursuance of the official comprehensive
24 plan.

25 (4) To give aid to the municipal officials charged
26 with the direction of projects for improvements embraced

1 within the official plan, to further the making of these
2 projects, and, generally, to promote the realization of
3 the official comprehensive plan.

4 (5) To prepare and recommend to the corporate
5 authorities schemes for regulating or forbidding
6 structures or activities which may hinder access to solar
7 energy necessary for the proper functioning of solar
8 energy systems, as defined in Section 1.2 of the
9 Comprehensive Solar Energy Act of 1977, or to recommend
10 changes in such schemes.

11 (6) To exercise such other powers germane to the
12 powers granted by this Article as may be conferred by the
13 corporate authorities.

14 For purposes of implementing ordinances regarding
15 developer donations or impact fees, and specifically for
16 expenditures thereof, "school grounds" is defined as including
17 land or site improvements, which include school buildings or
18 other infrastructure, including technological infrastructure,
19 necessitated and specifically and uniquely attributed to the
20 development or subdivision in question. Developer donations
21 and impact fees contemplated in implementing ordinances may
22 include amounts to pay for the costs of constructing a new
23 school building if the necessity of the new school building is
24 specifically and uniquely attributed to the development or
25 subdivision and the affected school district certifies the
26 necessity and costs. This amendatory Act of the 93rd General

1 Assembly applies to all impact fees or developer donations
2 paid into a school district or held in a separate account or
3 escrow fund by any school district or municipality for a
4 school district.

5 (Source: P.A. 98-741, eff. 1-1-15; 99-78, eff. 7-20-15.)