

1 AN ACT concerning local government.

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

4 Section 5. The Counties Code is amended by changing Section
5 5-12001.1 as follows:

6 (55 ILCS 5/5-12001.1)

7 Sec. 5-12001.1. Authority to regulate certain specified
8 facilities of a telecommunications carrier and to regulate,
9 pursuant to subsections (a) through (g), AM broadcast towers
10 and facilities.

11 (a) Notwithstanding any other Section in this Division, the
12 county board or board of county commissioners of any county
13 shall have the power to regulate the location of the
14 facilities, as defined in subsection (c), of a
15 telecommunications carrier or AM broadcast station established
16 outside the corporate limits of cities, villages, and
17 incorporated towns that have municipal zoning ordinances in
18 effect. The power shall only be exercised to the extent and in
19 the manner set forth in this Section.

20 (b) The provisions of this Section shall not abridge any
21 rights created by or authority confirmed in the federal
22 Telecommunications Act of 1996, P.L. 104-104.

23 (c) As used in this Section, unless the context otherwise

1 requires:

2 (1) "county jurisdiction area" means those portions of
3 a county that lie outside the corporate limits of cities,
4 villages, and incorporated towns that have municipal
5 zoning ordinances in effect;

6 (2) "county board" means the county board or board of
7 county commissioners of any county;

8 (3) "residential zoning district" means a zoning
9 district that is designated under a county zoning ordinance
10 and is zoned predominantly for residential uses;

11 (4) "non-residential zoning district" means the county
12 jurisdiction area of a county, except for those portions
13 within a residential zoning district;

14 (5) "residentially zoned lot" means a zoning lot in a
15 residential zoning district;

16 (6) "non-residentially zoned lot" means a zoning lot in
17 a non-residential zoning district;

18 (7) "telecommunications carrier" means a
19 telecommunications carrier as defined in the Public
20 Utilities Act as of January 1, 1997;

21 (8) "facility" means that part of the signal
22 distribution system used or operated by a
23 telecommunications carrier or AM broadcast station under a
24 license from the FCC consisting of a combination of
25 improvements and equipment including (i) one or more
26 antennas, (ii) a supporting structure and the hardware by

1 which antennas are attached; (iii) equipment housing; and
2 (iv) ancillary equipment such as signal transmission
3 cables and miscellaneous hardware;

4 (9) "FAA" means the Federal Aviation Administration of
5 the United States Department of Transportation;

6 (10) "FCC" means the Federal Communications
7 Commission;

8 (11) "antenna" means an antenna device by which radio
9 signals are transmitted, received, or both;

10 (12) "supporting structure" means a structure, whether
11 an antenna tower or another type of structure, that
12 supports one or more antennas as part of a facility;

13 (13) "qualifying structure" means a supporting
14 structure that is (i) an existing structure, if the height
15 of the facility, including the structure, is not more than
16 15 feet higher than the structure just before the facility
17 is installed, or (ii) a substantially similar,
18 substantially same-location replacement of an existing
19 structure, if the height of the facility, including the
20 replacement structure, is not more than 15 feet higher than
21 the height of the existing structure just before the
22 facility is installed;

23 (14) "equipment housing" means a combination of one or
24 more equipment buildings or enclosures housing equipment
25 that operates in conjunction with the antennas of a
26 facility, and the equipment itself;

1 (15) "height" of a facility means the total height of
2 the facility's supporting structure and any antennas that
3 will extend above the top of the supporting structure;
4 however, if the supporting structure's foundation extends
5 more than 3 feet above the uppermost ground level along the
6 perimeter of the foundation, then each full foot in excess
7 of 3 feet shall be counted as an additional foot of
8 facility height. The height of a facility's supporting
9 structure is to be measured from the highest point of the
10 supporting structure's foundation;

11 (16) "facility lot" means the zoning lot on which a
12 facility is or will be located;

13 (17) "principal residential building" has its common
14 meaning but shall not include any building under the same
15 ownership as the land of the facility lot. "Principal
16 residential building" shall not include any structure that
17 is not designed for human habitation;

18 (18) "horizontal separation distance" means the
19 distance measured from the center of the base of the
20 facility's supporting structure to the point where the
21 ground meets a vertical wall of a principal residential
22 building;

23 (19) "lot line set back distance" means the distance
24 measured from the center of the base of the facility's
25 supporting structure to the nearest point on the common lot
26 line between the facility lot and the nearest residentially

1 zoned lot. If there is no common lot line, the measurement
2 shall be made to the nearest point on the lot line of the
3 nearest residentially zoned lot without deducting the
4 width of any intervening right of way; and

5 (20) "AM broadcast station" means a facility and one or
6 more towers for the purpose of transmitting communication
7 in the 540 kHz to 1700 kHz band for public reception
8 authorized by the FCC.

9 (d) In choosing a location for a facility, a
10 telecommunications carrier or AM broadcast station shall
11 consider the following:

12 (1) A non-residentially zoned lot is the most desirable
13 location.

14 (2) A residentially zoned lot that is not used for
15 residential purposes is the second most desirable
16 location.

17 (3) A residentially zoned lot that is 2 acres or more
18 in size and is used for residential purposes is the third
19 most desirable location.

20 (4) A residentially zoned lot that is less than 2 acres
21 in size and is used for residential purposes is the least
22 desirable location.

23 The size of a lot shall be the lot's gross area in square
24 feet without deduction of any unbuildable or unusable land, any
25 roadway, or any other easement.

26 (e) In designing a facility, a telecommunications carrier

1 or AM broadcast station shall consider the following
2 guidelines:

3 (1) No building or tower that is part of a facility
4 should encroach onto any recorded easement prohibiting the
5 encroachment unless the grantees of the easement have given
6 their approval.

7 (2) Lighting should be installed for security and
8 safety purposes only. Except with respect to lighting
9 required by the FCC or FAA, all lighting should be shielded
10 so that no glare extends substantially beyond the
11 boundaries of a facility.

12 (3) No facility should encroach onto an existing septic
13 field.

14 (4) Any facility located in a special flood hazard area
15 or wetland should meet the legal requirements for those
16 lands.

17 (5) Existing trees more than 3 inches in diameter
18 should be preserved if reasonably feasible during
19 construction. If any tree more than 3 inches in diameter is
20 removed during construction a tree 3 inches or more in
21 diameter of the same or a similar species shall be planted
22 as a replacement if reasonably feasible. Tree diameter
23 shall be measured at a point 3 feet above ground level.

24 (6) If any elevation of a facility faces an existing,
25 adjoining residential use within a residential zoning
26 district, low maintenance landscaping should be provided

1 on or near the facility lot to provide at least partial
2 screening of the facility. The quantity and type of that
3 landscaping should be in accordance with any county
4 landscaping regulations of general applicability, except
5 that paragraph (5) of this subsection (e) shall control
6 over any tree-related regulations imposing a greater
7 burden.

8 (7) Fencing should be installed around a facility. The
9 height and materials of the fencing should be in accordance
10 with any county fence regulations of general
11 applicability.

12 (8) Any building that is part of a facility located
13 adjacent to a residentially zoned lot should be designed
14 with exterior materials and colors that are reasonably
15 compatible with the residential character of the area.

16 (f) The following provisions shall apply to all facilities
17 established in any county jurisdiction area (i) after the
18 effective date of the amendatory Act of 1997 with respect to
19 telecommunications carriers and (ii) after the effective date
20 of this amendatory Act of the 94th General Assembly with
21 respect to AM broadcast stations:

22 (1) Except as provided in this Section, no yard or set
23 back regulations shall apply to or be required for a
24 facility.

25 (2) A facility may be located on the same zoning lot as
26 one or more other structures or uses without violating any

1 ordinance or regulation that prohibits or limits multiple
2 structures, buildings, or uses on a zoning lot.

3 (3) No minimum lot area, width, or depth shall be
4 required for a facility, and unless the facility is to be
5 manned on a regular, daily basis, no off-street parking
6 spaces shall be required for a facility. If the facility is
7 to be manned on a regular, daily basis, one off-street
8 parking space shall be provided for each employee regularly
9 at the facility. No loading facilities are required.

10 (4) No portion of a facility's supporting structure or
11 equipment housing shall be less than 15 feet from the front
12 lot line of the facility lot or less than 10 feet from any
13 other lot line.

14 (5) No bulk regulations or lot coverage, building
15 coverage, or floor area ratio limitations shall be applied
16 to a facility or to any existing use or structure
17 coincident with the establishment of a facility. Except as
18 provided in this Section, no height limits or restrictions
19 shall apply to a facility.

20 (6) A county's review of a building permit application
21 for a facility shall be completed within 30 days. If a
22 decision of the county board is required to permit the
23 establishment of a facility, the county's review of the
24 application shall be simultaneous with the process leading
25 to the county board's decision.

26 (7) The improvements and equipment comprising the

1 facility may be wholly or partly freestanding or wholly or
2 partly attached to, enclosed in, or installed in or on a
3 structure or structures.

4 (8) Any public hearing authorized under this Section
5 shall be conducted in a manner determined by the county
6 board. Notice of any such public hearing shall be published
7 at least 15 days before the hearing in a newspaper of
8 general circulation published in the county. Notice of any
9 such public hearing shall also be sent by certified mail at
10 least 15 days prior to the hearing to the owners of record
11 of all residential property that is adjacent to the lot
12 upon which the facility is proposed to be sited.

13 (9) Any decision regarding a facility by the county
14 board or a county agency or official shall be supported by
15 written findings of fact. The circuit court shall have
16 jurisdiction to review the reasonableness of any adverse
17 decision and the plaintiff shall bear the burden of proof,
18 but there shall be no presumption of the validity of the
19 decision.

20 (g) The following provisions shall apply to all facilities
21 established (i) after the effective date of this amendatory Act
22 of 1997 with respect to telecommunications carriers and (ii)
23 after the effective date of this amendatory Act of the 94th
24 General Assembly with respect to AM broadcast stations in the
25 county jurisdiction area of any county with a population of
26 less than 180,000:

1 (1) A facility is permitted if its supporting structure
2 is a qualifying structure or if both of the following
3 conditions are met:

4 (A) the height of the facility shall not exceed 200
5 feet, except that if a facility is located more than
6 one and one-half miles from the corporate limits of any
7 municipality with a population of 25,000 or more the
8 height of the facility shall not exceed 350 feet; and

9 (B) the horizontal separation distance to the
10 nearest principal residential building shall not be
11 less than the height of the supporting structure;
12 except that if the supporting structure exceeds 99 feet
13 in height, the horizontal separation distance to the
14 nearest principal residential building shall be at
15 least 100 feet or 80% of the height of the supporting
16 structure, whichever is greater. Compliance with this
17 paragraph shall only be evaluated as of the time that a
18 building permit application for the facility is
19 submitted. If the supporting structure is not an
20 antenna tower this paragraph is satisfied.

21 (2) Unless a facility is permitted under paragraph (1)
22 of this subsection (g), a facility can be established only
23 after the county board gives its approval following
24 consideration of the provisions of paragraph (3) of this
25 subsection (g). The county board may give its approval
26 after one public hearing on the proposal, but only by the

1 favorable vote of a majority of the members present at a
2 meeting held no later than 75 days after submission of a
3 complete application by the telecommunications carrier. If
4 the county board fails to act on the application within 75
5 days after its submission, the application shall be deemed
6 to have been approved. No more than one public hearing
7 shall be required.

8 (3) For purposes of paragraph (2) of this subsection
9 (g), the following siting considerations, but no other
10 matter, shall be considered by the county board or any
11 other body conducting the public hearing:

12 (A) the criteria in subsection (d) of this Section;

13 (B) whether a substantial adverse effect on public
14 safety will result from some aspect of the facility's
15 design or proposed construction, but only if that
16 aspect of design or construction is modifiable by the
17 applicant;

18 (C) the benefits to be derived by the users of the
19 services to be provided or enhanced by the facility and
20 whether public safety and emergency response
21 capabilities would benefit by the establishment of the
22 facility;

23 (D) the existing uses on adjacent and nearby
24 properties; and

25 (E) the extent to which the design of the proposed
26 facility reflects compliance with subsection (e) of

1 this Section.

2 (4) On judicial review of an adverse decision, the
3 issue shall be the reasonableness of the county board's
4 decision in light of the evidence presented on the siting
5 considerations and the well-reasoned recommendations of
6 any other body that conducts the public hearing.

7 (h) The following provisions shall apply to all facilities
8 established after the effective date of this amendatory Act of
9 1997 in the county jurisdiction area of any county with a
10 population of 180,000 or more. A facility is permitted in any
11 zoning district subject to the following:

12 (1) A facility shall not be located on a lot under
13 paragraph (4) of subsection (d) unless a variation is
14 granted by the county board under paragraph (4) of this
15 subsection (h).

16 (2) Unless a height variation is granted by the county
17 board, the height of a facility shall not exceed 75 feet if
18 the facility will be located in a residential zoning
19 district or 200 feet if the facility will be located in a
20 non-residential zoning district. However, the height of a
21 facility may exceed the height limit in this paragraph, and
22 no height variation shall be required, if the supporting
23 structure is a qualifying structure.

24 (3) The improvements and equipment of the facility
25 shall be placed to comply with the requirements of this
26 paragraph at the time a building permit application for the

1 facility is submitted. If the supporting structure is an
2 antenna tower other than a qualifying structure then (i) if
3 the facility will be located in a residential zoning
4 district the lot line set back distance to the nearest
5 residentially zoned lot shall be at least 50% of the height
6 of the facility's supporting structure or (ii) if the
7 facility will be located in a non-residential zoning
8 district the horizontal separation distance to the nearest
9 principal residential building shall be at least equal to
10 the height of the facility's supporting structure.

11 (4) The county board may grant variations for any of
12 the regulations, conditions, and restrictions of this
13 subsection (h), after one public hearing on the proposed
14 variations held at a zoning or other appropriate committee
15 meeting with proper notice given as provided in this
16 Section, by a favorable vote of a majority of the members
17 present at a meeting held no later than 75 days after
18 submission of an application by the telecommunications
19 carrier. If the county board fails to act on the
20 application within 75 days after submission, the
21 application shall be deemed to have been approved. In its
22 consideration of an application for variations, the county
23 board, and any other body conducting the public hearing,
24 shall consider the following, and no other matters:

25 (A) whether, but for the granting of a variation,
26 the service that the telecommunications carrier seeks

1 to enhance or provide with the proposed facility will
2 be less available, impaired, or diminished in quality,
3 quantity, or scope of coverage;

4 (B) whether the conditions upon which the
5 application for variations is based are unique in some
6 respect or, if not, whether the strict application of
7 the regulations would result in a hardship on the
8 telecommunications carrier;

9 (C) whether a substantial adverse effect on public
10 safety will result from some aspect of the facility's
11 design or proposed construction, but only if that
12 aspect of design or construction is modifiable by the
13 applicant;

14 (D) whether there are benefits to be derived by the
15 users of the services to be provided or enhanced by the
16 facility and whether public safety and emergency
17 response capabilities would benefit by the
18 establishment of the facility; and

19 (E) the extent to which the design of the proposed
20 facility reflects compliance with subsection (e) of
21 this Section.

22 No more than one public hearing shall be required.

23 (5) On judicial review of an adverse decision, the
24 issue shall be the reasonableness of the county board's
25 decision in light of the evidence presented and the
26 well-reasoned recommendations of any other body that

1 conducted the public hearing.

2 (i) Notwithstanding any other provision of law to the
3 contrary, 30 days prior to the issuance of any permits for a
4 new telecommunications facility within a county, the
5 telecommunications carrier constructing the facility shall
6 provide written notice of its intent to construct the facility.
7 The notice shall include, but not be limited to, the following
8 information: (i) the name, address, and telephone number of the
9 company responsible for the construction of the facility, (ii)
10 the address and telephone number of the governmental entity
11 that is to issue the building permit for the telecommunications
12 facility, (iii) a site plan and site map of sufficient
13 specificity to indicate both the location of the parcel where
14 the telecommunications facility is to be constructed and the
15 location of all the telecommunications facilities within that
16 parcel, and (iv) the property index number and common address
17 of the parcel where the telecommunications facility is to be
18 located. The notice shall not contain any material that appears
19 to be an advertisement for the telecommunications carrier or
20 any services provided by the telecommunications carrier. The
21 notice shall be provided in person, by overnight private
22 courier, or by certified mail to all owners of property within
23 250 feet of the parcel in which the telecommunications carrier
24 has a leasehold or ownership interest. For the purposes of this
25 notice requirement, "owners" means those persons or entities
26 identified from the authentic tax records of the county in

1 which the telecommunications facility is to be located. If,
2 after a bona fide effort by the telecommunications carrier to
3 determine the owner and his or her address, the owner of the
4 property on whom the notice must be served cannot be found at
5 the owner's last known address, or if the mailed notice is
6 returned because the owner cannot be found at the last known
7 address, the notice requirement of this paragraph is deemed
8 satisfied.

9 (Source: P.A. 95-815, eff. 8-13-08; 96-696, eff. 1-1-10.)

10 Section 10. The Illinois Municipal Code is amended by
11 changing Section 11-13-1 as follows:

12 (65 ILCS 5/11-13-1) (from Ch. 24, par. 11-13-1)

13 Sec. 11-13-1. To the end that adequate light, pure air, and
14 safety from fire and other dangers may be secured, that the
15 taxable value of land and buildings throughout the municipality
16 may be conserved, that congestion in the public streets may be
17 lessened or avoided, that the hazards to persons and damage to
18 property resulting from the accumulation or runoff of storm or
19 flood waters may be lessened or avoided, and that the public
20 health, safety, comfort, morals, and welfare may otherwise be
21 promoted, and to insure and facilitate the preservation of
22 sites, areas, and structures of historical, architectural and
23 aesthetic importance; the corporate authorities in each
24 municipality have the following powers:

1 (1) to regulate and limit the height and bulk of
2 buildings hereafter to be erected;

3 (2) to establish, regulate and limit, subject to the
4 provisions of Division 14 of this Article 11, the building
5 or set-back lines on or along any street, traffic-way,
6 drive, parkway or storm or floodwater runoff channel or
7 basin;

8 (3) to regulate and limit the intensity of the use of
9 lot areas, and to regulate and determine the area of open
10 spaces, within and surrounding such buildings;

11 (4) to classify, regulate and restrict the location of
12 trades and industries and the location of buildings
13 designed for specified industrial, business, residential,
14 and other uses;

15 (5) to divide the entire municipality into districts of
16 such number, shape, area, and of such different classes
17 (according to use of land and buildings, height and bulk of
18 buildings, intensity of the use of lot area, area of open
19 spaces, or other classification) as may be deemed best
20 suited to carry out the purposes of this Division 13;

21 (6) to fix standards to which buildings or structures
22 therein shall conform;

23 (7) to prohibit uses, buildings, or structures
24 incompatible with the character of such districts;

25 (8) to prevent additions to and alteration or
26 remodeling of existing buildings or structures in such a

1 way as to avoid the restrictions and limitations lawfully
2 imposed under this Division 13;

3 (9) to classify, to regulate and restrict the use of
4 property on the basis of family relationship, which family
5 relationship may be defined as one or more persons each
6 related to the other by blood, marriage or adoption and
7 maintaining a common household;

8 (10) to regulate or forbid any structure or activity
9 which may hinder access to solar energy necessary for the
10 proper functioning of a solar energy system, as defined in
11 Section 1.2 of the Comprehensive Solar Energy Act of 1977;

12 (11) to require the creation and preservation of
13 affordable housing, including the power to provide
14 increased density or other zoning incentives to developers
15 who are creating, establishing, or preserving affordable
16 housing; and

17 (12) to establish local standards solely for the review
18 of the exterior design of buildings and structures,
19 excluding utility facilities and outdoor off-premises
20 advertising signs, and designate a board or commission to
21 implement the review process; except that, other than
22 reasonable restrictions as to size, no home rule or
23 non-home rule municipality may prohibit the display of
24 outdoor political campaign signs on residential property
25 during any period of time, the regulation of these signs
26 being a power and function of the State and, therefor, this

1 item (12) is a denial and limitation of concurrent home
2 rule powers and functions under subsection (i) of Section 6
3 of Article VII of the Illinois Constitution.

4 The powers enumerated may be exercised within the corporate
5 limits or within contiguous territory not more than one and
6 one-half miles beyond the corporate limits and not included
7 within any municipality. However, if any municipality adopts a
8 plan pursuant to Division 12 of Article 11 which plan includes
9 in its provisions a provision that the plan applies to such
10 contiguous territory not more than one and one-half miles
11 beyond the corporate limits and not included in any
12 municipality, then no other municipality shall adopt a plan
13 that shall apply to any territory included within the territory
14 provided in the plan first so adopted by another municipality.
15 No municipality shall exercise any power set forth in this
16 Division 13 outside the corporate limits thereof, if the county
17 in which such municipality is situated has adopted "An Act in
18 relation to county zoning", approved June 12, 1935, as amended.
19 Nothing in this Section prevents a municipality of more than
20 112,000 population located in a county of less than 185,000
21 population that has adopted a zoning ordinance and the county
22 that adopted the zoning ordinance from entering into an
23 intergovernmental agreement that allows the municipality to
24 exercise its zoning powers beyond its territorial limits;
25 provided, however, that the intergovernmental agreement must
26 be limited to the territory within the municipality's planning

1 jurisdiction as defined by law or any existing boundary
2 agreement. The county and the municipality must amend their
3 individual zoning maps in the same manner as other zoning
4 changes are incorporated into revised zoning maps. No such
5 intergovernmental agreement may authorize a municipality to
6 exercise its zoning powers, other than powers that a county may
7 exercise under Section 5-12001 of the Counties Code, with
8 respect to land used for agricultural purposes. This amendatory
9 Act of the 92nd General Assembly is declarative of existing
10 law. No municipality may exercise any power set forth in this
11 Division 13 outside the corporate limits of the municipality
12 with respect to a facility of a telecommunications carrier
13 defined in Section 5-12001.1 of the Counties Code.

14 Notwithstanding any other provision of law to the contrary,
15 ~~at least~~ 30 days prior to the issuance of any permits for
16 ~~commencing construction of~~ a new telecommunications facility
17 within 1.5 miles of a municipality, the telecommunications
18 carrier constructing the facility shall provide written notice
19 of its intent to construct the facility. The notice shall
20 include, but not be limited to, the following information: (i)
21 the name, address, and telephone number of the company
22 responsible for the construction of the facility, ~~and~~ (ii) the
23 address and telephone number of the governmental entity that is
24 to issue ~~issued~~ the building permit for the telecommunications
25 facility, (iii) a site plan and site map of sufficient
26 specificity to indicate both the location of the parcel where

1 the telecommunications facility is to be constructed and the
2 location of all the telecommunications facilities within that
3 parcel, and (iv) the property index number and common address
4 of the parcel where the telecommunications facility is to be
5 located. The notice shall not contain any material that appears
6 to be an advertisement for the telecommunications carrier or
7 any services provided by the telecommunications carrier. The
8 notice shall be provided in person, by overnight private
9 courier, or by certified mail to all owners of property within
10 250 feet of the parcel in which the telecommunications carrier
11 has a leasehold or ownership interest. For the purposes of this
12 notice requirement, "owners" means those persons or entities
13 identified from the authentic tax records of the county in
14 which the telecommunications facility is to be located. If,
15 after a bona fide effort by the telecommunications carrier to
16 determine the owner and his or her address, the owner of the
17 property on whom the notice must be served cannot be found at
18 the owner's last known address, or if the mailed notice is
19 returned because the owner cannot be found at the last known
20 address, the notice requirement of this paragraph is deemed
21 satisfied. For the purposes of this paragraph, "facility" means
22 that term as it is defined in Section 5-12001.1 of the Counties
23 Code.

24 If a municipality adopts a zoning plan covering an area
25 outside its corporate limits, the plan adopted shall be
26 reasonable with respect to the area outside the corporate

1 limits so that future development will not be hindered or
2 impaired; it is reasonable for a municipality to regulate or
3 prohibit the extraction of sand, gravel, or limestone even when
4 those activities are related to an agricultural purpose. If all
5 or any part of the area outside the corporate limits of a
6 municipality which has been zoned in accordance with the
7 provisions of this Division 13 is annexed to another
8 municipality or municipalities, the annexing unit shall
9 thereafter exercise all zoning powers and regulations over the
10 annexed area.

11 In all ordinances passed under the authority of this
12 Division 13, due allowance shall be made for existing
13 conditions, the conservation of property values, the direction
14 of building development to the best advantage of the entire
15 municipality and the uses to which the property is devoted at
16 the time of the enactment of such an ordinance. The powers
17 conferred by this Division 13 shall not be exercised so as to
18 deprive the owner of any existing property of its use or
19 maintenance for the purpose to which it is then lawfully
20 devoted, but provisions may be made for the gradual elimination
21 of uses, buildings and structures which are incompatible with
22 the character of the districts in which they are made or
23 located, including, without being limited thereto, provisions
24 (a) for the elimination of such uses of unimproved lands or lot
25 areas when the existing rights of the persons in possession
26 thereof are terminated or when the uses to which they are

1 devoted are discontinued; (b) for the elimination of uses to
2 which such buildings and structures are devoted, if they are
3 adaptable for permitted uses; and (c) for the elimination of
4 such buildings and structures when they are destroyed or
5 damaged in major part, or when they have reached the age fixed
6 by the corporate authorities of the municipality as the normal
7 useful life of such buildings or structures.

8 This amendatory Act of 1971 does not apply to any
9 municipality which is a home rule unit, except as provided in
10 item (12).

11 (Source: P.A. 95-475, eff. 1-1-08; 96-904, eff. 1-1-11.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.