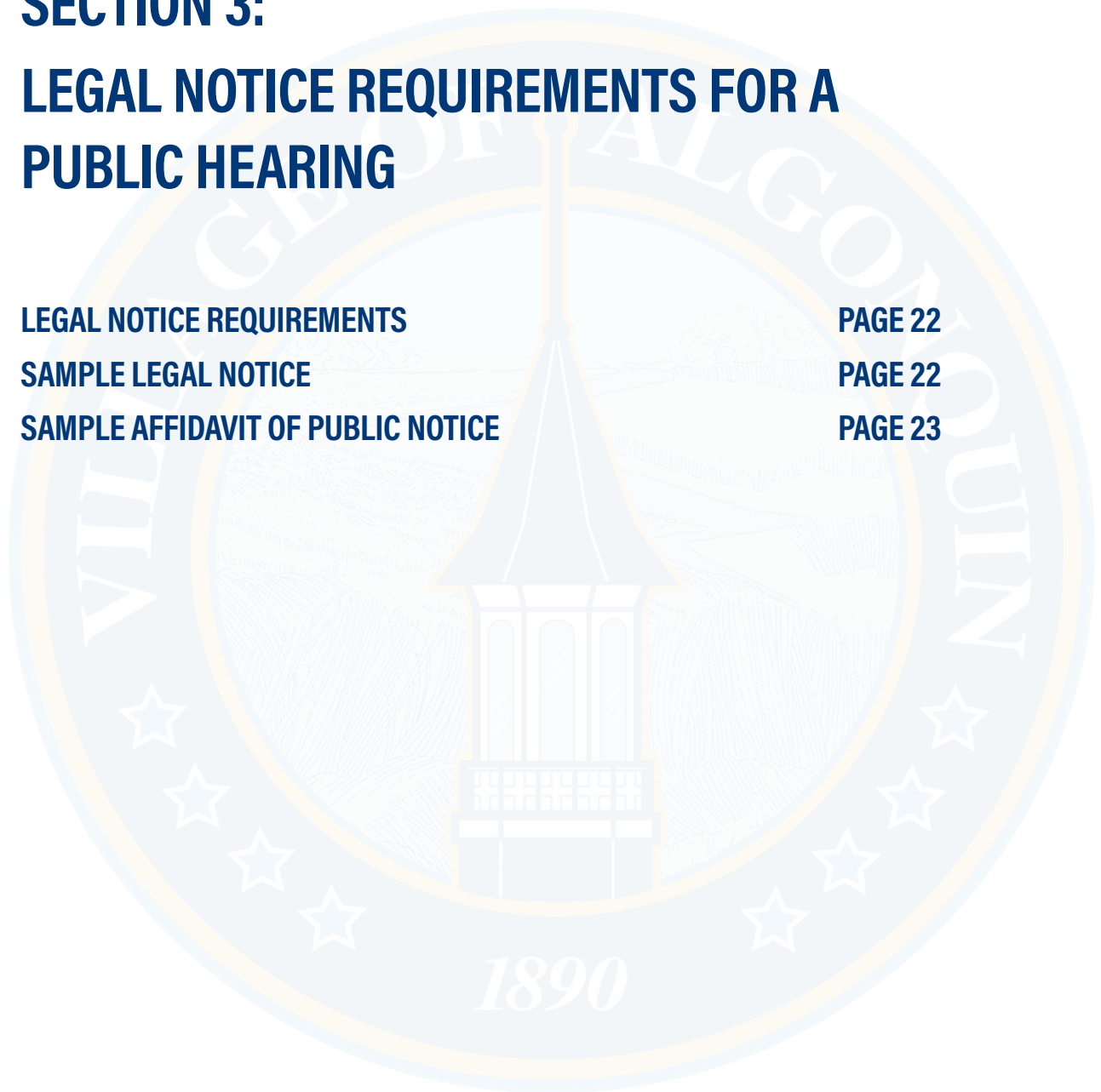


SECTION 3: LEGAL NOTICE REQUIREMENTS FOR A PUBLIC HEARING

LEGAL NOTICE REQUIREMENTS	PAGE 22
SAMPLE LEGAL NOTICE	PAGE 22
SAMPLE AFFIDAVIT OF PUBLIC NOTICE	PAGE 23



Legal Notice Requirements

Legal Notices shall be published and postmarked by the Petitioner not less than 15 days nor more than 30 days before the Planning & Zoning Public Hearing date. There are 3 requirements that must be fulfilled in order to schedule a Public Hearing.

- Publish the Legal Notice to the Newspaper: the Petitioner shall publish the Legal Notice to the Daily Herald or Northwest Herald. Be sure to request a certificate of Publication and also confirm the date of publication is in the required time frame.
- Send your Public Notice to Adjacent Property Owners: the Petitioner shall send the Legal Notices by Certified Mail to individuals who last paid taxes on the property adjacent to the subject property (exclusive of rights-of-ways). The Petitioner shall at least include the Legal Notice (make sure you insert the newspaper publication date at the bottom) in the Certified Mail.
- Post a Public Notice Sign (or signs) on the Subject Property: the Sign(s) are supplied by the village, but the Petitioner is required to pick up the sign(s) and install them on the subject property. The sign(s) shall be posted in a conspicuous location that allows for unobstructed public viewing. Be sure to take a picture of the sign(s) once posted on site.

For additional details on legal notice requirements, reference Village Code Chapter 21.18.

.....
Sample Legal Notice - Items in [brackets] are to be added by the petitioner.

**BEFORE THE PLANNING AND ZONING COMMISSION OF
THE VILLAGE OF ALGONQUIN**

IN THE MATTER OF THE APPLICATION OF:

[insert name of Petitioner/Owner]

LEGAL NOTICE

Notice is hereby given in compliance with the Zoning Ordinance of the Village of Algonquin, Illinois, that a public hearing will be held before the Planning and Zoning Commission of the Village of Algonquin upon the application of [insert name of Petitioner] relating to the Property Commonly known as: [insert address of property; if there is no common address, insert legal description or include it as an exhibit]

Property Index Number: [insert PIN(s)]

Current Zoning: [insert current zoning district]

Acreage of Site: [insert acreage, sq ft if under an acre]

Owner of Record: [insert owner of record, trust, etc... if different from developer]

This application is filed for the purpose of [insert action(s) requested], pursuant to the requirements of Section [insert section number(s)] of the Algonquin Zoning Ordinance. Plans for this project can be viewed at the Village of Algonquin Community Development Department offices during regular business hours.

A public hearing before the Planning and Zoning Commission on the said application will be held at 7:00 p.m. on [date of Planning & Zoning Commission Public Hearing, as determined by staff], at the William J. Ganek Municipal Center, 2200 Harnish Drive, Algonquin, Illinois, at which time and place all interested persons are invited to attend the public hearing and will be given an opportunity to be heard.

/s/ Planning and Zoning Commission
 Village of Algonquin

TO BE PUBLISHED IN THE [Northwest Herald or Daily Herald] ON [insert date of publication].

Affidavit of Public Notice - Sample Language

An Affidavit of Public Notice shall be filled out by the Petitioner (or their designee) and submitted to Village staff prior to the Public Hearing. Draft text is available upon request.

STATE OF _____

COUNTY OF _____

IN THE MATTER OF THE APPLICATION OF _____)
(Name of Petitioner, Trust, etc.)
_____)

AFFIDAVIT

I, _____, [attorney for the petitioner, owner, petitioner, or representative of the owner], being first duly sworn on oath deposes and states as follows:

A. That a copy of the legal notice, concerning the hearing date for the above-mentioned Petitioner, was sent to each of the persons named below by certified mail notifying them of the hearing before the Planning and Zoning Commission on _____, 20____, at 7:00 p.m. at the Ganek Municipal Center, 2200 Harnish Drive, Algonquin, Illinois. Said notice was mailed to each of the below mentioned persons attached hereto as Exhibit “___” by certified mail on _____, 20____.

B. That the posting requirements of the Zoning Code have been complied with by placing the customary public notice sign on the subject property on _____, 20____. A photo of the Public Notice sign is attached hereto as Exhibit “___”.

C. Attached hereto and labeled Exhibit “___” is a true and correct copy of the Publication Certificate evidencing the publication of notice in a newspaper of general circulation on _____, 20____.

Subscribed and sworn to me before _____
this _____ day of _____, 20____.

Notary Public

My commission expires: _____