



DIAMOND BUSH  
DiCIANNI  
& KRAFTHOFER

A Professional Corporation  
140 South Dearborn Street, Suite 600  
Chicago, IL 60603  
[www.ancelglink.com](http://www.ancelglink.com)  
(P) 312.782.7606

David S. Silverman  
[dsilverman@ancelglink.com](mailto:dsilverman@ancelglink.com)  
Daniel J. Bolin  
[dbolin@ancelglink.com](mailto:dbolin@ancelglink.com)  
Gregory W. Jones  
[gjones@ancelglink.com](mailto:gjones@ancelglink.com)

### **APA-IL's Excellent Planning Law Adventure!**

Trevor Dick, Moderator

David Silverman - Dan Bolin - Gregory Jones

September 27, 2018 – 4:30 p.m. to 6:00 p.m.

### **Take Home Tips on Important Planning Topics**

1. **Billboards.** Understand that billboards are more than just ugly lawn furniture. That lawn furniture has First Amendment and Fifth Amendment rights, but home rule and non-home rule municipalities alike have regulatory authority, even near highways.
2. **Group Home.** In the eyes of the law, group homes are residential uses just like any other dwelling. Public hearings concerning these uses are particularly fraught with peril, and care must be taken to ensure that decisions are based on facts and testimony.
3. **Small Wireless Facilities.** Local governments should evaluate their right-of-way management and zoning ordinances evaluate their application to small wireless facilities and identify ways to implement the new state law and forthcoming federal requirements.
4. **Solar Energy.** Local governments should consider appropriate regulations for solar energy projects in their communities. Ordinances should include a strong purpose statement, definitions, permit requirements, use regulations, bulk regulations, and decommissioning requirements.
5. **Takings.** October's arguments in *Knick v. Scott Township* could significantly affect local governments. If the U.S. Supreme Court sides with Knick, it will become much easier for property owners to challenge land use regulations as takings. A property owner could file suit directly in federal court, even when the government has not yet refused to pay just compensation.
6. **Sidewalk Inspections.** Local governments should have written plans to inspect, record, and maintain the condition of their sidewalks. It's a good idea, and it can help establish immunity for lawsuits under the Tort Immunity Act.
7. **Liquor Control.** The Illinois Liquor Control Act generally restricts licensed establishments near churches or schools, but a new law allows a local liquor control commissioner to grant an exemption, if the municipality adopts a local rule or ordinance authorizing the local liquor control commissioner to grant that exemption.

This handout is available for download from the Resource Center at [ancelglink.com](http://ancelglink.com). If you have questions about today's presentation, feel free to email to David S. Silverman ([dsilverman@ancelglink.com](mailto:dsilverman@ancelglink.com)), Daniel J. Bolin ([dbolin@ancelglink.com](mailto:dbolin@ancelglink.com)), or Gregory W. Jones ([gjones@ancelglink.com](mailto:gjones@ancelglink.com)).

Ancel Glink is a full service government law firm that has consulted with and represented Illinois local government at all levels for nearly 90 years. Ancel Glink attorneys have the experience and expertise in a variety of practice areas relating to local governments, serving as both general counsel as well as special counsel for numerous municipalities across the state. Ancel Glink is ready to meet virtually any legal services a local governments and property owners may need.