

graphical sections or divisions of the municipality or with functional subdivisions of the subject matter of the plan, and may adopt any amendment or extension thereof or addition thereto. Before the adoption of the plan or any such part, amendment, extension, or addition the Commission shall hold at least one public hearing thereon, notice of the time and place of which shall be given by one publication in a newspaper of general circulation in the municipality. The adoption of the plan or of any such part or amendment or extension or addition shall be by resolution of the Commission carried by the affirmative votes of not less than three members of the Commission. The resolution shall refer expressly to the maps and descriptive and other matter intended by the Commission to form the whole or part of the plan, and the action taken shall be recorded on the map and plan and descriptive matter by the identifying signature of the chairman and/or secretary of the Commission. An attested copy of the plan or part thereof shall be certified to council and to the county recorder.

1933, ch. 599, sec. 9.

**18. *Legal Status of Official Plan.*** Whenever the Commission shall have adopted the master plan of the municipality or of one or more major sections or districts thereof no street, square, park or other public way, ground, or open space, or public building or structure, or public utility, whether publicly or privately owned, shall be constructed or authorized in the municipality or in such planned section and district until the location, character, and extent thereof shall have been submitted to and approved by the Commission; provided, that in case of disapproval the Commission shall communicate its reason to council, which shall have the power to overrule such disapproval by a recorded vote of not less than two-thirds of its entire membership; provided, however, that if the public way, ground, space, building, structure or utility be one the authorization of financing of which does not, under the law or charter provisions governing same, fall within the province of the municipal council, then the submission to the Planning Commission shall be by the board, commission or body having such jurisdiction, and the Planning Commission's disapproval may be overruled by said board, commission or body by a vote of not less than two-thirds of its membership. The failure of the Commission to act within sixty days from and after the date of official submission to the Commission shall be deemed approval.

1933, ch. 599, sec. 10.

**19. *Right of Eminent Domain.*** That whenever it shall be deemed necessary by the Commission to take or acquire any lands, water rights, structures or buildings either in fee or as an easement for parks, parkways, forests, roads, streets, boulevards or highways grounds or spaces, the Commission may purchase same from the owner or owners, or, failing to agree with the owner or owners thereof, may condemn the same by proceedings in the circuit court for the county in which said land, water rights, structures or buildings are located, as now provided for