

to return certified or sworn copies thereof or of such portions thereof as may be called for by such writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.

If, upon the hearing, it shall appear to the court that testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a referee to take such evidence as it may direct and report the same to the court with his findings of fact and conclusions, of law, which shall constitute a part of the proceedings upon which the determination of the court shall be made.

Costs shall not be allowed against the board unless it shall appear to the court that it acted with gross negligence, or in bad faith, or with malice in making the decision appealed from.

All issues in any proceeding under this section shall have preference over all other civil actions and proceedings.

SEC. 14. EXISTING PLANNING AND ZONING COMMISSIONS. The Commission appointed under this Act shall have all powers granted by law heretofore to any planning or zoning commission of the municipality, and from and after the creation of a Planning Commission hereunder in such municipality, all powers and records of the then planning and zoning commission shall be transferred to this Planning Commission, provided, however, that in the event that any existing planning and zoning commission shall be nearing the completion of its zoning plan, council may, by resolution, postpone the said transfer of the zoning commission's powers until the completion of such zoning plan; but such postponement shall not exceed a period of six months.

TITLE III. SUBDIVISION CONTROL.

SEC. 15. SUBDIVISION JURISDICTION. The territorial jurisdiction of any municipal planning commission over the subdivision of land shall include all land located in the municipality and all land lying within one mile of the corporate limits of the municipality and not located in any other municipality, except that, in the case of any such non-municipal land lying within one mile of more than one municipality having a Planning Commission under this Act, the jurisdiction of each such municipal Planning Commission shall terminate at a boundary line equidistant from the respective corporate limits of such municipalities.