

ORDINANCE NUMBER 23 - 14

AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE
COUNTIES, ILLINOIS, AMENDING THE EAST DUNDEE BUSINESS REGULATIONS
ORDINANCE CHAPTER 120

WHEREAS, the Village of East Dundee ("**Village**") is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Village President and Board of Trustees have reviewed the recommendation, and hereby desire to amend Chapter 120 of the Municipal Code.

NOW, THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Village of East Dundee, Cook and Kane Counties, Illinois, as follows:

SECTION 1: That each of the Recitals above are incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Ordinance.

SECTION 2: Amendment. Chapter 120 of the Municipal Code, entitled "Requests for the use of the Depot and Depot Park," is hereby amended to read as follows:

§ 120.01 PERMIT REQUIRED.

(A) A permit shall be obtained from the Village Administrator's office by any person, group or organization wishing to reserve the Depot or Depot Park or any portion thereof for any ~~special event~~ rental period activity or picnic.

(B) It shall be unlawful to any person, group or organization to utilize the Depot or Depot Park for any ~~special event~~ activity, event or time period activity or picnic without said permit.

(C) Persons attending any ~~special events~~ an event during a rental period activity or picnic shall be permitted to use the Depot or Depot Park consistent with applicable rules and only during the time designated by the permit.

(Ord. 17-42, passed 8-7-2017)

§ 120.02 PARK PERMIT APPLICATION.

A permit shall only be issued upon proper application as prescribed by the Village Administrator's office. The application shall be filed not less than ~~ten~~ thirty days before the rental period or event. That application shall include, but shall not be limited to:

- (A) Applicant information;
- (B) Location;
- (C) The date and hours for which the permit is desired;

(D) An estimate of anticipated attendance ~~and whether there will be a charge for attendance~~ **and admission rate, if applicable.**

(E) A site plan for how the Depot and Depot Park will be utilized;

(F) If there is alcohol, whether it will be sold or served **and containment plan.**

(G) Description of any entertainment/activities planned (i.e. live music, DJ, etc.); and

(H) Such other information the Village Administrator's office reasonably requires.

(Ord. 17-42, passed 8-7-2017)

§ 120.03 ISSUANCE OF PERMIT.

The Village Administrator, or designee, shall review the permit application and shall approve and issue the permit if the Village Administrator, or designee, determines:

~~(A) The proposed activity or use of the Depot or Depot Park will not unreasonably interfere with or detract from the general public's enjoyment of the Depot or Park.~~

~~(B)~~ **(A)** The proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, and safety.

~~(C)~~ **(B)** The proposed activity and use is not reasonably anticipated to cause violations, crime or disorderly conduct.

~~(D)~~ **(C)** The proposed activity will not entail unusual, extraordinary, or burdensome expense or police operation by the village.

~~(E)~~ **(D)** The facilities desired have not been reserved for other use at the day and hour requested on the application.

~~(F)~~ **(E)** The conditions of the Depot or Depot Park are deemed safe **and**/or suitable for the event.

~~(G) The use of the Depot or Depot Park shall be restricted to the promotion of economic development through events hosted by organizations and non-profits which are open to the public, and shall not be used for political purposes or by private groups for private purposes.~~

(F) The proposed activity and use shall not interfere with surrounding businesses, residents, and/or traffic, and may require notification to surrounding businesses and residents in a pre-determined time frame prior to the rental event, as determined by the Village.

(G) Certain proposed activities and use may require permission by the Village Board of Trustees.

(H) Certain proposed activities and use may require an approved valid permit from the East Dundee Fire Prevention District or other applicable jurisdictions.

(Ord. 17-42, passed 8-7-2017)

§ 120.04 PERMIT FEES AND INSURANCE.

(A) The permit fees for the use of the Depot and/or Depot Park are per the fee schedule in Chapter 37 of the Code of the Village of East Dundee.

(B) Additional fees may be assessed for additional services by the village as stated in the current annual fee schedule.

(C) If village labor or equipment is requested and approved by the Village Administrator, or designee, any associated costs will be charged to the applicant.

(D) A valid certificate of insurance, in ACORD format, shall be filed in amounts and coverages as described on the application form.

(Ord. 17-42, passed 8-7-2017)

§ 120.05 REVOCATION OF PERMIT.

A permit may be revoked at any time by the Village Administrator or designee, for violation of any law or rules applicable to such event if in the interest of public health, welfare or safety.

(Ord. 17-42, passed 8-7-2017)

§ 120.06 SUPERVISION/SECURITY.

The village shall not provide any supervision or security for non-village sponsored events. It will be the responsibility of the applicant/sponsor of the event to provide any supervision or security that is reasonably expected to be needed for the permitted event with review and approval of the Village Administrator and/or designee.

(Ord. 17-42, passed 8-7-2017)

§ 120.07 RULES AND REGULATIONS.

(A) All rules and regulations governing the conduct of persons and operation of village property either contained within this Code or authorized by the ordinances of the village are applicable to the Depot and Depot Park.

(B) The permit applicant and its guests, agents or other third-parties present shall comply with all applicable Village and State laws and the rules and regulations that are included as part of the application as filed by the applicant.

(Ord. 17-42, passed 8-7-2017)

SECTION 3: Severability. That if any Section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 4: Repeal. That all ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

SECTION 5: Effect. That this Ordinance as amended shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

PASSED this 20th day of March 2023 pursuant to a roll call vote as follows:

AYES: Mahony, Kunze, Brittin, Saviano, Treiber and Sauden

NAYES: Ø

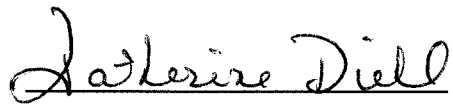
ABSENT: Ø

APPROVED by me this 20th of March 2023.



Jeffrey Lynam, Village President

ATTEST:



Katherine Diehl, Village Clerk