

**ORDINANCE NUMBER 23- 21**

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AMENDING CHAPTER 111 OF THE VILLAGE OF EAST DUNDEE VILLAGE CODE TO AMEND THE MASSAGE ESTABLISHMENTS AND SERVICES, GENERAL PROVISIONS AND LICENSING PROVISIONS TO ALLOW SALONS AND SPAS TO PROVIDE MASSAGE SERVICES AS AN ACCESSORY USE.**

**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**, Chapter 111 of the Village of East Dundee Village Code (“Village Code”) provides rules and regulations for the establishment of massage facilities; and

**WHEREAS**, the President and Board of Trustees have determined it to be in the best interest of the Village to amend the Village Code to allow salons and spas to provide massage services as an accessory use; and

**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: Incorporation.** That the recitals above shall be and are hereby incorporated as Section 1 as if restated herein.

**SECTION 2: Amendments.** That the Village Code is hereby amended as follows, with additions underlined and deletions struck through:

**AMENDMENT:**

Section 111.02 of the Village Code, entitled “Exceptions” is hereby amended as follows:

- (A) This chapter shall not include hospitals, medical offices, nursing homes, sanitariums or persons holding an unrevoked certificate to practice the healing arts under the laws of the state or persons working under the direction of any such persons or in any such establishments.
- (B) This chapter shall not apply to barbers or cosmetologists lawfully carrying out their particular profession or business as an accessory use in accordance with the requirements set forth in §157.085 and holding a valid, unrevoked permit or certificate of registration issued by the state.
- (C) This chapter shall not apply to salons and spas providing massages as an accessory use in accordance with the requirements set forth in §157.085 and holding a valid, unrevoked permit or certificate of registration issued by the state.

\* \* \*

Section 111.45 of the Village Code, entitled "Operating Requirements" is hereby amended as follows:

(A) Every portion of a massage establishment, including appliances, apparatus and personnel shall be kept clean and operated in a sanitary condition.

(B) (1) All employees shall be clean and shall wear suitable clean outer garments whose use is restricted to the massage establishment.

(2) Provision of a separate dressing room for each sex must be available on the premises with individual lockers available for each employee and for each customer.

(3) The lockers shall be equipped with a key lock or number combination locking device.

(4) Doors to the dressing rooms shall open inward and shall be self-closing.

**(5) Public areas such as the front entrance and lobby must be visible from the street when possible with an unobstructed view of the interior of the front entrance and lobby.**

\* \* \*

*(Intentionally left blank)*

**SECTION 3: Continuation.** That all provisions of the Village Code not amended herein shall remain in full force and effect.

**SECTION 4: Severability.** That if any Section, paragraph or provision of this Ordinance shall be held to be invalid and 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 5: Repeal.** That all ordinances, resolutions, motions or parts thereof in conflict with this Ordinance shall be hereby repealed.

**SECTION 6: Effect.** That this Ordinance shall be in full force and effect upon its adoption, approval and publication in pamphlet form as provided by law.

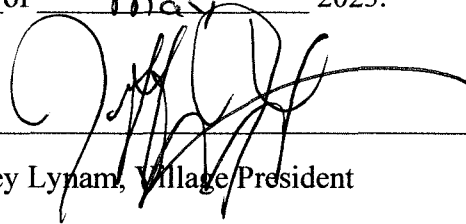
PASSED this 1st day of May 2023 pursuant to a roll call vote as follows:

AYES: Mahony, Kunze, Brittin, Saviano and Sauder

NAYES: Ø

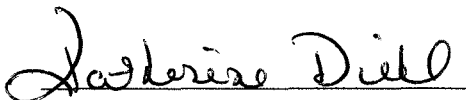
ABSENT: Treiber

APPROVED by me this 1st of May 2023.



Jeffrey Lynam, Village President

ATTEST:



Katherine Diehl, Village Clerk