

**ORDINANCE NUMBER 23- 22**

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AMENDING CHAPTER §157.050 OF THE VILLAGE OF EAST DUNDEE VILLAGE CODE TO AMEND ALLOWABLE USES TABLE TO ALLOW MASSAGE ESTABLISHMENTS AND MASSAGE SERVICES AS A SPECIAL USE AND TO ALLOW ACCESSORY USE MASSAGE SERVICES EXCEPTIONS AS A PERMITTED USE IN THE B-1, B-2, AND B-3 BUSINESS DISTRICTS.**

**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**, Chapter 157.050 of the Village Code provides for the general requirements for permitted, special and accessory uses in the B-1, B-2 and B-3 Business Districts; and

**WHEREAS**, Chapter 157.085 of the Village Code provides for regulations pertaining to accessory buildings and uses; 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 157.050 of the Village Code, entitled “Business Districts” is hereby amended as follows:

<i>Allowable uses of land and buildings: P: Permitted by-right S: Permitted by special use permit</i>	<i>Downtown Business District (B-1)</i>	<i>Community Business District (B-2)</i>	<i>Service Business District (B-3)</i>	<i>Automotive Service Business District (B-4)</i>	<i>Office District (O-D)</i>
<i>(f) Service, contracting, storage and broadcasting uses.</i>					
<i>1. Personal Services.</i>					
Barber shop	P	P	P		P
Beauty parlor	P	P	P		P
Permanent cosmetics, microblading, micropigmentation and similar care services	P	P	P		
Tattooing	S	S	S		
Ice cream shop	P	P	P	P	S
<u>Massage establishments and massage services as defined in Chapter 111.01</u>	<u>S</u>	<u>S</u>	<u>S</u>		
<u>Accessory use massage services as defined in Chapter 111.02 as Exceptions</u>	<u>P</u>	<u>P</u>	<u>P</u>		

*(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.

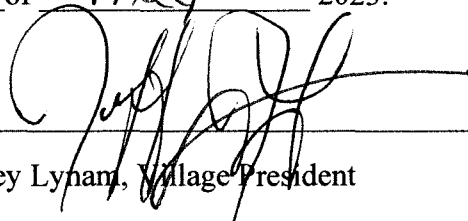
PASSED this 1st day of May 2023 pursuant to a roll call vote as follows:

AYES: Mahony, Kunze, Brittin, Saviano and Sauder

NAYES: Ø

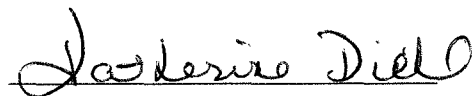
ABSENT: Treiber

APPROVED by me this 1st of May 2023.



Jeffrey Lyman, Village President

ATTEST:



Katherine Diehl, Village Clerk