

ORDINANCE NUMBER 20 - 34

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK
AND KANE COUNTIES, ILLINOIS, AMENDING CHAPTER 159 OF THE VILLAGE OF
EAST DUNDEE VILLAGE CODE REGARDING DEVELOPMENT IMPACT FEES**

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 President and Board of Trustees of the Village find that amending Chapter 159 of the Village of East Dundee Village Code ("Village Code") regarding development impact fees best serves the public's health, safety and welfare;

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 in this 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 One:

Section 159.05(B)(4) of the Village Code is amended as follows:

"The following fees shall be collected by the Village, or, for fire impact fees, by the East Dundee and Countryside Fire Protection District if authorized in an intergovernmental agreement between the Village and the East Dundee and Countryside Fire Protection District, prior to issuing any building permit for a residential development: development impact fees, in the amount calculated and due pursuant to this chapter; and administrative fees, in the amount set forth in the annual fee resolutions."

Amendment Two:

Section 159.05(D)(1) of the Village Code is amended as follows:

"Development impact fees may be expended only for the uses set forth in Section 159.06 of this Code ~~type of capital improvements for which they were imposed, calculated and collected, and only according to procedures established by this chapter.~~"

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 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 5: Repeal. That all ordinances, resolutions, motions or parts thereof in conflict with this Ordinance shall be and the same are 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.


ADOPTED this 14th day of September, 2020 pursuant to a roll call vote as follows:

AYES: Trustees Lynam, Selep, Wood, Mahony, Andresen and Kunze

NAYES: None

ABSENT: None

APPROVED by me this 14th day of September, 2020.



Lael Miller, Village President

ATTEST:



Katherine Holt, Village Clerk

Published in pamphlet form this 14th day of September, 2020, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on September 17, 2020.