

ORDINANCE NUMBER 21-36

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK  
AND KANE COUNTIES, ILLINOIS AMENDING CHAPTER 157.087 PERMITTED  
OBSTRUCTIONS; YARDS REGULATING FENCES AS PERMITTED  
OBSTRUCTIONS IN YARDS, AND PERMITTING REGULATIONS IN SECTION  
151.005 FENCES OF THE EAST DUNDEE VILLAGE CODE**

**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 has recognized that a portion of the Zoning Code regulates fences in regards to permitted obstructions in yards; and

**WHEREAS**, the Village desires to provide a reference between the Fence Code (Chapter 151.006) and the Zoning Code (Chapter 157.087); and

**WHEREAS**, notice of a public hearing before the Village's Planning and Zoning Commission was duly given and a public hearing was held on October 7, 2021; and

**WHEREAS**, the Planning and Zoning Commission reviewed the standards set forth in Section 157.223 of the Zoning Ordinance and recommended approval of the amendment to Section 157.087 of the Village Code; and

**WHEREAS**, the Corporate Authorities have reviewed the Planning and Zoning Commission's recommendation, and hereby approve the amendment to Section 157.087 of the Village Code.

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

**SECTION 1: Incorporation.** That each Whereas paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Ordinance.

**SECTION 2:** That Section 157.087 of the East Dundee Zoning Code be and is hereby amended as follows:

157.087 Permitted Obstructions; Yards

- (A) For the purpose of this chapter, the following shall not be considered as obstructions when located in the yards indicated or as permitted in Section 151.006, Fences.

**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 shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

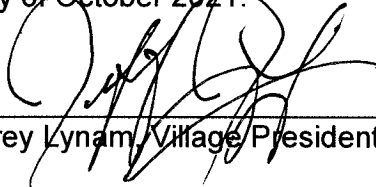
**PASSED** this 18<sup>th</sup> day of October 2021 pursuant to a roll call vote as follows:

AYES: Mahony, Kunze, Brittin, Saviano and Treiber

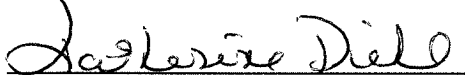
NAYES: Ø

ABSENT: Andresen

**APPROVED** by me this 18<sup>th</sup> day of October 2021.

  
\_\_\_\_\_  
Jeffrey Lynam, Village President

**ATTEST:**

  
\_\_\_\_\_  
Katherine Diehl, Village Clerk

Published in pamphlet form this 20<sup>th</sup> day of October 2021, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on October 20, 2021.