

ORDINANCE NUMBER 22 - 11

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK  
AND KANE COUNTIES, ILLINOIS, AMENDING SECTION 150.01 OF  
THE VILLAGE OF EAST DUNDEE VILLAGE CODE REGARDING  
THE PLANNING AND ZONING COMMISSION**

**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 Section 150.01 of the Village of East Dundee Village Code ("Village Code") as set forth below regarding Village's Planning and Zoning Commission ("Commission"), to reduce the number of members on the Commission from nine (9) to seven (7), and to change the start time for Commission meetings to 6:00 p.m., 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 150.01 of the Village Code, entitled "Organization," is amended as follows:

"(A) *Creation.* A Planning and Zoning Commission is hereby created for the village to carry out the duties of a plan commission and Zoning Board of Appeal and those duties assigned by village ordinances to the Historic Commission. When used in this chapter, "Commission" shall be construed to mean the Planning and Zoning Commission and "Commissioners" shall be construed to mean the members of the Commission.

(B) *Membership.* The Commission shall consist of a chairman and six ~~eight~~ members to be appointed by the President with the advice and consent of the Village Board. The Chairman shall be appointed annually from the members of the Commission

by the President with the advice and consent of the Board of Trustees. Annually, the Commissioners shall elect one of its own to serve as Vice Chairman, who shall serve in the absence of the Chairman.

(C) *Term of office.* The first appointees shall serve for the following terms, or until their respective successors, in similar manner, have been appointed and qualified: two ~~three~~ for two years; two for three years; and three ~~four~~ for four years. Successors to each member so appointed shall serve four year terms, except that vacancies shall be filled for the unexpired term of the membership vacated. The term of each Commissioner shall expire April 30 of the year of the expiration of its respective term of office. Thereafter, the appointments shall be made at the annual meeting of the Village Board.

(D) *Vacancy.* Any vacancy on the Commission shall be filled in the same manner as the original appointment.

(E) *Removal.* The President, with the approval of the Village Board, may remove any member of the Commission for cause.

(F) *Compensation.* Commissioners shall receive compensation at the rate as set forth by the Village Board from time to time.

(G) *Foregoing compensation.* Notwithstanding any provision to the contrary, any member of the Planning & Zoning Commission may elect to forego any, or all, of the compensation to which they are otherwise entitled for any part of their term by notifying the Village Treasurer, in writing, of such an election and the amount the Commissioner wishes to forego, the length of time the Commissioner wishes to forego such compensation, and the effective date of the election. Nothing in this section shall be construed to prohibit any Commissioner from rescinding the election to forego compensation, upon written notice to the Village Treasurer of their desire to rescind the election to forego compensation.”

**Amendment Two:**

Section 157.207(B)(1)(b) of the Village Code is amended as follows:

“A concurring vote of a majority of those members present at the meeting with a minimum of three ~~four~~ concurring votes shall be required to recommend granting or denying an application for a variation.”

**Amendment Three:**

Section 157.223(E)(1)(b) of the Village Code is amended as follows:

“A concurring vote of a majority of those members present at the meeting with a minimum of three ~~four~~ concurring votes shall be required to recommend granting or denying an application for an amendment.”

**SECTION 3: Commission Meeting Time.** That Section 2 of Resolution 18-21, entitled “A Resolution Establishing the Regular Meeting Dates and Committee of the Whole Meeting Dates for the Board of Trustees and Establishing the Planning and Zoning and Historic Commission Meeting Dates for the Village of East Dundee for the Calendar Year 2022,” adopted December 6, 2021, is hereby amended to read as follows, with additions underlined and deletions struck through:

All regular meetings of the Village of East Dundee Board of Trustees and Committee of the Whole will be scheduled to start at 6:00 p.m. and all Planning and Zoning and Historic Commission Meetings will be scheduled to start at 6:00 ~~7:00~~ p.m.

**SECTION 4: Continuation.** That all provisions of the Village Code, and Resolution 18-21, not amended herein shall remain in full force and effect.

**SECTION 5: 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 6: Repeal.** That all ordinances, resolutions, motions or parts thereof in conflict with this Ordinance shall be and the same are hereby repealed.

**SECTION 7: Effect.** That this Ordinance shall be in full force and effect upon its adoption, approval and publication in pamphlet form as provided by law.

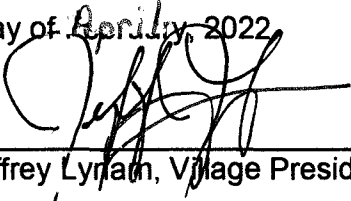
**ADOPTED** this 4<sup>th</sup> day of April, 2022 pursuant to a roll call vote as follows:

**AYES:** Mahony, Kunze, Savlano, Brittin and Sauder

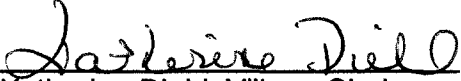
**NAYES:** Ø

**ABSENT:** Treiber

**APPROVED** by me this 4<sup>th</sup> day of April, 2022

  
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Jeffrey Lyman, Village President

**ATTEST:**

  
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Katherine Diehl, Village Clerk

Published in pamphlet form this 4<sup>th</sup> day of April, 2022, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on April 4, 2022.