

ORDINANCE NUMBER 22- 33

AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AMENDING SECTION 151.006, FENCES, TO INCLUDE A SECTION TO ALLOW THE PLANNING AND ZONING & HISTORIC COMMISSION JURISDICTION TO HOLD PUBLIC HEARINGS AND MAKE RECOMMENDATIONS TO THE VILLAGE BOARD

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, pursuant to Section 151.006 of the East Dundee Building Code the Planning and Zoning & Historic Commission does not have jurisdiction to hold public hearings and make recommendations to the Village Board of Trustees; and

WHEREAS, the Village Board of Trustees desires to amend the fence ordinance to allow the Planning and Zoning & Historic Commission the jurisdiction to hold public hearings and make recommendations to the Village Board of this Section; and

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: Village Code Amendment. That Section 151.006, Fences, of the Code of the Village of East Dundee, is hereby amended by amending and adding the following new underlined text:

Section 151.006 of the Village Code is amended as follows, with new text underlined:

(C) The Zoning Board of Appeals shall have the jurisdiction to hold public hearings and offer recommendations to the Village Board of Trustees concerning variations of this Section pursuant to its powers granted by, and in accordance with the procedures in, Chapter 157 of this Code. The Village Board of Trustees may grant variations from this Section after a public hearing is held by the Zoning Board of Appeals and upon receipt of a recommendation from the Zoning Board of Appeals.

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 herewith shall be and the same are hereby repealed.

SECTION 6: 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.

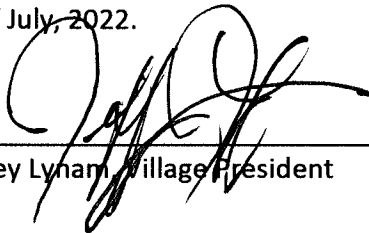
ADOPTED this 18th day of July, 2022 pursuant to a roll call vote as follows:

AYES: Mahony, Kunze, Brittin, Saviano, Treiber and Sauder

NAYES: 0

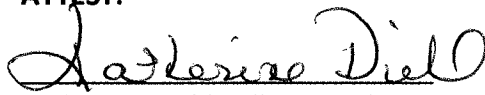
ABSENT: 0

APPROVED by me this 18th day of July, 2022.



Jeffrey Lynam, Village President

ATTEST:


Katherine Diehl, Village Clerk

Published in pamphlet form this 18th day of July 2022, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on July 20, 2022.

The Applicant acknowledges hereby the reasonableness of the above and foregoing terms and conditions in the Ordinance, and hereby accepts the same.

By: _____
Applicant

Date: July __, 2022