

**ORDINANCE AMENDING THE VILLAGE CODE OF ORDINANCES
OF THE VILLAGE OF EAST DUNDEE, KANE AND COOK COUNTIES, ILLINOIS**

BE IT ORDAINED by the President and Board of Trustees of the Village of East Dundee, Kane and Cook Counties, Illinois, that Section 91.04 of the Village Code of Ordinances is hereby amended by deleting said section in its entirety and replacing it as follows:

“§91.04. Encroachments on Streets.

(A) No person shall erect or maintain any temporary structure or thing on, over or under any street, alley, sidewalk or public way, except by permit or license from the Chief of Police, as follows:

- (1) Application for the permit or license shall describe the nature of the temporary encroachment with as much detail as the Village Police Department shall require.
- (2) The Chief of Police, may issue or deny the permit or license and may impose any condition to the permit or license the Chief deems necessary to protect the abutting properties and the safety of the residents.
- (3) For purposes of this paragraph A, *temporary* shall be deemed to be a period of time of three (3) days (twenty-four hours each day”) or less.

(B) No person shall erect or maintain any structure, equipment, vehicle or encroachment of any kind (other than a temporary obstruction for which a permit or license has been issued in accordance with A above), on, over or under any street, alley, sidewalk or public way unless a permit, therefore, has been issued by the Village Building Department.

- (1) Application for a permit shall be made to the Village Building Department and include a specific description of the obstruction proposed on any street, alley, sidewalk or public way and the necessity for such obstruction.
- (2) The application shall be reviewed and approved by the Village Board upon demonstration that the proposed obstruction is of necessity and does not interfere with the appearance, or use of surroundings properties or the aesthetics of the area.

(C) Awnings made of a pliable substance attached to a building and extending not less than eight feet (8') above the surface of the sidewalk may be erected and maintained without a permit.

(D) Any encroachment on any street, alley, sidewalk or public way once permitted shall be maintained so that it does not endanger or obstruct the public.

(E) No improvements other than Village approved landscaping, sidewalks and mailboxes shall be placed within the street right-of-way. Low voltage lighting may be placed in the street right of-way with permission of the Village Public Works Department. All landscaping, decorative landscape, decorative fencing and the like placed in the street right-of-way shall be at the owner's risk and may be removed by the Village and replaced with grass or sod in conjunction with Village repair and maintenance of the public street and utilities.

(F) Any encroachment maintained in violation of this section is declared a nuisance and may be abated by the Village in the event it is determined that the safety of Village residents is in question."

This Ordinance shall be in full force and effect immediately upon its passage by the Corporate Authorities and approval as provided by law.

PASSED this 19th day of August 2013, pursuant to a roll call vote as follows:

AYES: Trustees Gorman, Lynam, Skillicorn, Selep and Wood

NAYS: Ø


ABSENT: Trustee Ruffalo

APPROVED:



President

Attest:



Village Clerk