

ORDINANCE NUMBER 04 - 44

**ORDINANCE ADOPTING TITLE XV, LAND USE,
CHAPTER 157, ZONING, SECTION 157.067,
M-2 LIMITED MANUFACTURING DISTRICT**

WHEREAS, the Village of East Dundee is a home rule unit of local government under and 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, including but not limited to the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the President and Board of Trustees of the Village of East Dundee having determined that it is in the best interests of the health, safety and welfare of the residents of the Village of East Dundee that the East Dundee Code of Ordinances, Title XV, **Land Use**, Chapter 157, **Zoning**, be amended by amending Section 157.015 to add the new classification, M-2 Limited Manufacturing District and adopting a new section to be known as Section 157.067, **M-2 Limited Manufacturing District**.

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:

Section One. That the East Dundee Code of Ordinance, Title XV, **Land Use**, Chapter 157, **Zoning**, Section 157.015, **M-2 Limited Manufacturing District**, be added:

§ 157.015 ESTABLISHMENT OF DISTRICTS.

- (C) Manufacturing districts.
 - (1) M-1, Limited Manufacturing District.
 - (2) M-2, Limited Manufacturing District.

Section Three. That the East Dundee Code of Ordinance, Title XV, **Land Use**, Chapter 157, **Zoning**, Section 157.067, **M-2 Limited Manufacturing District**, be added:

Section 157.067 **M-2 LIMITED MANUFACTURING DISTRICT**

(A) General Requirements.

- (1) The General Requirements shall be the same as in Section 157.052, B-2 Community Business District, Subsections F. Lot Size Requirements, G. Yard Requirements, H. Bulk Regulations, and I. Special Provisions.

(B) Permitted Uses.

- (1) All B-4 and M-1 Permitted Uses.

(C) Special Uses.

- (1) All B-4 and M-1 Special Uses.
- (2) **Special Uses in M-2 Manufacturing.**

- (i) **Adult bookstore:** An establishment having, as a substantial portion of its stock in trade, books, magazines, films for sale or viewing on premises by use of motion picture devices or other coin-operated means, and other periodicals which are distinguished by their emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" as defined herein, or an establishment with a segment or section devoted to the sale or display of such material.

- (ii) **Adult entertainment cabaret:** An establishment offering to its patrons, as entertainment, any live exhibition or display, or any theatrical or other live performances, which include topless or go-go dancers, exotic dancers, strippers, male or female impersonators, or similar entertainers, or any persons singing, reading, posing, modeling or serving food or beverages, where such exhibition, performance, display or dance is intended to sexually arouse the entertainer or the patrons, or where the attire of persons involved is such as to expose specified anatomical areas, as defined herein.

- (iii) **Adult motion picture theaters:** An enclosed building, regardless of its seating capacity, which is used to present for public view on the premises, films, movies, previews, trailers or advertisements which are distinguishable by their emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical area" as defined herein.
- (iv) **Adult use:** Adult bookstores, adult entertainment cabarets, and adult motion picture theaters.

Section Two. Severability. 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 Three. Repeal. All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

Section Four. Publication. 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 20th day of December, 2004, pursuant to a roll call vote as follows:

AYES: Ruffalo, Bartels, Van Ostenbridge, Scarpelli, President Ahrens.
NAYES: None.
ABSENT: Zaeske, Schock

Approved by me this 20th day of December, 2004.

Roger Ahrens
ROGER AHRENS, President

Published in pamphlet form this 21st day of December, 2004, under the authority of the President and Board of Trustees.

ATTEST:

Jane E. Theis
JANE THEIS, Village Clerk

Recorded in the Village Records on December 21st, 2004.

