

ORDINANCE NUMBER 05 - 33

**ORDINANCE APPROVING TEXT AMENDMENT TO
TITLE XV, LAND USAGE, CHAPTER 157, ZONING,
SECTION 157.051, B-1, DOWNTOWN BUSINESS DISTRICT
AND SECTION 157.052, B-2, COMMUNITY BUSINESS 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, 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 Zoning Code Section 157.051, B-1, Downtown Business District, be amended adding taverns as a permitted use and that the Zoning Code Section 157.051, B-1, Community Business District, be amended permitting residential use above the first floor as a special use.

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 Title XV, Land Usage, Chapter 157, Zoning, of the Village of East Dundee Code of Ordinances is hereby amended by adding a new Section 157.051(D)(19) as follows:

Section 157.051. B-1, DOWNTOWN BUSINESS DISTRICT

(B) *Permitted Uses*

(2) (a) *Retail business*

43. Taverns.

Section Two. That Title XV, Land Usage, Chapter 157, Zoning, of the Village of East Dundee Code of Ordinances is hereby amended by adding a new Section 157.052(D)(8) as follows:

Section 157.051. B-1, DOWNTOWN BUSINESS DISTRICT

(D) *Special Uses*

(19) Residential uses shall be permitted above the first floor of any business within this district provided that all other village ordinances have been complied with, including fire and line safety codes.

Section Three. Severability. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the validity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

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 All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

Section Five. 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 19th day of December, 2005, pursuant to a roll call vote as follows:

AYES: RUFFULO, VANOSTENBRIDGE, SCARPELLI, O'LEARY, GORMAN, CARLINI
NAYES: NONE
ABSENT: NONE

Approved by me this 19th day of December, 2005.



JERALD BARTELS, President

Published in pamphlet form this 6th day of January, 200~~5~~⁶, under the authority of the President and Board of Trustees.

ATTEST:



Village Clerk

Recorded in the Village Records on January 6, 200~~5~~⁶.