

**ORDINANCE 16-27**

**AN ORDINANCE AMENDING CHAPTER 2 DEFINITIONS OF TITLE 10  
ZONING REGULATIONS RELATED TO CEMETERY**

WHEREAS, The Village of West Dundee, Kane County, Illinois, is a home rule municipality as contemplated under Article VII, Section 6 of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's home rule powers and functions as granted in the Constitution of the State of Illinois; and

WHEREAS, West Dundee's Municipal Code in its current form does not specifically define cemetery uses; and

WHEREAS, a Public Hearing was held by the West Dundee Planning and Zoning Commission on August 29, 2016, after due notice in the manner provided by law; and

WHEREAS, the Village Board has considered the findings of fact, based upon the evidence presented at the public hearing and presented to the West Dundee Planning and Zoning Commission by the petitioner.

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES, VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS, as follows:

Section 1: That the Title 10 Zoning Regulations Chapter 2 Definitions is hereby amended to include the following definition:

Cemetery – a burial ground including structures such as mausoleums, columbaria, incidental management offices, and maintenance facilities.

Section 2: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

Section 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: That this Ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form which publication is hereby authorized as provided by law.

PASSED by the Board of Trustees of the Village of West Dundee, Kane County, Illinois and approved by the President of said Village this 12<sup>th</sup> day of September, 2016.

AYES: Trustees Price, Hanley, Yuscka, Pflanz, Wilbrandt and Kembitzky  
NAYS: None  
ABSENT: None

ATTEST:

Barbara Traver

Barbara Traver  
Village Clerk

Christopher Nelson

Christopher Nelson  
Village President

Passed: September 12, 2016

Approved: September 12, 2016

Published: September 12, 2016

Prepared by:  
Village of West Dundee  
Community Development Department  
100 Carrington Drive  
West Dundee, IL 60118