

ORDINANCE 2014-12

AN ORDINANCE AMENDING THE WEST DUNDEE  
ZONING REGULATIONS CHAPTER 2 DEFINITIONS

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, the Village President and Board of Trustees have contemplated the issue of second hand or used merchandise, retail sales and considered certain changes to the West Dundee Municipal Code to amend the ordinance to better define the types of users in the second hand or used merchandise category; and

WHEREAS, the a public hearing has been held by the West Dundee Planning and Zoning Commission on March 24, 2014 and on April 28, 2014 pursuant to public notice to solicit public input regarding certain changes to the West Dundee Zoning Regulations; and

WHEREAS, after careful consideration of the information and testimony presented, the Planning and Zoning Commission recommended to the West Dundee Village Board that said changes to the West Dundee Zoning Regulations be made; and

WHEREAS, the President and Board of Trustees have carefully considered the recommendations of the Planning and Zoning Commission as well as the information presented and the impact such recommendations would have on individual properties and the community as a whole and have determined that the benefits provided by these changes will outweigh any potential adverse impacts and therefore would be in the best interest of the Village.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of West Dundee, Kane County, Illinois, as follows:

SECTION 1: That Section 10-2-1 of the West Dundee Zoning Regulations be amended to add the following definitions:

**Antique store:** A place offering antiques for sale. An antique is a product that is sold or exchanged because of value derived or because of oldness as respects the present age, and not simply because the same is not a new product. An antique, for purposed of this chapter, shall be a work of art, piece of furniture, decorative object or the like, of or belonging to the past, at least 30 years old.

**Consignment store:** A retail establishment engaged in reselling new or used merchandise, such as clothing, furniture, books, shoes or household appliances, through a broker for the owner at an agreed-upon price.

**Secondhand merchandise, retail sales:** Retail sales of previously used merchandise, such as clothing, household furnishings or appliances, sports/recreational equipment.

**Merchandise:** goods, products or items that are purchased for consumption

Merchandise, New: Not existing before, made, introduced or discovered for the first time or already existing but seen, experienced or acquired recently or now for the first time.

Merchandise, Used: Having already been used or introduced, having been previously used or owned.

Pawn store: Any business that loans money on deposit of personal property or deals in the purchase or possession of personal property on condition of selling the same back again to the depositor or to another party to recover the money pledged.

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

SECTION 6: This ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form which publications 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 5th day of May, 2014.

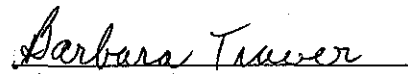
AYES: Trustees Price, Hanley, Yuscka, Pflanz, Wilbrandt and Kembitzky  
NAYES: None  
ABSENT: None

Christopher Nelson



Village President

ATTEST:  
Barbara Traver

  
Village Clerk

PASSED: May 5, 2014

PUBLISHED: May 5, 2014

Prepared by:

Village of West Dundee  
100 Carrington  
West Dundee, IL 60118