

ORDINANCE NUMBER 23- 57
**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE
COUNTIES, ILLINOIS, REPEALING SECTION 50.07 AND AMENDING SECTION
37.01(D)(3) OF THE VILLAGE OF EAST DUNDEE CODE OF ORDINANCES**

WHEREAS, the Village of East Dundee ("**Village**") is a home rule unit of local government 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; and

WHEREAS, Section 37.01(D)(3) of the Village of East Dundee Code of Ordinances ("**Code**") provides a fee sharing schedule for residents of the Village pertaining to garbage collection; and

WHEREAS, Section 50.07 of the Code provides that Village Green and Gardiner Place senior apartments residents receive a rebate from the Village regarding garbage collection fees; and

WHEREAS, the Village Board of Trustees have previously passed ordinances providing for both Section 50.07 of the Code to sunset and become null and void by a date certain, and the Village Board of Trustees have also extended the expiration dates; and

WHEREAS, in an effort to conserve resources, and in preparation of the FY2024 budget, the Village Board of Trustees desire to cease providing for fee sharing and rebates to residents by code with regard to garbage collection fees and instead adopt rates and rebates via a resolution and an administrative policy; and

WHEREAS, the President and Board of Trustees have determined it to be in the best interest of the Village to repeal Section 50.07 and amend Section 37.01(D)(3) of the Village Code; and

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

SECTION 1: Incorporation. That the recitals above shall be and are hereby incorporated as Section 1 as if restated herein.

Section 2: Repeal. Section 50.07 of the Village Code shall be repealed in its entirety as follows, with deletions ~~struck through~~:

~~§ 50.07 SENIOR CITIZEN DISCOUNT.~~

~~—The village will provide a rebate to Village Green and Gardiner Place senior apartments based upon the number of persons aged 65 or older registered as residents. The number of eligible residents shall be limited to the number of units within each facility.~~

The rebate shall be 25% of the village garbage collector monthly fee provided for in § 37.01(D)(3) of the Village Code.

Section 3. Amendment. Section 37.01(D)(3) shall be amended as follows, with additions **bolded** and double underlined and deletions struck through:

§ 37.01 FEE AND FINE SCHEDULE.

(D) Garbage and refuse (Chapter 50).

- (1) Pickup of recyclables by unauthorized person(s): \$100
- (2) All other garbage and refuse violations: \$60

(a) Prepayment reduction of fine. Full fine amount is due and may be payable by mail within 30 days of issue. 50% of the fine amount may be paid by mail if done so within 15 days of issue date.

~~— (3) Each dwelling unit to which the village garbage collector provides waste material collection shall be billed bi-monthly at the monthly rate set forth below:~~

~~— (a) September 1, 2017 through September 30, 2018: \$19.90;~~

~~— (b) October 1, 2018 through September 30, 2019: \$19.90 + CPI*;~~

~~— (c) October 1, 2019 through September 30, 2020: (Price as of September 30, 2019) + CPI*;~~

~~— (d) October 1, 2020 through September 30, 2021: (Price as of September 30, 2020) + CPI*;~~

~~— (e) October 1, 2021 through September 30, 2022: (Price as of September 30, 2021) + CPI*.~~

~~*The CPI rate shall be the Consumer Price Index for all urban consumers in the Chicago-Gary-Kenosha area for the 12 months before October 1st and shall not be less than 1.5% and not greater than 3.0%.~~

(3) Each dwelling unit to which the Village garbage collector provides waste material collection shall be billed bi-monthly. Rates and any rebates provided to Village residents shall be set and approved as necessary by policy adopted by Resolution of the Village Board of Trustees.

SECTION 3: Continuation. That all provisions of the Village Code not amended herein shall remain in full force and effect.

SECTION 4: Severability. That if any Section, paragraph, or provision of this Ordinance shall be held to be invalid and 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 5: Repeal. That all ordinances, resolutions, motions or parts thereof in conflict with this Ordinance, shall be hereby repealed.

SECTION 6: Effect. That this Ordinance shall be in full force and effect upon its adoption, approval and publication in pamphlet form as provided by law.

[SIGNATURE PAGE FOLLOWS]

PASSED this 18th day of December 2023 pursuant to a roll call vote as follows:

AYES: Mohony, Kunze, Brittin, Saviano, Treiber and Sarden

NAYES: 0

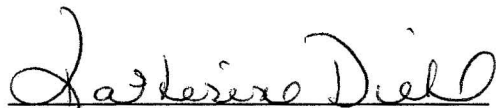
ABSENT: 0

APPROVED by me this 18th of December 2023.



Jeffrey Lynam, Village President

ATTEST:



Katherine Diehl, Village Clerk