

ORDINANCE NUMBER 23-58

AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AMENDING SECTION 35.17 OF THE VILLAGE OF EAST DUNDEE VILLAGE CODE RELATING TO THE VEHICLE PARKING TAX

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 35.17 of the Village of East Dundee Village Code ("Village Code") provides for a Vehicle Parking Tax; and

WHEREAS, the Village desires to amend the Village Code to revise how the amount of the tax is calculated and imposed on the use and privilege of parking a vehicle in parking lots and garages in the Village; and

WHEREAS, the President and Board of Trustees have determined it to be in the best interest of the Village to amend the Village Code as set forth in this ordinance; 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: Amendment. Section 35.17, titled "Vehicle Parking Tax," of Chapter 35 titled "Taxation," of Title III, titled "Administration," of the Village Code is hereby amended to be read as follows with the additions in **bold** and double-underlined and deletions ~~struck through~~:

"§ 35.17 VEHICLE PARKING TAX.

* * *

(B) Tax imposed. A tax is hereby imposed upon the use and privilege of parking a vehicle in or upon any parking lot or garage in the village in the amount of **6% of the charge or fee paid for parking** ~~\$0.50 per day for each vehicle parked in or on a parking lot or garage for every 24-hour period or any fraction thereof, or, if a vehicle is parked in or upon a parking lot or garage for which a charge is made on a monthly basis, the amount of tax shall be \$6 for every month or any fraction thereof.~~ The tax herein levied shall be paid in addition to any and all other taxes. The ultimate incidence of and liability for payment of said tax is to be borne by the person who seeks the privilege of occupying space within said parking lot or garage, said person hereinafter referred to as "recipient."

* * *

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, except that the tax levied in this Ordinance shall take effect on February 1, 2024.

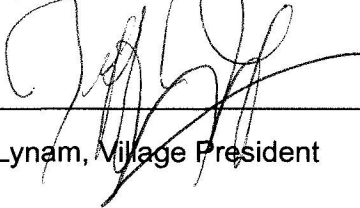
PASSED this 18th day of December, 2023 pursuant to a roll call vote as follows:

AYES: Mahony, Kunze, Brittin, Saviano, Treiber and Sauder

NAYES: Ø

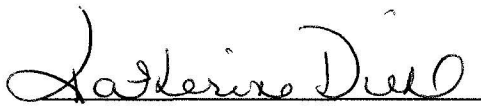
ABSENT: Ø

APPROVED by me this 18th of December, 2023.



Jeffrey Lynam, Village President

ATTEST:



Katherine Diehl, Village Clerk