

ORDINANCE NUMBER 23-59

AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AMENDING SECTIONS 150.01, 150.02, 150.03, AND 153.15 OF THE VILLAGE OF EAST DUNDEE VILLAGE CODE TO CONSOLIDATE THE HISTORIC COMMISSION AND THE PLANNING AND ZONING COMMISSION

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, the membership of the Historic Commission and the Planning and Zoning Commission are the same, and while their purposes and duties remain separate, the commission members are comprised of the same membership for both; and

WHEREAS, the Village desires to amend Sections 150.01, 150.02, 150.03, and 153.15 of the Village of East Dundee Village Code ("Village Code") to consolidate the Historic Commission and the Planning and Zoning Commission for efficiency purposes; 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 to consolidate the Historic Commission with the Planning and Zoning Commission; 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: Amendments to Chapter 150. That Chapter 150, titled "Planning and Zoning Commission," of the Village Code is hereby amended as follows with the additions in **bold** and double-underlined and deletions ~~struck through~~:

"PLANNING~~g~~ AND ZONING~~g~~ AND HISTORIC COMMISSION

"§ 150.01 ORGANIZATION.

"(A) Creation. A Planning~~g~~ and Zoning~~g~~ and Historic Commission is hereby created for the village to carry out the duties of a plan commission~~g~~ and-zoning board of appeals~~g~~ and those duties assigned by village ordinances to the Historic Commission. When used in this chapter, "Commission" shall be construed to mean the Planning~~g~~ and Zoning~~g~~ and Historic Commission and "Commissioners" shall be construed to mean the members of the Commission.

* * *

(G) Foregoing compensation. Notwithstanding any provision to the contrary, any member of Planning~~g~~ and Zoning~~g~~ and Historic Commission may elect to forego any, or all, of the compensation to which they are otherwise entitled for any part of their term by notifying the Village Treasurer, in writing, of such an election and the amount the Commissioner wishes to forego, the length of time the Commissioner wishes to forego such compensation, and the effective date of the election. Nothing in this section shall be construed to prohibit any Commissioner

from rescinding the election to forego compensation, upon written notice to the Village Treasurer of their desire to rescind the election to forego compensation.

§ 150.02 PLAN COMMISSION, ZONING BOARD OF APPEALS REFERENCES.

Any ordinance, code, regulation, and the like of the village or state statute that references the Plan Commission and/or Zoning Board of Appeals and/or the Historic Commission shall mean the Planning, and Zoning, and Historic Commission.

§ 150.03 DUTIES OF THE COMMISSION.

The duties of the Commission are as follows:

* * *

(D) To perform those duties and functions assigned by Chapter 153 ~~§§ 153.15~~ et seq. to the Historic Commission.

SECTION 3: Amendment to Chapter 153. That Chapter 153, titled "Historical District," of the Village Code is hereby amended as follows with the additions in **bold** and double-underlined and deletions ~~struck through~~:

~~"§ 153.15 CREATION.~~

~~"The Village of East Dundee Historic Commission is hereby created and its membership shall consist of the members of the Planning and Zoning Commission as set forth in Chapter 150, Planning and Zoning Commission.~~

SECTION 4: Continuation. All provisions of the Village Code not amended herein shall remain in full force and effect.

SECTION 5: 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 6: Repeal. That all ordinances, resolutions, motions or parts thereof in conflict with this Ordinance shall be hereby repealed.

SECTION 7: 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: Mahony, Kunze, Brittin, Saviano, Treiber and Sauder

NAYES: Ø

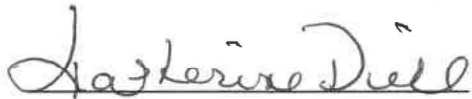
ABSENT: Ø

APPROVED by me this 18th of December 2023.



Jeffrey Lynam, Village President

ATTEST:



Katherine Diehl, Village Clerk