

VILLAGE OF ELBURN

ORDINANCE 2023-01
AN ORDINANCE APPROVING ZONING ORDINANCE
TEXT AMENDMENTS REGARDING
SHORT-TERM RENTALS

ADOPTED BY
THE BOARD OF TRUSTEES
OF THE
VILLAGE OF ELBURN

AN ORDINANCE APPROVING ZONING ORDINANCE TEXT AMENDMENTS REGARDING SHORT-TERM RENTALS

WHEREAS, Section 15.12 of the Village of Elburn Zoning Ordinance provides for a procedure for the adoption of Zoning Ordinance amendments; and

WHEREAS, the Village of Elburn Village Board has submitted a petition for zoning ordinance text amendment with the Planning Commission requesting that certain amendments be made to the Village of Elburn Zoning Ordinance to address Short-term Rentals and Tourist Houses; and

WHEREAS, pursuant to notice, a public hearing regarding said proposed text amendment was held before the Village of Elburn Planning Commission on November 1, 2022, at 7:00 p.m., to hear reasons for and against said amendments; and

WHEREAS, the Village of Elburn Planning Commission made its written findings of fact and recommended that the Village of Elburn Board of Trustees approve said amendments.

THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Elburn, Kane County, Illinois as follows:

SECTION ONE. That Section 3.2 “Definitions” is amended to include “Short-Term Rentals hereinafter read as follows:

Short-Term Rental: “A private home or condominium that is not occupied by an owner or manager and that is rented, leased, or furnished in its entirety to transient guests on a daily or weekly basis”

SECTION TWO That Section 4.16 C. "Permitted Home Occupations" is amended by adding "Short-Term Rentals, only when located directly adjacent to the B-1 Central Business District"

SECTION THREE. That Section 4.16 D "Prohibited Home Occupations" is amended by deleting "Tourist Home".

SECTION FOUR: That Section 8.2 B "B-1 Central Business District - Permitted Uses" is amended by adding "Short-Term Rentals" to "Permitted Uses"

SECTION FIVE. That all ordinances and parts of ordinances in conflict with or inconsistent with the provisions of this ordinance are hereby repealed to the extent of any such conflict or inconsistency.

SECTION SIX. That if any part or portion of this ordinance shall be declared invalid by a court of competent jurisdiction, such partial invalidity shall not affect the remainder of this ordinance.


SECTION SEVEN. That this Ordinance shall be in full force and effect from and after its passage and approval by the President and Board of Trustees.

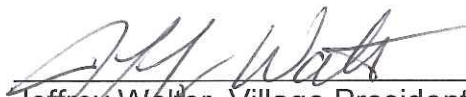
| Trustee Name | Aye | Nay | Absent | Abstain |
|----------------------|------------|------------|---------------|----------------|
| Ken Anderson | ✓ | | | |
| Sue Filek | | | ✓ | |
| Bill Grabarek | ✓ | | | |
| Chris Mondri | ✓ | | | |
| Patricia Schuberg | | | ✓ | |
| Matthew Wilson | ✓ | | | |
| Mayor Jeffrey Walter | | | ✓ | |

PRESENTED to the President and Board of Trustees of the Village of Elburn, Kane County, Illinois, this 17 day of Jan 2023.

PASSED by the President and Board of Trustees of the Village of Elburn, Kane County, Illinois, this 17 day of Jan 2023

SIGNED by the President of the Board of Trustees of the Village of Elburn, Kane County, Illinois, this 17 day of Jan 2023

(SEAL)
ATTEST

Diane McQuilkin
Village Clerk
Village of Elburn, Kane County, Illinois


Jeffrey Walter, Village President
Village of Elburn, Kane County, Illinois

STATE OF ILLINOIS)
)SS
COUNTY OF KANE)

CLERK'S CERTIFICATE

I, Diane McQuilkin, the duly qualified and acting Village Clerk of the Village of Elburn, Kane County, Illinois, do hereby certify that attached hereto is a true and correct copy of an ordinance entitled:

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which ordinance was duly adopted by said Board of Trustees at a regular meeting held on the 17 day of Jan, 2023.

I do further certify that a quorum of said Board of Trustees was present at said meeting, and that the Board of Trustees complied with all the requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this 17 day of Jan, 2023.



Diane McQuilkin
Diane McQuilkin
Village Clerk
Village of Elburn, Kane County, Illinois