

VILLAGE OF LILY LAKE

ORDINANCE NO. 2022-06

AN ORDINANCE AMENDING THE VILLAGE CODE

(Chapter 20—Zoning, Subchapter 9—Planned Unit Developments)

ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF LILY LAKE

August 22, 2022

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the Village of Lily Lake, Kane County, Illinois

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(Chapter 20—Zoning, Subchapter 9—Planned Unit Developments)

BE IT ORDAINED by the President and the Board of Trustees of the Village of LILY LAKE, Kane County, Illinois, that the Village Code, as amended, be further amended as follows:

§ 1. Amending Village Code

Chapter 20—Zoning is amended by inserting the following as Subchapter 9—Planned Unit Developments and renumbering the following subchapters and sections accordingly.

§ 2070. Authority

The president and board of trustees of the village are authorized to approve or disapprove planned unit developments (PUDs) after receiving the recommendations of the zoning hearing officer and the plan commission, in accordance with the provisions of this subchapter.

§ 2071. Purpose and objectives

(a) PUDs are of such substantially different character from other special uses that specific and additional standards and exceptions are established to govern the actions of the of the plan commission and the board of trustees. A PUD is a privilege to be earned and not a right which can be claimed simply upon complying with all the standards established in this subchapter. The plan commission and board of trustees may require any reasonable conditions or design considerations that will promote proper development of benefit to the community. It is not intended that the board of trustees automatically grant the maximum use exceptions or density increases in the case of each PUD. The plan commission shall recommend and the board of trustees

may grant only such increases or latitude that are consistent with the benefit accruing to the village as a result of the PUD. As a condition for approval, each PUD must be generally compatible with the character and objectives of the zoning districts within which it is located, and each PUD must be consistent with the objectives of the village's comprehensive plan.

(b) Specific purposes of the PUD procedure are:

(1) For a residential PUD:

(A) to offer recreational opportunities close to home and to enhance the appearance of neighborhoods by the conservation of streams and points of natural beauty;

(B) to add to the sense of spaciousness through the preservation of natural areas and open spaces;

(C) to counteract the effects of urban monotony and congestion in the streets, and to encourage cooperative relationships between neighbors and participation by all age groups in the use and care of local open space tracts in new residential subdivisions;

(D) to promote appropriate architecture between adjacent dwellings or institutional buildings, and to encourage the placement of structures in proper relationship to the natural characteristics of the site, including cluster development, where appropriate.

(2) For an office or business PUD:

(A) to promote the cooperative development of general or professional office, retail, service, or business centers each with adequate off-street parking;

(B) to control access points on thoroughfares and to separate pedestrian and automobile traffic;

(C) to aid in stabilizing property values and to develop centers of size and location compatible with the market potential;

(D) to buffer adjacent residential areas with landscaped transition areas and to encourage harmonious architecture between adjacent commercial structures and between dwellings and commercial structures.

(3) For an office, research or industrial PUD:

(A) to promote the establishment of research and industrial parks;

(B) to permit groups of industrial buildings with integrated design and coordinated physical plan;

(C) to encourage recreational facilities within industrial areas and to buffer adjacent residential areas with landscaped green spaces;

(D) to promote “campus like” settings for employment and manufacturing that meet basic recreation and service needs;

(E) for PUDs near residential areas, to ensure system continuity by requiring recreational and open space systems and bicycle and pedestrian system connections both within the PUD and with areas surrounding the PUD.

(4) For a development and redevelopment opportunity site PUD:

(A) to promote the development or redevelopment of unused or underused sites where development should be encouraged for a range of appropriate uses.

§ 2072. Initiation

The owner of property for which a PUD is sought may initiate a request for a special use PUD.

§ 2073. Procedure for initiation—pre-application conference

(a) Prior to filing a formal application for approval of a PUD, the developer shall request a pre-application conference with the president and staff of the village. The director of administration, chairman of the plan commission, village engineer, village attorney and other officers, staff, or consultants for the village may be invited to

attend. The purpose of the conference is to allow the developer to present a general concept of his or her proposed development prior to the preparation of detailed plans. For this purpose the presentation must include, but is not limited to, the following:

(1) a written "letter of intent" from the developer establishing his or her intentions as to the development of the land;

(2) sketch plans and ideas regarding land use, the design and scale of commercial or industrial development, dwelling types or other intended occupancies, density, street and lot arrangement, and tentative lot sizes;

(3) tentative proposals regarding water supply, sewage disposal, surface drainage and street improvements, as appropriate.

(b) The village clerk shall provide the developer with a copy of the official zoning map of the village depicting the zoning districts within the site under the village's zoning ordinance and a copy of the village's official comprehensive plan and map that might affect the proposed development. The clerk shall also provide the developer with a copy of this subchapter 9 setting forth the procedural steps for approval.

(c) Review of the sketch plan may be required or desired before the planning and zoning process begins in order to provide greater exposure and input in the early planning stages. The developer may request a meeting with the plan commission, board of trustees, or both to discuss the sketch plan.

§ 2074. Application—preliminary, final, and combined plans

(a) The owner of the property for which a special use PUD is sought shall file an application with the village clerk together with a non-refundable fee established from time to time by ordinance. The clerk will not accept an incomplete application. The application need not be on any specific form but, at a minimum, must be signed by all owners of the property and contain the following information—

(1) the name, address, telephone number, email address, and percentage interest of all persons having any legal, equitable, or beneficial interest in any of the parcels of land comprising the proposed PUD; if the owner is a corporation, trust, general or limited partnership, limited liability company or limited liability partnership, the application must include the name, address, telephone number, and percentage interest of all shareholders, trustees and beneficiaries, general or limited partners, and members of any limited liability company or partnership, as the case may be; if any of the foregoing are themselves entities the same disclosure must be made for all such entities.

(2) an affidavit listing the names and addresses of the owners of record of each parcel of property located within 500 feet of the proposed PUD and stating that the list is true and correct to the best of the applicant's knowledge and belief;

(3) a plat of survey and legal description for the entire tract comprising the proposed PUD and, if the tract includes more than one zoning district, a plat showing the parcels in each zoning district and their legal descriptions;

(4) the preliminary plan prepared in accordance with § 2076(a); or

(5) a combined preliminary and final plan prepared in accordance with § 2076(c).

(6) A refundable deposit in the amount calculated under § 2079 to guarantee that the costs and fees to be incurred by the village in the course of its review of the application will be paid.

(b) Upon acceptance the clerk shall date stamp the application as of the date of filing and forward copies to the plan commission, the zoning hearing officer, the village president and board of trustees, the village engineer, the village attorney, and any other consultant retained or to be retained in connection with the review of the application.

§ 2075. Procedure for review

(a) Procedure for decision on the preliminary plan:

(1) *Notice of public hearing:* Within 60 days of the filing date the plan commission and zoning hearing officer shall hold a joint public hearing on the proposed PUD . The hearing may be continued from time to time. The village shall give notice of the public hearing as follows:

(A) The village shall publish notice of the public hearing in a newspaper of general circulation within the site of the proposed PUD at least 15 but not more than 30 days prior to the date of the hearing.

(B) The village shall also send written notice of the hearing by first class mail, postage prepaid, to the applicant and to all persons having a legal or equitable interest in the property as disclosed in the application at least 15 but not more than 30 days prior to the date of the hearing.

(C) The village shall also send written notice of the hearing by first class mail, postage prepaid, to each of the owners of record of property within 500 feet of the proposed PUD as disclosed in the affidavit of the applicant attached to the application, at least 15 but not more than 30 days prior to the date of the hearing.

(D) If the proposed PUD is residential, the village shall also send written notice to any school district within which the proposed PUD is located at least 15 but not more than 30 days prior to the date of the hearing.

(2) *Recommendations:* Within 30 days of the close of the public hearing the plan commission and zoning hearing officer shall forward their respective findings and recommendations to the board of trustees. This time period may be extended by mutual consent of the parties. The plan commission and zoning hearing officer may recommend that the preliminary plan be approved, be approved with changes, or be denied. The plan commission and the zoning hearing officer are independent of each other and their findings and recommendations need not agree.

(3) *Board of trustees action:* At its next regular meeting that is at least 30 days after its receipt of the findings and recommendations of the plan commission and zoning hearing officer, the board of this trustees shall approve, approve with changes, or disapprove the preliminary plan.

(4) *Record of actions and proceedings:* Upon approval of the preliminary plan by the board of trustees, a record will be prepared including findings of fact, recommendations of the village staff and consultants, exceptions or bonuses granted, conditions applied, and modifications ordered. This statement will be maintained on file with the development plans.

(5) *Approved preliminary plans; timing of final plan submission:* Approval of a preliminary PUD plan does not constitute approval of the final plan but is rather an expression of approval of the layout submitted on the preliminary plan as a guide to the preparation of the final plan or plans. The developer shall submit the final plan, or the first phase of the final plan not later than two years after approval of the preliminary plan (or within such additional time as may from time to time be authorized by the plan commission upon request of the developer made within the two-year period).

(6) *Procedure for decision; final plan:*

(A) *Plan commission review and recommendation:* The developer shall file the final plan and supporting data with the clerk who shall forward it to the plan commission for determination. Within 30 days of the date the item first appears on the plan commission's agenda, the plan commission shall determine whether the final plan conforms with these regulations and the approved preliminary plan. After review of the final plan and supporting data, the plan commission shall forward their findings and a recommendations to the board of trustees.

(B) *Board of trustees action:* At its regular meeting that is not less than 30 days after receipt of the findings and recommendations of the plan commission, the board of trustees shall grant or deny approval of the final plan.

§ 2076. Specific content of plans

PUD preliminary and final plans must, at a minimum, include the following information. At any point during the review process the plan commission, zoning hearing officer, board of trustees, or any of the persons involved in the review process on behalf of the village may request additional information that may not be on this list.

(a) *Preliminary plan:*

The preliminary plan must be in the format and contain the information set forth in the following table:

Document ¹	Description
General map and location	name of development; north point, scale, date of preparation
	location/vicinity map (scale: 1" = 1000')
	pertinent conditions on adjoining land (approximate direction and gradient of ground slope, including any embankments or retaining walls); character and location of major buildings, railroads, power lines, towers, and other nearby nonresidential land uses or adverse influences
Site inventory and analysis	boundary lines (bearings and distances); total acreage of site
	easements (location, width and purpose (including fire lanes))
	utilities on, and adjacent to, the site (location, size, and invert elevation of sanitary and storm sewers; location of gas lines, fire hydrants, electric and telephone lines and street lights)

¹30 copies of all full- sized documents and drawings at a scale of not less than 1 inch equals one hundred feet (1" = 100'). Individual sheets or drawings may not exceed 30" x 42" in size. In addition, one set of reduced copies, 11" x 17" in size. All sets of drawings submitted must be folded.

	ground elevations on the site (1-foot contours for land that slopes less than ½ %; 2-foot contours for greater slopes) ² ; spot elevations at all breaks in grades, along all drainage channels or swales, and at selected points not more than 100' apart in all directions
	areas that may contain soils or materials contaminated with heavy metals, petroleum products, PCBs, pesticides, fly ash, or any other toxic or hazardous materials
	underground storage tanks, if any
	floodplains, wetlands, and any naturally forested or wooded areas
	areas located within 1000' of an active or closed sanitary landfill, dump, or disposal area
	surface and subsurface conditions of the site (location and results of tests made to ascertain subsurface soil, rock, and ground water conditions)
	depth to ground water unless test pits are dry at a depth of 5'
Conceptual site plan	map with existing and proposed site features and uses that will remain, including building outlines, locations of streets, transit stops, drives and parking areas, pedestrian and bike paths, service access areas for receiving material and trash removal, and other impervious surfaces
	general location, purpose and height of each building other than single family residences on individual lots; uses of each building or structure, as well as the overall land uses of the site
	total land dedicated to open space (all parcels of land intended to be dedicated for public use or reserved for the use of the property owners with the purpose indicated)
	total impervious surface area
	location of existing trees and proposed and existing to remain trees, shrubs and ground cover along with other significant features

²Contour lines must extend a minimum of 50' beyond the property lines.

	proposed public improvements (highways or other major improvements planned by public authorities for future construction on or near the site)
Conceptual storm water management plan	see the Kane County Stormwater Ordinance for requirements
Conceptual development plan	explanation of the character of the PUD and reasons why it has been planned to take advantage of the flexibility of these regulations; a description of all variations from overlying zoning district regulations must be provided
	preliminary plat of subdivision prepared by an Illinois registered professional engineer or surveyor
	preliminary landscape plan in accordance with § 2065
	density (information on the density of residential uses, including dwelling units per acre; the number of dwelling units by type and the number of buildings by type)
	preliminary signage plan indicating intentions for all freestanding and wall signage
	development schedule indicating stages in which the project will be built; include area, density, use, and public facilities such as open space to be developed with each stage and approximate dates for beginning and completion of each stage or phase; overall design of each stage must be shown on the plan and through supporting graphic materials
	nonresidential uses (provide information on the type and amount of ancillary and nonresidential uses in a residential development, including the amount and location of common open space)
	service facilities (provide information on all service facilities and off-street parking facilities)
	architectural plans (preliminary architectural plans, including elevations for all primary buildings in sufficient detail to permit an understanding of the style of the development, the design of the buildings and the number, size, and type of commercial buildings and dwelling units)

	facilities plans including preliminary engineering for roads, street profiles, classifications, width of pavement and sidewalks; sanitary sewers, storm drainage, water supply system and underground lighting program
	special studies and analyses as necessary, e.g. fiscal impact analysis, market feasibility analysis, traffic impact analysis
Written report	provide general information about the proposed agreements, provisions or covenants that will govern the use, maintenance and continued protection of the PUD, common areas, open space, and stormwater improvements
Any other information deemed necessary by the village in order to evaluate plans	

(b) *Final plan:*

A final PUD development plan in recordable form must be prepared. The purpose of the final PUD plan is to designate with particularity the land subdivided into conventional lots as well as the division of other lands, not so treated, into common open areas and building areas, and to designate and limit the specific internal uses of each building or structure, as well as the land in general. The final PUD plan must substantially conform to the preliminary plan as approved. The final plan may be submitted in stages with each stage or phase reflecting a portion of the approved preliminary plan which is proposed to be recorded and developed. The final PUD plan must be in the format and contain the information set forth in the following table:

Document ³	Description
General map and location	names, addresses and telephone numbers for all developers and professionals assisting in the preparation of any aspect of the plans
	an accurate legal description of the entire PUD or, if the development is to be phased, and an accurate legal description of each phase designating the order of developemebt
	identify site assets or resources and constraints, including floodplains, wetlands and soils classified as "poorly drained" or "very poorly drained," soils with bedrock at or within 42 inches of the surface, utility easements for high tension electrical transmission lines (>69 KV), slopes greater than 15%, and brownfields
Final site plan	final plat of subdivision prepared by an Illinois registered professional engineer or surveyor
	an accurate legal description of each separate use area, including common open space
	certificates, seals and signatures required for the final plat of subdivision, dedication of land, and recording of documents
	designation of the exact location of all buildings to be constructed and a designation of the specific uses to which each building will be put
	existing and final grading plans
	final landscape plan in accordance with § 2065
	final engineering plans and drawings
	final development and construction schedule
	final elevations for all primary buildings

³30 copies of all full- sized documents and drawings at a scale of not less than 1 inch equals one hundred feet (1" = 100'). Individual sheets or drawings may not exceed 30" x 42" in size. In addition, one set of reduced copies, 11" x 17" in size. All sets of drawings submitted must be folded.

	final master lighting plan showing the location of street, driveway, and pedestrian lighting including lamp intensity and height
	master signage plan
	common open space documents (see § 2077)
	final agreements, provisions, or covenants governing the use, maintenance and continued protection of the PUD and its improvements
	circulation system indicating pedestrian, bicycle, and motor vehicle movement systems; existing and proposed public streets or rights-of-way; transit stops; easements or other reservations of land; location and dimensions of existing and proposed curb cuts, off-street parking and loading spaces, service access for receiving and trash removal, driveways, sidewalks and other walkways
	total land dedicated to open space (all parcels of land intended to be dedicated for public use or reserved for the use of the property owners with the purpose indicated)
	total impervious surface area
Final storm water management plan	see the Kane County Stormwater Ordinance for requirements
Detailed elevations of all proposed commercial buildings and typical elevations of residential buildings	scaled elevations should identify all signs, building materials and percentage of ground floor commercial façade in windows; the location, height and material for screening walls and fences, including outdoor trash storage areas, electrical, mechanical and gas metering equipment, storage areas for trash and recyclable materials, and rooftop equipment
	facilities plans including engineering for roads, street profiles, classifications, width of pavement and sidewalks; sanitary sewers, storm drainage, water supply system and underground lighting program
Utilities plan	final utilities plan showing underground and above-ground lines and structures for sanitary sewers, electricity, gas, telecommunications, and other utilities

Written report	information and final drafts of proposed agreements, provisions or covenants that will govern the use, maintenance and continued protection of the PUD, common areas, open space, and stormwater and other improvements
Any other information deemed necessary by the village in order to evaluate plans	

(c) *Combined preliminary and final plan:* The preliminary and final plan may be filed and simultaneously approved, if all requirements of this subchapter are met. Non-refundable application fees for each preliminary and final plan approval apply.

§ 2077. Open space

At the option of the village, the preservation, improvement, and maintenance of stormwater and other public improvements and open space within the PUD must be guaranteed by (a) conveying them to the village or other municipal or public corporation or not for profit corporation or entity established for the purpose, or (b) recording a restrictive covenant imposing the obligation to preserve and maintain the open space and stormwater and other public improvements upon the owners of the individual properties comprising the PUD as a covenant running with the land, or (c) recording a properly created conservation easement providing for the preservation and maintenance of the open space and stormwater and other public improvements in favor of the village or other municipal or public corporation or not for profit corporation or entity established for the purpose, or (d) either as the primary method or as a backup for any of the foregoing, creating a special service area coterminous with the boundaries of the PUD with the authority to preserve and maintain the open space and stormwater and other public improvements, and the power to levy a tax upon the individual properties comprising the PUD sufficient to provide the funds needed therefor.

§ 2078. Outside professionals

The village may retain professional assistance from outside the village staff in connection with its review and decision on the application and the construction and acceptance of the required improvements.

§ 2079. Reimbursement of costs and expenses

(a) The owner and developer shall reimburse the village for all costs and expenses incurred by the village in connection with its review and decision on the application and the construction and installation of all improvements associated with the PUD.

(b) *Escrow deposit.* Upon acceptance of the application and before the village begins its review, the owner shall deposit with the village an amount in cash estimated by the village to be 50% of the costs and expenses to be incurred by the village in connection with its review of the application and decision on the final plan. This amount will include all out of pocket expenses attributable to recording the testimony of all witnesses at public hearings, reproduction costs, public notices and mailing costs, newspaper publication charges, and any other expense. The amount will also include 50% of the estimated fees and expenses of all professional consultants anticipated by the village to be retained in connection with its review of the application including attorneys, engineers, traffic engineers, planners, wetland consultants or other professionals.

(c) *Payment of cost and expenses and renewal of deposit.* As costs, fees, and expenses are incurred by the village during the review process the village may pay them from the amount on deposit. The village shall send copies of all invoices to the owner by email and first class mail, postage prepaid. If no objection is received within 10 days of the date of the email the owner will be deemed conclusively to have approved the invoice and waived any objection to the village's payment of it. If, at any time, the amount on deposit is less than 50% of the village's estimate of the remaining costs, fees, and expenses to be incurred, the village shall notify the owner by email and first class mail, postage prepaid, of the amount necessary to bring the deposit back up to 50% of the estimate. If the owner fails to make the additional

deposit required within 10 days of the date of the email the village may suspend its review and decision on the application until the required deposit is made. The board of trustees will not vote on the approval of the preliminary plan or the final plan until the village has been reimbursed for all of the costs, fees, and expenses incurred in connection with the application have been paid to date. After the review process is complete and a decision has been made on the application, the village will refund any surplus remaining on deposit.

§ 2080. Construction guarantee

Prior to any active development of the site, the developer shall deposit the construction guarantee required by Article 4 of Chapter 4 of this code (§§ 454–458).

§ 2081. Change in the approved PUD

The PUD must be developed according to the approved and recorded final plan and all supporting data. The recorded final plan and supporting data together with all recorded amendments are binding on the owner, applicant and their respective successors and assigns. Any changes requested to an approved and recorded final plan must follow the process set forth in this subchapter for an original PUD or such abbreviated process as the village may deem suitable for a review of the proposed amendment.

§ 2082. Use exceptions

The zoning hearing officer and plan commission may recommend and the president and board of trustees may authorize specified uses in parts of the proposed PUD not otherwise permitted by the use regulations of the district in which the development is proposed if a finding is made that the uses permitted by such exception are necessary or desirable and are appropriate with respect to the primary purpose of the PUD and, if the underlying zoning district is a residential zoning district, any proposed use that is otherwise not allowed in such underlying district does not exceed 30% of the total floor area within the PUD.

§ 2083. Bulk incentives and open space

(a) *Bulk incentives.* In any PUD the zoning hearing officer and plan commission may recommend and the president and board of trustees may authorize exceptions to the applicable bulk regulations of this chapter otherwise applicable within the boundaries of the PUD if—

(1) the plan commission finds that the exception promotes an integrated site plan no less beneficial to the residents or occupants of the development and adjoining properties than would be obtained under the bulk regulations for buildings developed on separate zoning lots;

(2) the overall floor area ratio for the PUD would not exceed the maximum floor area ratio established for the underlying zoning district by more than 20%; and

(3) in a residential PUD, the maximum number of dwelling units permitted does not exceed 120% of the number determined by dividing the net development area by the minimum lot area per dwelling unit required by the district or districts in which the PUD is located. Net development area is determined by subtracting the areas set aside for nonresidential uses from the gross development area, and deducting from the remainder the area required for streets as set forth in the site plan. In no event shall the area for streets be computed at less than 10% of the gross development area. The area of land set aside for common open space or recreational use may be included in determining the number of dwelling units permitted.

(b) *Residential PUDs; cluster housing.* If the overall number of dwelling units per acre (density) is not increased beyond the provisions of subsection (a)(3) of this section and the permanent common open space complies with subsection (c) of this section, the PUD may include minimum lot areas, lot width and setback requirements other than those normally required in the zoning district.

(c) *Designation of permanent common open space.* For the purposes of this section, "permanent common open space" means parks, playgrounds, schools, landscaped green space, community centers or other similar areas in public ownership or areas covered by an open space easement. No plan for a residential PUD may be approved

unless it provides for permanent common open space equal to at least 20% of the total gross development area. In this case, dwelling unit arrangement should be in cluster groups to maximize open space areas and reduce the demand for urban facilities and services.

§ 2084. PUDs on the zoning map

The official zoning map will indicate the boundaries of property subject to the PUD. Each zoning district within the PUD will be mapped. The designation "PUD" will accompany each zoning district designation as in "B1-PUD".

§ 2085. Revocation and expiration

(a) *Schedule of construction.* The PUD is subject to revocation if construction falls more than one year behind the schedule filed with the final plan. The village shall send notice to the developer by email and first class mail, postage prepaid, at least 60 days prior to any revocation hearing. Extensions or revisions of the building schedule may be granted by the president and board of trustees.

(b) *Revocation.* If, after the 60 day notice, the developer has still failed to comply with the construction schedule established by the approved final plan or obtain an extension or revision of the schedule approved by the board of trustees, the village may consider the revocation of the PUD. Based upon the evidence presented to it, including a finding of failure to comply with the development schedule, and following public hearing in accordance with the procedures for a special use permit, the zoning hearing officer and plan commission may recommend and president and board of trustees may approve revocation of the special use permit and PUD.

§ 2086. Recording PUD ordinance; fees and penalties

(a) *Recording of PUD ordinance.* Before the issuance of any building permits the applicant, at its sole expense, shall record the PUD ordinance and attachments in the office of the Kane County Recorder of Deeds and deliver a certified copy to the village.

(b) *Fees.* Any person who files an application for an amendment or appeal, or for a variation or special use, or for any other certificate or license required under the terms of this subchapter, shall pay the fee set forth in Chapter 5 of this code.

(c) *Violations; penalties.* Any person who violates, disobeys, omits, neglects, or refuses to comply with any provision of this subchapter shall pay a fine as provided in the general penalty section (§ 111) of this code for each offense. Each day that a violation continues or is permitted to exist constitutes a separate offense.

§ 2087. Proceedings for enforcement

If any building or structure is constructed, reconstructed, altered, repaired, converted, or maintained or any building, structure, or land is used in violation of this subchapter or other regulation made under the authority conferred by this subchapter, the village may, in addition to any other remedies available to it, institute any appropriate action or proceeding—

(a) to prevent the unlawful construction, reconstruction, alteration, repair, conversion, maintenance or use;

(b) to prevent the occupancy of the building, structure or land;

(c) to prevent any illegal act, conduct, business or use in or about the premises; or

(d) to restrain, correct or abate the violation.

In any such action or proceeding the defendant shall pay all of the costs, expenses, and reasonable attorney's fees incurred by the village and the court shall include an award of such costs, expenses, and attorneys fees in any order or judgment entered against the defendant.

§ 2. Repealer

Any ordinance or provision of any ordinance in conflict with the provisions of this ordinance is, to the extent of such conflict, repealed.

§ 3. Effective Date

This ordinance is fully effective from and after its passage, approval and publication as provided by law.

Adopted on August 22, 2022 pursuant to a roll call vote as follows:

[Signature page follows.]



Trustee	Yes	No	Absent	Abstain
Conn			X	
Damisch	X			
Dell	X			
Diehl	X			
Florian	X			
Parry	X			
Overstreet				
Totals	5	0	1	0

Approved August 22, 2022.



President

Attested, filed in my office, and published in pamphlet form on August 22, 2022.



Clerk of the Village of Lily Lake, Kane County, Illinois