

VILLAGE OF VERNON HILLS

ORDINANCE NO. 2010-049

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE VILLAGE
OF VERNON HILLS, CHAPTER 10, ARTICLE VI, OUTDOOR MERCHANDISE
DISPLAY AND SALES PERMITS

THE 17TH DAY OF AUGUST 2010

Published in pamphlet form by the Authority
of the President and Board of Trustees of the
Village of Vernon Hills, Lake County,
Illinois, this 23rd Day of August 2010

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CODE OF ORDINANCES OF THE
VILLAGE OF VERNON HILLS,
CHAPTER 10, ARTICLE VI,
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WHEREAS, The President and Board of Trustees of the Village of Vernon Hills is authorized to prescribe minimum standards for the purpose of promoting the public health, safety, convenience and general welfare for the people of Vernon Hills; and

WHEREAS, The Board of Trustees of the Village of Vernon Hills, on August 15, 2000, approved Ordinance 2000-61 requiring business owners to seek approval from the Board of Trustees prior to operating an Outdoor Establishment; and

WHEREAS, Ordinance 2000-61 prohibits the display of outdoor merchandise within the parking lot of retail facilities; and

WHEREAS, the Board of Trustees having reviewed and considered an amendment to Ordinance 2000-61 that would allow outdoor merchandise to be displayed in the parking lot at their COW meeting on August 3, 2010, found that an amendment would be justified.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, COUNTY OF LAKE AND STATE OF ILLINOIS:

SECTION I. That Chapter 10, Article VI, Section 10-198(e), "Outdoor Merchandise Display and Sales" be amended by addition of the following language at the end of the first sentence, to read as follows:

Section 10-198(e): No outdoor establishment shall be located on any area designated for parking of motor vehicles.

"Exception: The Village Board may authorize the outdoor display of seasonal landscaping in parking lots as a temporary accessory use for retail stores having an outdoor garden center that is a minimum of 10,000 square feet. Such Outdoor Display and Sales area shall be in accordance with the following requirements.

1. Seasonal merchandise may be displayed between April 1 and August 1 as approved by the Village Board.
2. Applicants must seek approval from the Village Board on a yearly basis.
3. Merchandise shall be limited to the outdoor display of seasonal landscaping such as plants, trees, flowers, shrubs and similar live goods. Mulch, Stone, brick pavers, tools, equipment and similar dry goods shall not be permitted.

4. Tents, green houses and similar structures are prohibited.
5. The display area shall be maintained in a clean condition. Empty storage racks and similar equipment shall not be stored within the display area.
6. Decorative fencing shall be placed around the perimeter of the display area.
7. Appropriate safety devices shall be used to protect pedestrians from vehicular traffic.
8. Signs shall not be permitted.

SECTION XI. SEVERABILITY. In the event that any section, clause, provision, or part of this ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect. If any part of this ordinance is found to be invalid in any one or more of its several applications, all valid applications that are severable from the invalid applications shall remain in effect.

SECTION XII. REPEAL AND SAVINGS CLAUSE. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions or causes of action which shall have accrued to the Village of Vernon Hills prior to the effective date of this ordinance.

SECTION XIII. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

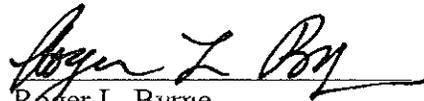
SECTION XIV. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2010-049

Adopted by roll call vote as follows:

AYES: 6 - Schwartz, Williams, Hebda, Koch, Marquardt, Schultz

NAYS: 0 - None

ABSENT AND NOT VOTING: 0 - None

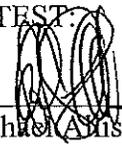

Roger L. Byrne
Village President

PASSED: 8/17/2010

APPROVED: 8/17/2010

PUBLISHED IN PAMPHLET FORM: 8/23/2010

ATTEST:



Michael Addison
Village Manager/Village Clerk



STATE OF ILLINOIS)
)
COUNTY OF LAKE)

CERTIFICATE

I, MICHAEL S. ALLISON, CERTIFY THAT I AM THE DULY APPOINTED AND ACTING VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS. I FURTHER CERTIFY THAT ON AUGUST 17, 2010, THE CORPORATE AUTHORITIES OF SUCH MUNICIPALITY PASSED AND APPROVED ORDINANCE 2010-049, AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE VILLAGE OF VERNON HILLS, CHAPTER 10, ARTICLE VI, OUTDOOR MERCHANDISE DISPLAY AND SALES PERMITS

THE PAMPHLET FOR ORDINANCE NO. 2010-049, INCLUDING THE ORDINANCE AND A COVER SHEET THEREOF WAS PREPARED, AND A COPY OF SUCH ORDINANCE WAS POSTED IN THE VILLAGE HALL, COMMENCING AUGUST 23, 2010 AND CONTINUING FOR AT LEAST TEN DAYS THEREAFTER. COPIES OF SUCH ORDINANCE WERE ALSO AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST IN THE OFFICE OF THE VILLAGE CLERK.

DATED IN VERNON HILLS, ILLINOIS, THIS 23th DAY OF AUGUST 2010.



MICHAEL S. ALLISON, VILLAGE CLERK

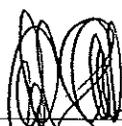
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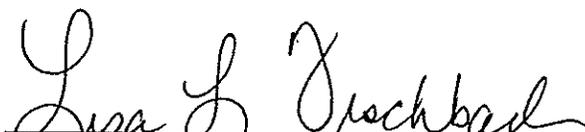
STATE OF ILLINOIS)
)
COUNTY OF LAKE)

I, MICHAEL S. ALLISON, BEING FIRST DULY APPOINTED, DEPOSES AND SAYS ON OATH THAT AS VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, HE DID CAUSE THE FOREGOING CERTIFICATE FOR ORDINANCE 2010-049, AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE VILLAGE OF VERNON HILLS, CHAPTER 10, ARTICLE VI, OUTDOOR MERCHANDISE DISPLAY AND SALES PERMITS



MICHAEL S. ALLISON, VILLAGE CLERK

SUBSCRIBED AND SWORN to Before
Me this 23rd day of August, 2010



Notary Public

