

**CITY OF WEST CHICAGO**

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**ORDINANCE NO. 23-O-0038**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF  
THE CITY OF WEST CHICAGO – APPENDIX A  
SECTION 6.27 OF THE ZONING CODE  
RELATING TO CONTINUOUS OUTSIDE VENDING**

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**ADOPTED BY THE  
CITY COUNCIL  
OF THE  
CITY OF WEST CHICAGO  
October 16, 2023**

Published in pamphlet form by the authority of the City Council of the City of West Chicago,  
DuPage County, Illinois, on the 17<sup>th</sup> day of October, 2023.

## ORDINANCE NO. 23-O-0038

### AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WEST CHICAGO – APPENDIX A SECTION 6.27 OF THE ZONING CODE RELATING TO CONTINUOUS OUTSIDE VENDING

WHEREAS, the City of West Chicago periodically reviews the text of the Zoning Code for inconsistencies, discrepancies, and regulations in need of clarification; and

WHEREAS, the City of West Chicago regulates various activities related to continuous outside vending; and

WHEREAS, there are no current regulations related to vending machines within Section 6.27 of the Zoning Code; and

WHEREAS, the City Council believes it is in the best interest of the City to amend the Zoning Code to allow for vending machines with certain restrictions; and

WHEREAS, Notice of Public Hearing on said text amendments was published in the Daily Herald on or about September 18, 2023, as required by the ordinances of the City of West Chicago and the statutes of the State of Illinois; and

WHEREAS, a Public Hearing was conducted by the Plan Commission/Zoning Board of Appeals of the City of West Chicago on October 3, 2023 pursuant to said Notice; and

WHEREAS, at the Public Hearing all interested parties had an opportunity to be heard; and

WHEREAS, the corporate authorities of the City of West Chicago have received the recommendation of the Plan Commission/Zoning Board of Appeals which contains specific findings of fact, pursuant to Recommendation No. 23-RC-0009, a copy of which is attached hereto as Exhibit “A” which is, by this reference, made a part hereof.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of West Chicago, Du Page County, Illinois, in regular session assembled, as follows:

Section 1. That Section 6.27 – Continuous Outside Vending, of Article VI, Appendix A, of the Code of Ordinances of the City of West Chicago be amended to add the following paragraph:

*(G) Vending Machines, Walk-Up. Properties, except for those used as single-family detached residential, may contain vending machines that dispense ice, non-alcoholic beverages, food, and non-tobacco merchandise. All vending machines shall serve pedestrians only and not motor vehicles. All vending machines shall be located on an approved hard surface but shall not be located within a parking stall, parking drive aisle, fire lane, or other paved area used for vehicular traffic. If located on a private sidewalk, vending machines shall provide a minimum five feet of clearance for pedestrians. Vending machines shall not block any building entrance/exit and shall not cover any portion of any window on a building. Sign-*

age contained on a vending machine shall not be debited against a property's overall allowable wall signage.

Section 2. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

Section 3. That this Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

PASSED this 16<sup>th</sup> day of October, 2023.

|                            |               |                      |            |
|----------------------------|---------------|----------------------|------------|
| Alderman D. Beebe          | <u>Absent</u> | Alderman L. Chassee  | <u>Aye</u> |
| Alderman J. Sheahan        | <u>Aye</u>    | Alderman H. Brown    | <u>Aye</u> |
| Alderman A. Hallett        | <u>Aye</u>    | Alderman C. Dettmann | <u>Aye</u> |
| Alderman M. Birch Ferguson | <u>Aye</u>    | Alderman S. Dimas    | <u>Aye</u> |
| Alderman J. Smith, Jr.     | <u>Absent</u> | Alderman C. Swiatek  | <u>Aye</u> |
| Alderman R. Stout          | <u>Aye</u>    | Alderman J. Short    | <u>Aye</u> |
| Alderman J. Morano         | <u>Aye</u>    | Ward 7 – Vacant      |            |

APPROVED as to form:

Patrick K. Bond  
City Attorney

APPROVED this 16<sup>th</sup> day of October, 2023.

Joji Passsee  
Mayor Pro Tem

ATTEST:

Valeria Perez  
Executive Office Manager Valeria Perez

PUBLISHED: 10-17-2023

# EXHIBIT "A"

## RECOMMENDATION # 23-RC-0009

TO: The Honorable Mayor and City Council

SUBJECT: PC 23-10  
Amendment to Section 6.27 – Continuous Outside Vending, of Appendix A – the Zoning Code, of the Code of Ordinances of the City of West Chicago

DATE: October 3, 2023

DECISION: The motion to recommend approval of the proposed amendment was approved by a vote of four (4) "yes" and zero (0) "no".

### RECOMMENDATION:

After a review of the proposed Zoning Text Amendments as presented, the Plan Commission/Zoning Board of Appeals finds that the proposed amendments do not pose a threat to the health, safety and welfare of the community. It is the Commission's opinion that the proposed amendment will be beneficial to the City of West Chicago.

The amendment is in keeping with the purpose of the Zoning Code. The Plan Commission is of the opinion that the proposed amendment will protect, promote, and improve the public health, safety, morals, convenience, order, appearance, prosperity and the general welfare of the citizens of West Chicago community.

Respectfully submitted,

Barbara Laimins  
Chairperson

### VOTE:

For  
Laimins  
Slattery  
Henkin  
Banasiak

Against

Abstain

Absent  
Kasprak  
Billingsley  
Hale

STATE OF ILLINOIS     )  
COUNTY OF DU PAGE    )

***CERTIFICATE***

I, Valeria Perez, Certify that I am the Executive Office Manager of the City of West Chicago, DuPage County, Illinois.

I further certify that on October 16, 2023 the Corporate Authorities of such municipality passed and approved Ordinance No. 23-O-0038 entitled:

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Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 23-O-0038 including the ordinance and a cover sheet hereof was prepared, and a copy of such ordinance posted in the municipal building, commencing on October 17, 2023 continuing for at least ten days thereafter. Copies of such ordinance were also available for public inspection upon request in the Office of the City Administrator.

Dated at West Chicago, Illinois, this 16<sup>th</sup> of October, 2023.

SEAL



*Valeria Perez*

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Valeria Perez, Executive Office Manager