

VILLAGE OF WINNEBAGO

ORDINANCE NO. 2023 - 07

AN ORDINANCE AMENDING THE ZONING AND BUILDING CODE OF THE
VILLAGE OF WINNEBAGO, ILLINOIS (TO DECREASE NUMBER OF ZONING
BOARD OF APPEALS MEMBERS

ADOPTED BY THE BOARD OF TRUSTEES

VILLAGE OF WINNEBAGO

THIS 14th DAY OF August, 2023

Published in pamphlet form by authority of the Village Board of Trustees of the
Village of Winnebago, Illinois, this _____ day of _____, 2023

STATE OF ILLINOIS)
)
COUNTY OF WINNEBAGO)

SS

PAMPHLET PUBLICATION CERTIFICATION FORM

I, Sally Jo Huggins, certify that I am the duly elected and acting Village Clerk of the Village of Winnebago, Winnebago County, Illinois.

I further certify that on August 14, 2023 the Corporate Authorities of the above municipality passed and approved Ordinance No. 2023- 07, entitled, "**AN ORDINANCE AMENDING THE ZONING AND BUILDING CODE OF THE VILLAGE OF WINNEBAGO, ILLINOIS (TO DECREASE NUMBER OF ZONING BOARD OF APPEALS MEMBERS)**", which provided by its terms that it should be published in pamphlet form.

The pamphlet form of ordinance No. 2023- 07, including the ordinance and a cover thereof, was prepared and a copy of the ordinance was posted in the Village office located at 108 West Main Street, Winnebago, Illinois, commencing on August 15, 2023, and continuing for a least (10) days thereafter. Copies of the ordinance were also available for public inspection upon request in the office of the Village Clerk located at the above Village office address.

DATED at Winnebago, Illinois, this _____ day of _____, 2023.

(SEAL)

Sally Jo Huggins, Village Clerk

ORDINANCE NO. 2023-07

**AN ORDINANCE AMENDING THE ZONING AND BUILDING
CODE OF THE VILLAGE OF WINNEBAGO, ILLINOIS
(TO DECREASE NUMBER OF ZONING BOARD OF APPEALS MEMBERS)**

WHEREAS, the Village's original Zoning Ordinance passed on April 29, 1957, provided for the creation of a Zoning Board of Appeals to consist of seven members appointed by the President and confirmed by the Village Council to serve the following terms: one for one year, one for two years, one for three years, one for four years, one for five years, one for six years, and one for seven years, with the successor to each member so appointed to serve a term of five years, and with one of the members to be named as chairman at the time of his appointment, and with the appointment of a secretary from its membership, and with such Zoning Board of Appeals to prescribe rules for the conduct of its affairs; and

WHEREAS, the above provision is in accordance with the suggested composition of a Zoning Board of Appeals, per Illinois statute, per 65 ILCS 5/11-13-13, but such composition is not statutorily required, but only listed as permissive using the precatory word "may" in describing what a municipality or Village may do in making such composition; and

WHEREAS, the initial Zoning Board of Appeals was established with the staggered terms as referenced above, such that over the years future as Zoning Board of Appeal appointments were each made for a period of five (5) years; and

WHEREAS, in recent years it has been difficult to maintain a seven (7) member Zoning Board of Appeals, and it is believed that having a five (5) member Board of Appeals would — constitute an adequate cross-section of the population of the Village of Winnebago to efficiently and effectively consider matters which come before the Zoning Board of Appeals, while still

allowing for the Zoning Board of Appeals to maintain membership at capacity and allow for more consistent conducting of business by making it easier to establish a quorum; and

WHEREAS, the current members of the Zoning Board of Appeals are in favor of the reduction in its number of members

NOW, THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Winnebago, Illinois as follows:

ARTICLE I

The Zoning and Building Code of the Village of Winnebago, Illinois, passed April 29, 1957, published May 23, 1957, as thereafter periodically amended, be and the same is hereby amended, with the requisite public hearing on such proposed amendment having been noticed and held.

ARTICLE II

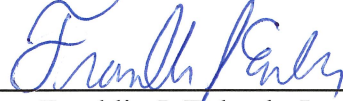
Section V(A)(1) of the Zoning and Building Code entitled "Enforcement and Administration—Board of Appeals—Creation, Appointment and Organization shall be and hereby is amended to add a sentence at the end of Section V(A)(1) as follows: Commencing with the effective date of Ordinance No. 2023- 07, the number of Zoning Board of Appeals members shall be decreased from seven (7) members to five (5) members, and maintain the provision for a five (5) year term for each such member so appointed henceforth.

ARTICLE III

All other provisions of the Zoning and Building Code of the Village of Winnebago, Illinois, shall remain in full force and effect.

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

APPROVED:



Franklin J. Eubank, Jr., President
Village of Winnebago Board of Trustees

ATTEST:



Village Clerk

PASSED:

8-14-2023

APPROVED:

8-14-2023

**PUBLISHED IN
PAMPHLET FORM:**
