

CITY OF O'FALLON, ILLINOIS
ORDINANCE NO.

**AN ORDINANCE AMENDING THE
CITY CODE OF ORDINANCES BY
AMENDING TITLE IX: GENERAL
REGULATIONS, CHAPTER 90 AND
CHAPTER 94 PROVIDING
REGULATION ON THE CREATION
OF THE RURAL RESIDENTIAL
DISTRICT; AMENDING TITLE XV:
LAND USAGE, MULTIPLE
SECTIONS OF CHAPTER 158:
PROVIDING REGULATIONS FOR
THE CREATION OF THE RURAL
RESIDENTIAL ZONING DISTRICT,
PROVIDING REGULATION FOR
SCREENING, HOME DAYCARE
AND SWIMMING POOLS**

WHEREAS, the Staff of the Community Development Department of the City have made the following recommendation to the City Council and believes such recommended regulations would be beneficial to the health, safety and welfare of the citizens of the City of O'Fallon; and

WHEREAS, the Planning Commission held a public hearing on January 14, 2014, and recommended to approve the proposed text amendments with a vote of 6 ayes to 0 nays; and

WHEREAS, the Community Development Committee reviewed the proposed text amendments at a meeting on January 27, 2014 and recommended approval with a vote of 5 ayes to 0 nays; and

WHEREAS, the City desires to achieve goals set forth in the Comprehensive Plan by creating a Rural Residential District and preserving natural areas and certain types of agricultural uses; and

WHEREAS, the City seeks to ensure zoning regulations are consistent and reasonable; and

WHEREAS, the City Council, after careful and due deliberation, and duly noticed public hearings as may be required for changes in zoning regulations, has concluded that adoption of the proposed amendments to the zoning regulations of the City's Code of Ordinances would be in the interests of the health, safety and welfare of the citizens of the City of O'Fallon.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF O’FALLON, ST.CLAIR COUNTY, ILLINOIS AS FOLLOWS:

Section 1: Chapter 158 of the City Code of Ordinances (previously Chapter 42 thereof) and the corresponding Official Zoning Map are hereby amended by repealing the stricken language in the attached “Project #1: Creation of the Rural Residential District”; “Project #2: Clarification of Required Screening”; “Project #3: Amendments to Home Daycare Regulations”; and “Project #4: Amendment to Swimming Pool Regulations” thereof and adopting the new underlined language in the attached “Project #1: Creation of the Rural Residential District”; “Project #2: Clarification of Required Screening”; “Project #3: Amendments to Home Daycare Regulations”; and “Project #4: Amendment to Swimming Pool Regulations”.

Section 2: Except as expressly amended herein, all other provisions of Title IX General Regulations and Title XV, Land Usage, Chapter 158 of the City Code of Ordinances (previously Chapter 42 thereof) and corresponding Official Zoning Map shall remain in full force and effect.

Section 3: If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof or any portion adopted by reference therein is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance, or any part thereof or any portion adopted by reference therein. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

Section 4: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed by the City Council this _____ day of _____ 2014.

ATTEST:
day

Approved by the Mayor this _____

(seal)

of _____ 2014.

Philip A. Goodwin, City Clerk

Gary L. Graham, Mayor

ROLL CALL:	McCoskey	Meile	True	Albrecht	Mouser	Hagarty	Drolet, J.	SUB TOTALS
Aye								
Nay								
Absent								

ROLL CALL:	Roach	Bennett	Cardona	Hursey	Holden	Cozad	Gerrish	SUB TOTALS	SUM OF TOTALS
Aye									
Nay									
Absent									