

COUNTY OF Mc LEAN, STATE OF ILLINOIS

ORDINANCE NO. 18-02-02-52

AN ORDINANCE AMENDING THE ZONING CODE -
GROUP HOMES

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS
19th Day of February 2018

PRESENTED: February 19, 2018

PASSED: February 19, 2018

APPROVED: February 19, 2018

RECORDED: February 19, 2018

PUBLISHED: February 19, 2018


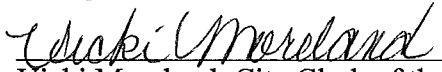
In Pamphlet Form

Voting "Aye" 7

Voting "Nay" 0

The undersigned being the duly qualified and Acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned **ordinance** and that such **ordinance** was presented, passed, approved, recorded and published as above stated.

(SEAL)



Vicki Moreland, City Clerk of the
City of Le Roy, McLean County, Illinois

Dated: February 19, 2018

**CITY OF LE ROY
McLEAN COUNTY, ILLINOIS**

ORDINANCE NO. 18-02-02-52

**AN ORDINANCE AMENDING THE
ZONING CODE – GROUP HOMES**

WHEREAS, the City of Le Roy has enacted a comprehensive Zoning Code incorporated as Title 10 of the Le Roy City Code; and

WHEREAS, the 1988 Fair Housing Act Amendment to the 1968 Civil Rights Act provides for reasonable accommodation for persons with developmental disabilities by units of local government;

WHEREAS, the United States of the Department of Justice and the United States Department of Housing and Urban Development have issued guidance on accommodation of persons with disabilities pursuant to the 1988 Federal Fair Housing Act; and

WHEREAS, guidance issued by the U. S. Department of Justice requires that local zoning codes provide for and accommodate group homes in residential zoning districts ; and

WHEREAS, it is in the best interests of the health, safety and welfare of the citizens of the City of Le Roy to amend the City of Le Roy Zoning Code in order to provide a definition for group homes, a process for a Special Use Permit in the Single Family Residential Zoning District and to permit group homes in the R-2 Residential District, all as provided herein; and

WHEREAS, the City of Le Roy Planning Commission, after notice as required by law, held a public hearing on the proposed amendments to the City of Le Roy Zoning Code, and prepared a report recommending the amendments provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF LE ROY, McLEAN COUNTY, ILLINOIS, as follows:

SECTION 1. That the report and recommendation of the Le Roy Planning Commission be and the same is hereby received.

SECTION 2. That Section 10-1-3 of the Le Roy City Code be and the same is hereby amended by adding the following definitions:

Group Home: A dwelling to provide a socially dependent family environment for developmentally or mentally disabled patients as specified in the 1988 Fair Housing Act Amendment to the 1968 Civil Rights Act. For purposes of this Chapter, the definition

shall not include half-way houses, uses for the recovering chemically-dependent, prison work-release programs, or any use that does not house solely the developmentally disabled.

Group Home Large: A group home of seven (7) to twelve (12) residents, including live-in staff.

Group Home Small: A group home of four (4) or fewer residents, plus two (2) live-in staff members.

SECTION 3. That Section 10-6A-3 of the City of Le Roy City Code be and the same is hereby amended by adding Group Home Small as a listed Special Use, provided no Group Home shall be located within one thousand (1,000) feet of another Group Home.

SECTION 4. That Section 10-6B-2 of the City of Le Roy City Code be and the same is hereby amended by adding the following as permitted uses: Group Home Small and Group Home Large. No Group Home, Large or Small, shall be located within one thousand (1,000) feet of another Group Home, Large or Small.

SECTION 5. Severability. In the event 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 invalid parts shall remain in full force and effect.

SECTION 6. Repeal and Savings Clause. All ordinances or parts of ordinances in conflict hereof, are hereby repealed, provided, however, that nothing herein contained shall affect any rights, action, or causes of action, which have accrued to the City of Le Roy, prior to the effective date of this Ordinance.

SECTION 7. Publication. The City Clerk be and she is hereby authorized and directed to publish this Ordinance in pamphlet form, as provided by law.

SECTION 8. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED by the City Council of the City of Le Roy, Illinois, upon the motion
Made by Glenn Reinhart, and seconded by Dawn Hanafin by roll call vote on the 19th
Day of February 2018, as follows:

Aldermen elected 8

Aldermen Present 7

Voting Aye: Dawn Hanafin, Rick Kline, Kyle Merkle, Brad Poindexter, Glenn Reinhart,
Ron Legner, Hilary Neal.

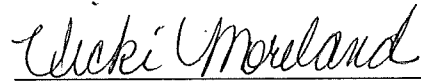
Voting Nay: None

Absent: Greg Steffen

Abstain: None

Other: None

and deposited and filed in the office of the City Clerk in said municipality on the 19th
Day of February 2018.



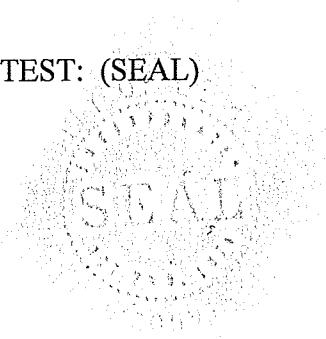
Vicki Moreland, City Clerk of the City of
Le Roy, Mc Lean County, Illinois

APPROVED BY the Mayor of the City of Le Roy, Illinois,
this 19th Day of February 2018.



Steven M. Dean, Mayor of the City of Le Roy,
Mc Lean County, Illinois

ATTEST: (SEAL)



Vicki Moreland, City Clerk of the City of
Le Roy, Mc Lean County, Illinois

CERTIFICATE

I, Vicki Moreland, certify that I am the duly appointed and acting municipal clerk of the City of Le Roy, of McLean County, Illinois.

I further certify that on **February 19, 2018** the Corporate Authorities of such municipality passed and approved **Ordinance No. 18-02-02-52** entitled:

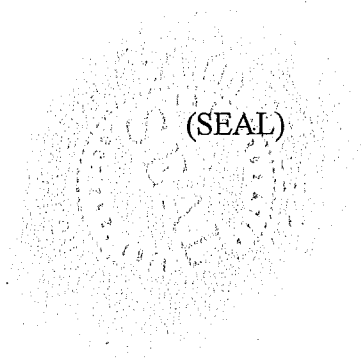
**AN ORDINANCE AMENDING THE ZONING CODE –
GROUP HOMES**

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

The pamphlet form of Ordinance No. **18-02-02-52**, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on **February 19, 2018** 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 municipal clerk.

Dated at Le Roy, Illinois this 19th Day of February 2018.

(SEAL)


Vicki Moreland
Vicki Moreland, City Clerk of the City of
Le Roy, McLean County, Illinois

STATE OF ILLINOIS)
) SS:
COUNTY OF MCLEAN)

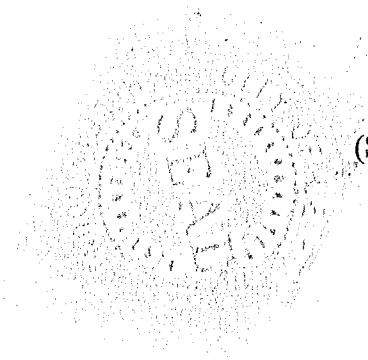
I, Vicki Moreland, do hereby certify that I am the duly qualified and acting City Clerk of the City of Le Roy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

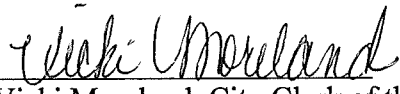
**AN ORDINANCE AMENDING THE ZONING CODE –
GROUP HOMES**

I do further certify said *ordinance* was adopted by the City Council of the City of Le Roy at a regular meeting on the 19th Day of February 2018, and prior to the making of this certificate the said ordinance was on file with the permanent records of said City where it now appears and remains as a permanent record of said ordinance in the record books.

Dated this 19th Day of February 2018



(SEAL)


Vicki Moreland, City Clerk of the
City of Le Roy, McLean County, Illinois