

ORDINANCE AMENDING THE SUBDIVISION  
CONTROL ORDINANCE, ADOPTED MARCH 13  
1956, AS AMENDED

WHEREAS, the County Board for the County of Kendall has determined that it is not in the best interest for the County of Kendall that the uncontrolled division of lands in the County into parcels of five acres or more for residential purposes be permitted without orderly control; and

WHEREAS, it is in the best interest of the County of Kendall that building permits for all future divisions of land for residential purposes into parcels any of which is five acres or more in size be controlled.

NOW, THEREFORE BE IT ORDAINED by the County Board of Kendall County as follows:

1. DEFINITIONS:

(a) Agricultural Purposes.

The term agricultural purposes as used in this Ordinance is defined to and shall include purposes pertaining to farming, husbandry, tillage, the culture of the earth or the raising of livestock on parcels of land of 20 acres or more in size.

(b) Residential Purposes.

The term residential purposes as used in this Ordinance is defined to and shall include purposes pertaining to human habitation.

2. That no structures shall be hereafter erected for residential purposes on any parcel of land unless and until a plat of subdivision including said parcel of land has been approved in accordance with the terms of the Subdivision Control Ordinance and recorded in the office of the Recorder of Deeds, Kendall County, Illinois, providing, however, that the following are specifically exempt from the terms of this Ordinance:

- (a) Parcels of land used for agricultural purposes as defined in this Ordinance.
- (b) Parcels of land on record in the office of the Recorder of Deeds, Kendall County, Illinois as separate distinct parcels at the effective date of this Ordinance.
- (c) Parcels of land which were part of an existing parcel or tract of land used for agricultural purposes as defined in this Ordinance existing on July 17, 1959 which is divided into no more than two parts and not involving any new streets or easements of access, providing that the smaller of said parcels shall have a frontage of not less than 40% of the depth.

4. That no building permits shall be issued for any structure to be erected for residential purposes as defined in this Ordinance unless the terms of this Ordinance are met.

5. That dedicated roadways may be required to be built by the owner in accordance with the standards provided in the Subdivision Control Ordinance.

6. That it shall be unlawful for any person, firm, corporation, partnership, trust or any other legal entity to violate any of the terms of this Ordinance.

7. Any person, firm, corporation, partnership, trust or any other legal entity who violate, disobeys, omits, neglects or refuses to comply with or resists the enforcement of any of the provisions of this Ordinance shall be fined not less than Ten (\$10.00) dollars nor more than ~~Two~~ <sup>FIVE</sup> Hundred (\$~~200~~<sup>500</sup>.00) Dollars. Each day such a violation or failure to comply is permitted to exist after notification thereof shall constitute a separate offense.

8. It is hereby declared to be the intention of the County Board of Kendall County that the several provisions of this amended Zoning Ordinance are separable, in accordance with the following:

- (a) If any court of competent jurisdiction shall declare any provisions of this amended Zoning Ordinance to be invalid, such ruling shall not affect any other provisions of this Amended Ordinance not specifically included in the said ruling.
- (b) If any court of competent jurisdiction shall declare invalid the application of any provisions of this Amended Zoning Ordinance to a particular property, building, or other structure, such ruling shall not affect the application of said provision to any other property, building, or structure not specifically included in said ruling.

9. That the terms of the foregoing Ordinance are expressly made in addition and supplemental to the terms of the Subdivision Control Ordinance as passed and amended now in effect and it is hereby expressly declared that the terms of this Ordinance supersede only those provisions of the foregoing Ordinance which are in conflict herewith.

PRESENTED, APPROVED, PASSED and ADOPTED this 28th day of August, A.D. 1972.

Attest:

John G. Brady  
Clerk

James C. Mann  
Chairman