

ORDINANCE NO. 2018 – 123

AN ORDINANCE GRANTING APPROVAL TO WAIVE CERTAIN SEPARATION REQUIREMENTS FOR MASSAGE ENVY, LOCATED AT 700 NORTH MILWAUKEE AVENUE IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY

WHEREAS, Section 10-122(3) of the Vernon Hills Code of Ordinance, requires that massage establishments, as defined therein, be separated a minimum of 300 feet from establishments licensed to sell alcohol; and

WHEREAS, Massage Envy, located at 700 North Milwaukee Avenue, has petitioned the Village Board to request a waiver from the requirements set forth in Section 10-122(3) by allowing their business to be 289 feet from an establishment licensed to sell alcohol; and

WHEREAS, the Village Board, at their Committee of the Whole meeting on July 17, 2018, having fully heard the testimony, found that sufficient facts were presented which, in its judgment, would justify recommending approval of a waiver of the separation requirement allowing Massage Envy to be located 289 feet from an establishment licensed to sell alcohol.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, COUNTY OF LAKE AND STATE OF ILLINOIS:

SECTION I. Pursuant to the Vernon Hills Code of Ordinances, Massage Envy is hereby granted a waiver from Section 10-122(3), allowing a massage establishment to be located 289 feet from and establishment licensed to sell alcohol.

SECTION II. SEVERABILITY. In the event that 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 the invalid parts shall remain in full force and effect. If any part of this ordinance is found to be invalid in any one or more of its several applications, all valid applications that are severable from the invalid applications shall remain in effect.

SECTION III. REPEAL AND SAVINGS CLAUSE. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions or causes of action which shall have accrued to the Village of Vernon Hills prior to the effective date of this Ordinance.

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

SECTION V. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2018-123.

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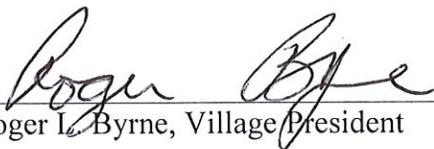
Dated the 14th of August, 2018

Adopted by roll call votes as follows:

AYES: 5 – Schultz, Marquardt, Koch, Oppenheim, Takaoka

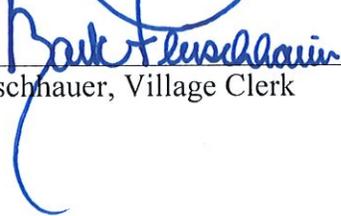
NAYS: 0 - None

ABSENT AND NOT VOTING: 0 - None



Roger L. Byrne, Village President

PASSED: August 14, 2018
APPROVED: August 14, 2018
ATTEST: August 14, 2018



Mark Fleischnauer, Village Clerk