

7/11/2011

**50-0-11**

**AN ORDINANCE**

**Provisionally Adopting, Enacting, and Re-enacting New and Amended Code Provisions to Titles 3 and 7 of the City of Evanston Code of Ordinances; Providing for the Repeal of Certain Ordinances Not Included Therein; Providing for the Manner of Amending Such Title; and Providing When Such Title and this Ordinance Become Effective**

WHEREAS, the City of Evanston, Cook County, Illinois, (the "City") is a home rule unit of government under the Illinois Constitution of 1970; and

WHEREAS, the City adopted an Evanston City Code in 1979 for the purpose of carrying into effect and discharging all powers and duties conferred by law upon the City and its officers, employees, and residents; and to promote the public health, safety, and welfare of its residents; and

WHEREAS, the City Council finds and determines that the current City Code needs to be significantly amended and updated to satisfy its purpose; and

WHEREAS, the City Council finds and determines that the purpose of the City Code will be accomplished by provisionally adopting these 2011 amendments and revisions; and

WHEREAS, these provisional approvals and enactments are intended to be subject to a final City Council review and approval, and the City Council will adopt a revision and codification of the entire City Code (excepting Title 6), later this year.

**NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:**

**SECTION 1:** That Title 3 and 7 of the Evanston City Code of 1979, as amended, are hereby provisionally amended as set forth, respectively, in Exhibit A, "Title 3 Amendments and Revisions", and Exhibit B, "Title 7 Amendments and Revisions", attached hereto and incorporated herein by reference.

**SECTION 2:** All ordinances of a general and permanent nature enacted on or before the date of this provisional adoption continue in full force and effect and are not repealed or affected by this Council action.

**SECTION 3:** Additions or amendments to the Code when passed in such form as to indicate the intent of the City Council to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

**SECTION 4:** Section 2 hereof shall not be construed to revive any ordinance or part thereof that has been adopted or repealed by a subsequent ordinance.

**SECTION 5:** This Ordinance shall not become effective. It is a provisional policy expression which is expressly subject to and conditioned upon final review and recommendation by the City Council. Upon such final review and recommendation by the City Council, the amendments and revisions in Section 1 hereof shall be adopted via a subsequent and separate ordinance "Adopting the Evanston City Code, 2011."

**SECTION 6:** That the findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: September 12, 2011

Approved:

Provisionally  
Adopted: September 26, 2011

September 28, 2011

Elizabeth B. Tisdahl  
Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

Rodney Greene  
Rodney Greene, City Clerk

W. Grant Farrar  
W. Grant Farrar, Corporation Counsel

**EXHIBIT A**

Title 3 Amendments and Revisions

**EXHIBIT B**

Title 7 Amendments and Revisions

