

**AN ORDINANCE AMENDING CHAPTERS 14 AND 28
OF THE ARLINGTON HEIGHTS MUNICIPAL CODE**

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ARLINGTON HEIGHTS:

SECTION ONE: That Section 14-801, Definition, in Article VIII, Day Care Homes, of Chapter 14, Other Businesses, of the Arlington Heights Municipal Code, is hereby amended to read as follows (the language being deleted is stricken and the language being added is highlighted):

Section 14-801 Definition. ~~A day care home is a facility located in a single family detached residence which receives not more than eight children for care during the day. The maximum of eight children includes the family's natural or adopted children under age 16 and those children who are in the home under full time care.~~ **A Day Care Home means a family home which receives more than three up to a maximum of 12 children for less than 24 hours per day. The number counted includes the family's natural or adopted children and all other persons under the age of 12. The term does not include facilities which receive only children from a single household.**

SECTION TWO: That Chapter 28, Zoning Regulations, of the Arlington Heights Municipal Code, is hereby amended as follows (the language being deleted is stricken and the language being added is highlighted):

a. That the definition, Day Care Home, in Section 28-3, Definitions, is hereby amended to read as follows:

3.2-63 Day Care Home. ~~A day care home is a facility located in a single family detached residence, which receives not more than eight children for care during the day. The maximum of eight children includes the family's natural or adopted children under age sixteen and those children who are in the home under full time care.~~ **A Day Care Home means a family home which receives more than three up to a maximum of 12 children for less than 24 hours per day. The number counted includes the family's natural or adopted children and all other persons under the age of 12. The term does not include facilities which receive only children from a single household.**

b. That Section 5.5, Permitted Uses, is hereby amended to read as follows:

5.5 Permitted Uses. No principal building, structure or land use shall be permitted except in the zoning districts indicated and for the purposes permitted in the following table. Each use is mutually exclusive and does not encompass other uses listed in the table. A principal use listed in that table in any district denoted by the letter "X" **"P"** is permitted by right provided that all other requirements of state law, this Chapter, and all other applicable ordinances and regulations have been met. A principal use listed in the Table in any district denoted by the letter "S" is a special use and permitted only subject to the provisions of Section 8. A principal

building structure or use not indicated in any district by either an “~~X~~” “P” or an “S” is not permitted in that district.

c. That Section 5.5-1, Permitted Use Table-Residential Uses, is hereby amended by adding the following:

| Residential Uses | RE | R1 | R2 | R3 | R4 | R5 | R6 | R7 | I | B1 | B2 | B3 | B4 | B5 | PL |
|------------------|----|----|----|----|----|----|----|----|---|----|----|----|----|----|----|
| Day Care Homes | p | p | p | p | p | p | p | p | p | | | | | | |

SECTION THREE: The provisions of this Ordinance are severable, and the invalidity of any phrase, clause or part of this Ordinance shall not affect the validity or effectiveness of the remainder of this Ordinance.

SECTION FOUR: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION FIVE: This Ordinance shall be in full force and effect from and after its passage and approval and publication in pamphlet form, in the manner provided by law.

AYES:

NAYS:

PASSED AND APPROVED this 3rd day of September, 2019.

Village President

ATTEST:

Village Clerk