

ORDINANCE NO. F-0765

**AN ORDINANCE AMENDING CHAPTER 22,
SECTION 22-8 “PERMITS NOT TO ISSUE TO PERSONS INDEBTED TO THE CITY”
OF THE ORDINANCES OF THE CITY OF WHEATON**

WHEREAS, Section 22-8 of the Code of Ordinances of the City of Wheaton regulates the issuance of permits to persons and entitled indebted to the City of Wheaton; and

WHEREAS, the Corporate Authorities of the City of Wheaton have determined that public services, and public utilities, provided to real property in the City of Wheaton, provide benefits to the owners of property as well as tenants to the property; and

WHEREAS, the Corporate Authorities of the City of Wheaton have determined that it is an improper burden on the tax payers of the City of Wheaton to have to absorb debts for City services and utilities which benefit the owners and tenants of real property in the City of Wheaton when the debts are related to said real property;

NOW THEREFORE, be it ordained by the Mayor and City Council of the City of Wheaton, DuPage County, Illinois that Section 22-8 of Chapter 22, of the Code of Ordinances of the City of Wheaton, entitled “Permits not to Issue to Persons Indebted to City” is hereby repealed and rescinded in its entirety and replaced with a new Section 22-8 to be entitled “Permits not to Issue When Certain Debts are Owed to the City” which shall read as follows:

- 1. Sec. 22-8 “Permits not to Issue to Persons Indebted to City

Notwithstanding any provision contained in this Chapter and/or the BOCA National Building Code in effect to the contrary, no permit required by the provisions of this Chapter shall be issued to:

- A. Any individual, partnership, corporation, land trustee, or other business entity, if the individual, partnership, corporation, land trustee, or other business entity or any partner, shareholder, beneficiary or member thereof is financially indebted to the City; or
- B. For any property, for which any prior tenant or owner, including tenant or owners who are individuals, partnerships, corporations, land trustees, or other business entity, has outstanding debts related to the real estate incurred by any prior owner, the current owner or prior tenant or occupant of the owner. “

2. All ordinances or parts of ordinances in conflict with these provisions are repealed.

3. That if any part or portion of this ordinance shall be declared invalid by a court of competent jurisdiction, such invalidity shall not affect the remainder of this ordinance.

4. This ordinance shall become effective after its passage, approval and publication in pamphlet form in the manner described by law.



Mayor James Carr

ATTEST:



City Clerk

Roll Call Vote:

Ayes: Councilman Mork
Councilman Mouhelis
Councilman Eckhoff
Councilman Gresk
Councilman Johnson
Mayor Carr

Nays: None
Absent: Councilwoman Johnson

Motion Carried Unanimously

Passed: October 21, 2002
Published: October 22, 2002